

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, March 17, 1953

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, Mayor Butler.  
Absent---Councilmen Kerrigan, Dail, Godfrey  
Clerk----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, March 10, 1953, and of Thursday, March 12, 1953, were presented to the Council.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for Small Water Main Replacements, Group No. II, 1952-53 - Specification No. 36, the Clerk reported that 5 bids had been received, which bids were opened and publicly declared upon motion made and seconded, after having been presented to the Council.

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 of Maryland in the sum of 10% of the amount of the bid, which bid was given Document No. 465500;

Councilman Godfrey and Councilman Kerrigan entered the meeting at this time.

The bid of W. W. Hutchison, accompanied by bond written by Fireman's Fund Indemnity Company in the sum of 10% of the amount of the accompanying bid but not exceeding ninety-three hundred dollars, which bid was given Document No. 465501;

The bid of Moffitt and Waddington Irrigation Company, accompanied by bond written by Glens Falls Indemnity Company in the sum of 10% of the amount bid, which bid was given Document No. 465502;

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% of the aggregate sum of the bid, which bid was given Document No. 465503;

The bid of Royal Pipeline Constr. Co., no bond found accompanying the bid, which bid was given Document No. 465504.

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 Resurfacing Streets, Group I & II - Specification No. 366 - the Clerk reported that 4 bids had been received, which bids were opened and publicly declared upon motion made and seconded, after having been presented to the Council.

Said bids were as follows:

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of seventy two hundred dollars, which bid was given Document No. 465505;

Councilman Godfrey was excused from the meeting at this time..

The bid of R. E. Hazard Contracting Company, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount of bid, which bid was given Document No. 465506;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$8,000.00, which bid was given Document No. 465507;

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% of the aggregate sum of the bid, which bid was given Document No. 465508.

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 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 particularly described in Resolution of Intention No. 110075, 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 Walter H. Barber, accompanied by bond written by Hartford Accident & Indemnity Company in the sum of twenty two hundred dollars, which bid was given Document No. 465509;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of three thousand dollars, which bid was given Document No. 465510;

The bid of Charles J. Dorfman, accompanied by bond written by Peerless Casualty Company in the sum of twenty five hundred dollars, which bid was given Document No. 465511;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of thirty five hundred dollars, which bid was given Document No. 465512;

Councilman Kerrigan was excused from the meeting at this time.

The bid of H. H. Peterson, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of two thousand five hundred dollars, which bid was given Document No. 465513.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Manzanita Drive, Heather Street, and Glenfield Street, within the limits and as particularly described in Resolution of Intention No. 110073, 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 twenty two hundred dollars, which bid was given Document No. 465524;

Councilman Kerrigan returned to the meeting at this time.

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of two thousand five hundred dollars, which bid was given Document No. 465525;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of twenty one hundred dollars, which bid was given Document No. 465526;

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. 465527;

Councilman Godfrey returned to the meeting at this time.

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of three thousand dollars, which bid was given Document No. 465528.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of 55th Street, within the limits and as particularly described in Resolution of Intention No. 110071, 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 sixteen hundred dollars, which bid was given Document No. 465514;

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. 465515;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of sixteen hundred dollars, which bid was given Document No. 465516;

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 sixteen hundred dollars, which bid was given Document No. 465517;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of two thousand five hundred dollars, which bid was given Document No. 465518.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids 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, 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 twenty three hundred dollars, which bid was given Document No. 465519;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity in the sum of two thousand five hundred dollars, which bid was given Document No. 465520;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of twenty five hundred dollars, which bid was given Document No. 465521



The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of twenty five hundred dollars, which bid was given Document No. 465522;

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. 465523.

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, the time set for hearing on The Street Superintendent's Assessment No. 2111, made to cover the cost and expenses of the paving and otherwise improving of Langley Street, within the limits and as particularly described in Resolution of Intention No. 106559, 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. 111047, recorded on Microfilm Roll No. 61, confirming and approving the Street Superintendent's Assessment No. 2111 made to cover the cost and expenses of the paving and otherwise improving of Langley Street, within the limits and as particularly described in Resolution of Intention No. 106559; 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on The proposed assessment for the furnishing of electric current for the lighting of 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, 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. 111048, recorded on Microfilm Roll No. 61, confirming and adopting as a whole the Engineer's Report and Assessment for La Jolla Lighting District No. 1, filed in the office of the City Clerk February 6, 1953; 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 proposed assessment 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, 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. 111049, recorded on Microfilm Roll No. 61, confirming and adopting as a whole the Engineer's Report and Assessment for Seventh Avenue Lighting District No. 1, filed in the office of the City Clerk February 6, 1953; 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 proposed assessment 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 period from and including January 1, 1953, to and including December 31, 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. 111050, recorded on Microfilm Roll No. 61, confirming and adopting as a whole the Engineer's Report and Assessment for Eighth Avenue Lighting District No. 1, filed in the office of the City Clerk February 6, 1953; 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. 110654 of Preliminary Determination for the paving and otherwise improving of Rose Street, Hobart Street, Stewart Street, Millar Street, Catocin Drive, 63rd Street, Pembroke Drive, and Public Rights of Way within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been presented.

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

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

RESOLUTION NO. 111051, recorded on Microfilm Roll No. 61, determining that the proposed improvement of Rose Street, Hobart Street, Stewart Street, Millar Street, Catoctin Drive, 63rd Street, Pembroke Drive, and Public Rights of Way, within the limits and as particularly described in Resolution No. 1110654 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 110655 of Preliminary Determination for installation of sewers in Winchester Street, Calle Serena, Calle Aguadulce, Calle Tocon, Cumberland Street, Roanoke Street and Albermarle 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. 111052, recorded on Microfilm Roll No. 61, determining that the proposed improvement by installation of sewers in Winchester Street, Calle Serena, Calle Aguadulce, Calle Tocon, Cumberland Street, Roanoke Street and Albermarle Street, within the limits and as particularly described in Resolution No. 110655 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 Kerrigan, seconded by Councilman Wincote, adopted.

\*The hour of 10:00 o'clock A.M. having arrived, the time set on the hearing which had been continued from week to week - from its first hearing on Resolution of Intention No. 109911, decision to be made at this hearing, by the Council - the Mayor asked James Reading, Traffic Engineer who also deals with streets, to be heard.

Mr. Reading reported that he had attended the neighborhood meeting, at which it was indicated by all present that they wanted lights. He said that was indicated that votes will be taken to determine the type of system desired. The hearing as held, Mr. Reading told the Council, restricted voting to one person from each home; the vote resulting in 24 to 24. He said that it was indicated that there was no point in going further, after the vote was taken, after which the meeting broke up. He said that it is now up to the Council to make its determination.

Councilman Schneider asked Mr. Reading if it was up to the Council to make a decision on the intersection lights issue, also.

Mr. Reading replied "Yes".

Otto A. Hirr, 3263 Hyacinth Drive, reported from the meeting that those affected want the lights - unanimously. He said that there had been discussion in connection with removal of the poles, but that point was not settled.

Councilman Schneider wondered about the reaction relative to the ornamental lights.

Mr. Hirr said that the entire matter had been stirred up by 1 or 2 persons, starting with the matter of taking down the poles. He said that he was speaking for himself relative to the retracting of named from the "petition", inasmuch as he said that he thinks people want lights like the rest of Loma Portal. Ninety five percent of the people, he told the Council, would like them. He said that there were not enough people present at the meeting to decide anything. He said that he thought the people who had spoken against the lights were under a false assumption.

Asked how many parcels are in the proposed district for said lights, Mr. Reading replied 139.

The City Engineer reported a 66.4% original petition, based on frontage. He pointed out that the Resolution of Preliminary Determination had brought forth no protests. On the Resolution of Intention, he referred to a 16.3% protest, based on area. He mentioned, as the Council knew, the continued petition, and stated that no percentages had been calculated on later protests.

Councilman Wincote declared that the City has a petition for ornamental street lights, and that he does not wish to enter into a compromise with property owners. He said that it should be taken as it is, or be voted out.

Councilman Godfrey referred to the "persuasive" protests which arrived late, and that as a result something conclusive might come of them. He declared that at the meeting referred to by Mr. Hirr, there had been nothing conclusive.

Mr. Hirr spoke again about the meeting, and to the misunderstandings. Two ladies, he said, thought they would get no lights. Half of the protestants, now want their names off the protest. There was apathy at the meeting, Mr. Hirr said.

Councilman Schneider moved that the Council proceed with the regular proceedings.

The Mayor said that before that is done, the protests should be disposed of.

RESOLUTION NO. 111053, recorded on Microfilm Roll No. 61, overruling and denying the protests of W. T. McCluskey; Mr. and Mrs. John Robert Webster, Jr.; Mrs. F. J. Gaxiola, Thomas N. Green, W. W. Stiers, Virginia Green (Mrs. Thomas N.), Scott C. Gray, Charles Y. Barragan and Mrs. Charles Barragan; Levon L. Hammond, Joseph William Chenault and Vera G. Chenault, Donald M. Murray, Lewis M. Pinks; Francis M. Savina, Robert Lee Wright, Cyril D. Jeffcoat, 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, overruling and denying all other protests, against the installation of lights on Kingsley Street, James Street, Oleander Drive, Poinsettia Drive, Oleander Place, Hyacinth Drive and Wisteria Drive, in Plumosa Manor Unit No. 2, within the limits and as particularly described in Resolution of Intention No. 109911; overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

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

\*This covers Resolution of Intention No. 109911 for installation of street lighting in Kingsley Street, James Street et al in Plumosa Manor Unit No. 2

111051 - 111053

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the annexation of Lots 135 through 145 inclusive, National Vista, in The City of National City, County of San Diego, State of California, to the City of San Diego, 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 written protests were presented, and no one appeared to be heard verbally.

(Said annexation had been through the Council once before - but on the advice of the City Attorney inasmuch as there had been an error in the proceedings - the steps were gone through again).

Councilman Godfrey was excused from the meeting at this time.

ORDINANCE NO. 5519 (New Series), recorded on Microfilm Roll No. 61, approving the 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, known and designated as "Kathol-Beall 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, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Dail, 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, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail, Godfrey.

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

A petition of Elsie F. Swimmington, E. Dana Gibson, Philip E. Minnil, Eugene M. Owen, Ross J. McCorquadale, for permission to start proceedings for the annexation to the City of San Diego of the territory referred to as the Rolando Area, was presented.

Stillman Rowe, Jr., 4378 Elma Lane, La Mesa, was heard in connection with the petition. He spoke about 5 petitions for permission to circulate. He told about protests on various properties adjoining La Mesa. Mr. Rowe showed the Council a map of district. He said that if the property annexes, the nearest school would be farther away than it is now.

Councilman Godfrey returned to the meeting.

Continuing, Mr. Rowe said that it is a problem to parents now. He pointed out that teen agers do not want to leave their present schools and have to go to new schools. Also, he said, that parents do not want their children to have to cross El Cajon Boulevard, which they would have to do if annexation takes place. He pointed out that individuals have not had an opportunity to attend a meeting on the subject, and that many did not know that they were included. All goes back to the school problem, Mr. Rowe told the Council. Rolando Knolls, Sullivan Tract and Superior Nos. 1, 2, 3, 4, 5 property owners in the number of 85% object to the annexation.

Councilman Swan wanted to know if other boundaries, than the ones included in the proposal, had been considered.

Mr. Rowe replied that it is so sudden that he does not know. He asked to be eliminated in accordance with his previous statement.

Councilman Wincote pointed out to Mr. Rowe that the City of San Diego is not asking for the annexation. It is a neighborhood matter, he declared. He said that he does not object to the City Manager's weighing the problem. He said that he felt that it just be adjusted in the neighborhood.

Mr. Rowe said that other territory is "being brought in by Rolando Village".

Asked about Sheriff's and fire services, Mr. Rowe replied that the area is served by the County Sheriff's department, and by the Forestry Service which is located in La Mesa.

Councilman Godfrey said that the matter should be referred to the City Manager for survey.

Councilman Wincote declared that the City will be governed by the wishes of the people.

Councilman Kerrigan moved to refer the petition for permission to annex, and the petitions of protest, to the City Manager for study, which motion was seconded by Councilman Schneider.

Councilman Wincote moved to consider a change of boundaries, which motion for amendment was not seconded.

A woman, whose name was understood to be Mrs. Newmore, asked if the proposal would create or perpetuate "islands".

Orin Cope, Assistant to the City Manager, spoke. He said that as long as it would be between two cities, it could be; but that islands could not be created within the City. He said that time is needed to make up minds relative to the boundaries. He said that the people in the general area had been approached by the City, and said that the boundary proposed for annexation is logical. The boundaries are still under discussion, Mr. Cope said. Also, the Boundary Commission's vote is needed, he told the Council. He also declared that water is a problem. The schools matter, he said, is a School District problem, and that the City is not able to make a decision on that point. He said that it is the School Board's responsibility.

The roll was called on the motion and the original petition for permission to annex was referred to the City Manager, together with the petitions requesting that certain property be excluded.

In connection with the next matter, E. W. Blom, Acting City Manager, reported and said that the proposal to buy equipment is suitable, and that the City is paying \$495.00 per month on rental now. He said that the total price would be the same for purchase, with the rental price included. He said that the City did not want to buy until it had been tried out on a rental basis.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing one Hydraulically Controlled Power Driven Controlled Power Driven Concrete Breaker, recommending award to Smith Booth Usher Company, Division of Western Machinery Company, sole bidder, was presented. The communication states that the slightly used machine carries a new machine guarantee.



RESOLUTION NO. 111054, recorded on Microfilm Roll No. 61, accepting bid of Smith Booth Usher Company, Division of Western Machinery Company, for the furnishing of one slightly used Power Driven Hydraulically Controlled Concrete Breaker; awarding contract authorizing and instructing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Councilman Wincote requested, and was granted unanimous consent to present the next matter. He said that he was doing so, at the request of Councilman Dail, who was unable to attend the meeting. No communication or petition was filed in the matter.

Under the unanimous consent, Fred Light, 1930 Island Avenue, spoke about a septic tank permit to serve his new home located at 5511 Lenox Drive. He said that he has been unable to get a permit for such septic tank, but pointed out that he would connect to the new sewer when it comes in. Asked by the Council if there is any property between his and the new sewer line, Mr. Light replied that there is.

Councilman Kerrigan moved to refer the verbal request to the City Manager to see if it can be worked out.

The motion was not seconded at this point.

E. Provanchi, Mr. Light's contractor, spoke about the special permit which would be needed from the Council in order to construct the septic tank and connect the new residence with it. He said that he has been running around for two weeks now, and getting nowhere. He said that the only thing which is wanted is a temporary permit.

E. W. Blom, Acting City Manager, told about the attempt to use the new ordinance for trunk sewers. He said that work is under way on another ordinance to set up a means for the kind of situation covered by Mr. Light's request. He pointed out that a substantial portion of the cost would be needed, inasmuch as considerable City funds would not be tied up in such projects. He suggested that the matter be referred to the City Manager.

Councilman Wincote said that is being talked about now is getting information from the City Manager in regard to the requested permit. He pointed out that if Mr. Light puts in a septic tank he could have a big charge later, when he is to have his property serviced by the sewer for which he said that he cannot wait.

Mr. Light told the Council that he cannot get a permit for construction of the house, although he wants to get the construction under way.

Councilman Godfrey said that the City Manager should expedite the matter, and see if a method can be found to assist Mr. Light.

Mr. Blom suggested to Mr. Light that he go to the City Manager's office for an appointment relative to consideration to be given to the question tomorrow afternoon.

RESOLUTION NO. 111055, recorded on Microfilm Roll No. 61, referring to the City Manager the verbal request of Fred Light, 1930 Island Avenue, and E. Provanchi his contractor, relative to securing permission to use a septic tank at a proposed residence to be constructed at 5511 Lenox Drive, until such time as the nearby sewer is constructed and put into operation, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The next matter, which has to do with the discussion just ahead of it, was brought up by Councilman Schneider. He said that he wondered how wide a spread there is for sewers, septic tanks in connection with a double charge, where septic tanks are installed and that later property owners are charged for the sewer installation and connection.

The Acting City Manager reported that there could be a wide spread, and said as he had in the previous matter, that care has to be exercised so as not to saddle the costs on the City.

RESOLUTION NO. 111056, recorded on Microfilm Roll No. 61, referring to Council Conference the matter of a double charge which would result from permits granted for installation and use of septic tanks, which would be followed by the installation of sewer lines and connection thereto, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the furnishing of Valves for Sutherland-San Vicente Conduit and Sutherland Dam Outlet Works, received by the Purchasing Agent on January 7, 1953, from 6 bidders, was presented. It states that American valves bid on by Parkson, Incorporated, and Warren & Bailey Company on items one, two and three, failed to meet specifications and the Director of Water Department recommends rejection of said make. It recommended award to Mission Pipe & Supply Company, low bidder meeting specifications, for furnishing Item 1; Parkson, Inc., low bidder for furnishing Item 4; Warren & Bailey for furnishing Item 5; Crane Co., sole bidder for furnishing Item 6.

RESOLUTION NO. 111057, recorded on Microfilm Roll No. 61, accepting bid of Crane Co., for furnishing Item 6, 1 - 30" Plug Valve @ \$2,079.00, etc.; awarding contract, authorizing and instructing the City Manager to enter into and execute contract pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111058, recorded on Microfilm Roll No. 61, accepting bid of Western Metal Supply Co., for furnishing of Item 5, 1 - 24" Plug Valve @ \$1,148.00; awarding contract, authorizing and instructing the City Manager to enter into and execute contract pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111059, recorded on Microfilm Roll No. 61, accepting bid of Parkson, Inc., for furnishing of Item 4, 30 - 4" Air Valves @ \$119.90; awarding contract, authorizing and instructing the City Manager to enter into and execute contract pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111060, recorded on Microfilm Roll No. 61, accepting bid of Mission Pipe & Supply Co., for furnishing Item 2, 10 - 6" Gate Valves @ \$71.00 each; awarding contract, authorizing and instructing the City Manager to enter into and execute contract pursuant to 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 submitting Resolution authorizing advertising for bids for 85-100 Penetration Paving Asphalt, Emulsified, and Liquid Asphalt for a period of one year beginning April 1, 1953, as per specifications on file in the office of the City Clerk bearing Document No. 465335, was presented. \*

RESOLUTION NO. 111061, recorded on Microfilm Roll No. 61, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City with its requirements of 85-100 Penetration Paving Asphalt, Emulsified, and Liquid Asphalt for a period of one year beginning April 1, 1953, in accordance with Document No. 465335, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

\*The communication bears the City Manager's stamp of approval.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing advertising for bids for 16 Airport Type Fluorescent Luminaires for the Harbor Department, as per specifications on file in the office of the City Clerk bearing Document No. 465336, was presented.

RESOLUTION NO. 111062, recorded on Microfilm Roll No. 61, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 16 Airport Type Fluorescent Luminaires, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111063, 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 chain link fence along the west boundary line of the City's Chollas Station, 5601 Chollas Station Road, bearing official Document No. 465337; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting that he had advertised for sale and sold 5 houses surplus to the City in connection with Wabash Freeway - located at 3405 Newton, 1117 S. 34th St., 145 N. Francis St., 272 N. Francis St., 3421 Ocean View - to 4 bidders and for \$3,588.60 total, was presented. Said communication, which bears the City Manager's stamp of approval, reports that Fund 21-6-Project 28 has been credited with funds derived.

Communication from the Street Superintendent, signed by the Assistant City Manager for approval, reported on petition for closing Alley lying between Lots 17 & 18 Lexington Park and running between Lexington Avenue and Manzanita Street, was presented.

Said communication states that because of excessive grades it is not desirable to pave said 20 foot alley, and for other reasons stated therein recommends the closing as requested.

RESOLUTION NO. 111064, recorded on Microfilm Roll No. 61, granting petition for closing the Alley between Lots 17 and 18 Block 38 Lexington Park, contained in Document No. 462114; 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 Kerrigan, adopted.

Communication from the City Attorney, signed by Douglas D. Deaper, Deputy City Attorney, and bearing approval of Shelley J. Higgins, Assistant City Attorney, dated February 18, 1953, was presented. Said communication is in response to Council Resolution No. 110530 for a report as to the City's position on repair of sidewalks and curbs torn up by utility companies, and the placing of utilities at the rear of properties where easements therefor exist, instead of at the fronts of such properties. It makes reference to to Sections 62.06 and 62.08 of San Diego Municipal Code making it unlawful to cut or break any curb or sidewalk without permit and imposes conditions to be attached to the permit. It states, further, that utility companies are subject to said ordinance, and recites additional condition which could be imposed 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 by the utility company could be done by the City for the account of the company. Relative to utilities in the streets fronting lots where easements have been made available in the block, it states that said companies have no absolute right to utilize the public streets but are subject to police regulations. It pointed out that the City may deny such companies use of the streets where mid-block easements are available or as an alternative, require that any utility service in such streets

be placed underground. The second alternative, it states, seems sufficient under the circumstances as it gives the utility company a choice, either of which (underground construction or use of mid-block easements) and would obviate objections of affected property owners. It points out that with respect to neither of the two problems outlined, is additional legislation needed by the Council.

RESOLUTION NO. 111065, recorded on Microfilm Roll No. 61, referring communication from the City Attorney, bearing Document No. 464715 reporting as to the City's position on repair of sidewalks and curbs torn up by utility companies, and the placing of utilities at the rear of properties where easements exist, instead of at the fronts of such properties, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from Roy E. Butler, coordinator, Office of Civil Defense, Balboa Park, San Diego 1, inviting the Mayor and Council to attend a mass feeding drill to be conducted at the Washington Elementary School, 1845 State Street, at 11:45 o'clock A.M., Wednesday, March 18, 1953, was presented. It states that the drill is being conducted jointly by the American Red Cross and the Office of Civil Defense.

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

Communication from California Society for Prevention of Cruelty to Animals, signed by Miss Ruth W. Forney, Secretary, dated 11 March 1953, was presented. It makes allegations relative to many examples of cruelty in connection with the picking up of dogs in San Diego for the Pound, and refers particularly to dog catcher having entered the yard of Mr. and Mrs. W. J. Crippen, 3318 Gaines Street, and picked up a bull terrier puppy under the age of 3 month on the owner's property and inside a fence. It states that although several efforts were made by Mrs. Crippen to secure return of the puppy, she learned on her fourth attempt that it had been destroyed. Several other statements relative to advice for securing another puppy from the Humane Society, vaccination, and tragic happenings in the City in regard to animals, were made.

At the request of Councilman Schneider, said communication was read by the clerk.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was referred to the City Manager, for report to the Council at the March 19, 1953, meeting.

Communication from Ray S. Jones, 4871 Lucille Place, San Diego 15, dated March 6, 1953, was presented. Said communication submits Mr. Jones' resignation as a member of the Planning Commission, to become effective on or about 1 May, 1953, or at such time prior to that date that his successor has been appointed. It expresses appreciation for his term as member of the Commission, and respect for the Mayor and Council as well as the Civil Service employees, the Planning Director, and the Planning staff. It states that later when the new Charter changes are in effect to re-organize the Planning section and Planning Commission, the writer would be happy to be considered for appointment as a member of the Zoning Committee of the Planning Commission.

Councilman Schneider asked that Mr. Jones be presented with a scroll.

Councilman Godfrey said that in accordance with the Council's present policy, such a scroll will be presented.

RESOLUTION NO. 111066, recorded on Microfilm Roll No. 61, accepting with regret the resignation of Ray S. Jones, 4871 Lucille Place, San Diego, March 6, 1953, and thanking him for his valued services to the City of San Diego as a member of the City Planning Commission, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from San Diego Chamber of Commerce, signed by Charles T. Leigh, reporting that the Board of Directors, on advice of the Harbor Committee, requested that the Council be informed that it opposes passage of Proposition K on the April 21 ballot, as presently phrased, was presented. It states that it is understood that some of the language in the proposed amendment did not originate with the Charter Review Committee. The communication invited a conference on the subject, if time permits before it is placed on the ballot. (The ordinance on the subject has been adopted, and the ballot is already being printed). Said communication was read to the Council.

There was considerable discussion in the matter, during which Councilman Wincote said that he was the author of the disputed wording. He said that it is unfortunate that there is apparently already a move to defeat the proposition, which may have far-reaching effect.

The Mayor said that a Conference with members of the Harbor Commission had already been set for this afternoon, and that he did not know if it would be possible to invite and include Chamber of Commerce members, and others, interested in the proposition. In any event, he said that the Council Secretary, as a result of this morning's conference session, has already issued invitations and requested attendance at this afternoon's conference. The discussion is shown on said communication, but not written into the Minutes.

RESOLUTION NO. 111067, recorded on Microfilm Roll No. 61, referring communication from San Diego Chamber of Commerce, filed in the office of the City Clerk on March 12, 1953 under Document No. 465280, opposing passage of Proposition K on the April 21, 1953, ballot as presently phrased, to Council Conference this date, was adopted on motion of Councilman Swan, seconded by Councilman Schneider, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilman Wincote. Absent--Councilman Dail.

Communication from Dee Smith, 3554 Sydney Place, San Diego, dated 3/12/53, thanking the Council for the fair and impartial manner in which the hearing on the Chicken Ordinance was conducted, with particular thanks to Councilman Dail, was presented. It makes reference to statements made relative to condition of the chicken installations, and



agrees with remarks made by speakers to the effect that a little generosity toward each other! It states that the writer knows of no better way to show generosity toward neighbors than by refraining from creating a nuisance which will invade privacy, devalue property, and jeopardize health.

RESOLUTION NO. 111068, recorded on Microfilm Roll No. 61, referring communication from Dee Smith, 3554 Sydney Place, San Diego, dated 3/12/53, thanking the Council for the fair and impartial manner in which the hearing on the Chicken Ordinance was conducted (March 12, 1953), agreeing with certain statements made and offering the observation that generosity is needed on the part of chicken owners to refrain from creating a nuisance which will invade privacy, devalue property, and jeopardize health, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111069, recorded on Microfilm Roll No. 61, directing Notice of filing of the Street Superintendent's Assessment No. 2120 made to cover the costs and expenses of the work done upon the paving and otherwise improving of A Street, between 17th and 18th Streets, within the limits and as particularly described in Resolution of Intention No. 106116, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111070, recorded on Microfilm Roll No. 61, directing notice of filing of the Street Superintendent's Assessment No. 2121 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Locust Street, within the limits and as particularly described in Resolution of Intention No. 105705, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111071, recorded on Microfilm Roll No. 61, directing notice of filing of the Street Superintendent's Assessment No. 2119 made to cover the costs and expenses of the work done on the paving and otherwise improving of San Elijo Street, within the limits and as particularly described in Resolution of Intention No. 106325, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111072, recorded on Microfilm Roll No. 61, directing notice of filing of the Street Superintendent's Assessment No. 2122 made to cover the costs and expenses of the work done upon the 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, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111073, recorded on Microfilm Roll No. 61, awarding contract for the installation of sewers in the Alley lying northerly of and contiguous to Lots 26 to 36 inclusive, Resubdivision of Block Y and Lots 26 to 38 inclusive of 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 Godfrey, seconded by Councilman Wincote, adopted. Award is to Charles J. Dorfman.

A written report prepared by the City Engineer states that the low bid is 15.0% below the estimate.

RESOLUTION OF AWARD NO. 111074, recorded on Microfilm Roll No. 61, accepting bid of R. E. Hazard Contracting Co., a corporation, and awarding contract, 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 Swan, seconded by Councilman Schneider, adopted.

A written report prepared by the City Engineer states that the low bid is 25.2% below the estimate.

RESOLUTION NO. 111075, recorded on Microfilm Roll No. 61, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Jennings Street, Silvergate Avenue; approving Plat No. 2409 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 Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111076, recorded on Microfilm Roll No. 61, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Monte Vista Avenue; approving Plat No. 2416 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 Swan, seconded by Councilman Schneider, adopted.

RESOLUTION CHANGING GRADE NO. 111077, on Midway Street, in accordance with Resolution of Intention No. 109850 and map showing the official property line grade to be changed which map was signed by A. K. Fogg, City Engineer, and filed under Document No. 460882 in the office of the City Clerk December 22, 1952, directing publication in the official newspaper, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 111078, recorded on Microfilm Roll No. 61, 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 Swan, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 111079, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of Newton Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 111080, recorded on Microfilm Roll No. 61, 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 111081, recorded on Microfilm Roll No. 61, for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District Number Two, for a period of one year from and including March 5, 1953, to and including March 4, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 111082, 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 Two, for a period of one year from and including March 1, 1953, to and including February 28, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 111083, 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 Three, for a period of one year from and including March 1, 1953, to and including February 28, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 111084, 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 Four, for a period of one year from and including April 1, 1953, to and including March 31, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 111085, recorded on Microfilm Roll No. 61, for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District Number Two, for a period of one year from and including March 16, 1953, to and including March 15, 1954, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 111086, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of Jennings Street, Albion Street and Silvergate Avenue, 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. 111087, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of Monte Vista Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111088, recorded on Microfilm Roll No. 61, ascertaining and declaring the wage scale 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 Wincote, adopted.

RESOLUTION NO. 111089, 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 Cottonwood Street, within the limits and as particularly described in Resolution of Intention No. 109268, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111090, recorded on Microfilm Roll No. 61, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improving on the paving and otherwise improving of Thomas Avenue, within the limits and as particularly described in Resolution of Intention No. 109269 and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111091, recorded on Microfilm Roll No. 61, authorizing and directing the City Manager to employ Griffith Company to replace the curb returns on the west side of 38th Street at Beta Street, the cost not to exceed the sum of \$244.20, was on motion of Councilman on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City has heretofore entered into contract with said Company for paving and otherwise improving Beta Street between 36th and 38th Streets under a 1911 Street Improvement Act proceeding; that in addition there are curb returns on the west side of 38th Street at Beta Street to be replaced, that said company has offered to do the work at said price and that the City Manager has recommended that the offer be accepted and the work done.

RESOLUTION NO. 111092, recorded on Microfilm Roll No. 61, authorizing and directing the City Manager to employ R. E. Hazard Contracting Co. to install gutters and replace portions of sidewalk on Kendall Street, Chicago Street and Shasta Street, the cost not to exceed the sum of \$152.51, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City has heretofore entered into contract with said Company for paving and otherwise improving portions of said streets under a 1911 Street Improvement Act proceeding; that in addition there is installation of gutters and replacement of portions of sidewalks to be done, that said company has offered to do the work at said price and that the City Manager has recommended that the offer be accepted and the work done.

RESOLUTION NO. 111093, recorded on Microfilm Roll No. 61, authorizing and directing the City Manager to employ R. E. Hazard Contracting Company to replace the curb returns at 30th Street, the cost not to exceed the sum of \$122.93, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City has heretofore entered into contract with said Company for paving and otherwise improving of E Street westerly of 30th Street under a 1911 Street Improvement Act proceeding; that in addition there are curb returns to be replaced at 30th Street; that said company has offered to do the work at said price and that the City Manager has recommended that the offer be accepted and the work done.

RESOLUTION NO. 111094, recorded on Microfilm Roll No. 61, authorizing the City Manager to enter into agreement with Garland R. Shaw and Kenneth W. Shaw, doing business under the fictitious firm style of Shaw Brothers Shell Service Station, extending for an additional period of 6 months, commencing March 29, 1953 and terminating September 28, 1953, that agreement between the City and said Shaw Brothers, filed in the office of the City Clerk as Document No. 447196, as modified by Resolution, which extension agreement is filed in the office of the City Clerk as Document No. 465681, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111095, recorded on Microfilm Roll No. 61, authorizing the City Manager to execute agreement with the San Diego Unified School District whereby the School District will grant to the City an additional easement for relocation of a 16-inch water line, the City will abandon use of its easement under the proposed Pacific Beach Junior High School building, the City will relocate said water line and within 30 days of completion of relocation, District will reimburse the City in the amount of \$4436.00, all in accordance with terms and conditions set out in form of agreement heretofore filed in the office of the City Clerk as Document No. 465691, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111096, recorded on Microfilm Roll No. 61, authorizing and directing the City Manager for and on behalf of The City to execute a lease with George P. Woodman of Lots 1 and 2 Block 41 Middletown, for a term of 18 months at a monthly rental of \$210.00; description of property and terms and conditions to be set forth in the form of lease filed in the office of the City Clerk under Document No. 465692; real property value being \$25,000.00 as disclosed by report of the last appraisal made by the Auditor and Comptroller, leased for the reason that the City will derive revenue not otherwise obtainable, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.



RESOLUTION NO. 111097, recorded on Microfilm Roll No. 61, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego amendment to lease agreement between The City of San Diego and Chas. L. Good and Son, filed in the office of the City Clerk as Document No. 451968, as amended by Document No. 450298, providing for leasing portion of Lots 1, 2, 3, 4 Block G and Lots 1 and 2 Block H Fanita Rancho and Tract C Rancho El Cajon, for grazing purposes, by amending said lease to exclude from the property covered by said lease the property over which The City of San Diego has granted easement to the County of San Diego for road purposes, terms of which amendment are more particularly described in amendment filed in the office of the City Clerk, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111098, recorded on Microfilm Roll No. 61, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego an amendment to lease agreement between The City of San Diego and Monarch Materials Company, filed in the office of the City Clerk as Document No. 403180, as amended by Document No. 456482, providing for leasing of portion of Tract C Rancho El Cajon for the purpose of sand and rock operations, by amending said lease to exclude from the property covered by said lease the property over which The City of San Diego has granted easement to the County of San Diego for road purposes, the terms of which amendment are particularly described in amendment of lease filed in the office of the City Clerk, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111099, recorded on Microfilm Roll No. 61, authorizing the City Manager to enter into lease agreement between H. A. Oliver and The City of San Diego and the County of San Diego, for the parking lot south of the Civic Center Building, in accordance with terms of the form of lease on file in the office of the City Clerk as Document No. 465694; said Resolution not to become effective until adoption by the Board of Supervisors of the County of San Diego of a resolution in terms and figures substantially as shown, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has recommended that the lot be leased to the present lessee, H. A. Oliver, for a period of 7 months beginning on the 1st day of March, 1953, and ending on the 30th of September, 1953, at a rental of \$50.00 per month (excepting for the month of March, 1953), or 35% of the gross revenue received from the operation of said lot, whichever is the greater, rental to be divided equally between The City and the County, and that the Council is of the opinion that it will be for the best interests of the City to enter into such a lease.

RESOLUTION NO. 111100, 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, lands in Frary Heights, Gurwell Heights, S. W. Gaines Sub of Acre Lots 17 to 21, H. C. Skinner's Add., Home Gardens, Horton's Addition, Middletown Addition, more particularly set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111101, 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 portion of Block D El Nido, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing 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. 111102, 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 portion of Block C El Nido, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111103, 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 portion of Block B O. L. Steel Subdivision, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111104, 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 portion of Block 290 Seaman and Choate's Addition, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111105, 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 portion of Block 7 McLaren's "H" Addition, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111106, 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 portion of Block 4 McLaren's "H" Addition, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111107, 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 portion of Block 291 Seaman and Choate's Addition, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111108, 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 portion of Block 69 Morena, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111109, 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 portion of Block San Diego Land and Town Company's South Chollas Addition, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111110, 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 portion of Lot 83 San Diego Homestead Union, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111111, 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 portion of Block D El Nido, together with all penalties and other expense in connection therewith, be cancelled; and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111112, 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 portion of Block 8 San Diego Land and Town Company's South Chollas Addition, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111113, 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 portion of Block 8 Spring Garden Tract, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111114, 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 portion of Lot 729 Lomita Village Unit No. 4, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111115, 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 portion of Block 291 Seaman and Choate's Addition, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111116, 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 portion of Block C El Nido, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111117, 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 portion of Blocks 291-1/2 Seaman and Choate's Addition, Block 292 Seaman and Choate's Addition, Northwest quarter of Pueblo Lot 1161, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111118, 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 portion of the Northeast Quarter of Pueblo Lot 1152, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111119, 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 portion of the Northeast Quarter of Lot 5 Ex-Mission Lands, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111120, 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 portions of



Block 33 Wetmore and Sanborn's Addition, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111121, 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 portion of Block D El Nido, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111122, 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 portion of Block D El Nido, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111123, 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 portion of Block E Home Gardens, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111124, 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 portion of McLaren's H Street Addition, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; directing 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. 111125, 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 portion of Block I El Cerrito Heights, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111126, 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 portion of Block 84 San Diego Homestead Union, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; directing 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. 111127, 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 portion of Block 83 San Diego Homestead Union, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111128, 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 portion of Block D El Nido, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111129, 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 portion of Block D El Nido, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111130, 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 portion of Block 83 San Diego Homestead Union, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111131, 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 portion of Block C El Nido, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111132, 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 portion of Block 70 Morena, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111133, 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 portion of Block D El Nido, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111134, 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 portion of Block 7 Central Homestead, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111135, 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 portion of Block G Turnbull's Subdivision, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; directing him to take whatever steps he may deem necessary to secure the cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111136, 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 portion of Block D O. L. Steel Subdivision, together with all penalties and other expense in connection therewith, be cancelled, and that all deeds to The State of California, for delinquent taxes be cancelled; 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 Wincote, adopted.

RESOLUTION NO. 111137, recorded on Microfilm Roll No. 61, approving request of Ace Pipeline Construction Company contained in Change Order No. 2, for extension of 45 days, to and including March 26, 1953, heretofore filed with the City Clerk as Document No. 465529, in which to complete contract for installation of small water main replacements Schedule B-1 Specification 32, contract contained in Document No. 455104 on file in the office of the City Clerk; extending said time of completion to March 26, 1953, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111138, recorded on Microfilm Roll No. 61, approving request of Nielsen Construction Co., contained in Change Order No. 1, for extension of 30 days to and including May 7, 1953, heretofore filed with the City Clerk as Document No. 465531, in which to complete contract for Paradise Hills Sewage Pumping Station, contract contained in Document No. 456994 on file in the office of the City Clerk; extending said time of completion to May 7, 1953, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111139, recorded on Microfilm Roll No. 61, granting permission to Richard Harris, Box 117, Rancho Santa Fe, California, to plant, cultivate and harvest grain crops on that portion of San Dieguito Reservoir land lying above the water level as it now exists and below the commercial fence running along the reservoir side of El Camino del Norte Street and Lago Lindo Street, for one year subject to prior revocation and to the various conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111140, recorded on Microfilm Roll No. 61, approving claim of the North America Companies and Clyde J. Papworth, on file in the office of the City Clerk under Document No. 464610 in the sum of \$87.65; directing the City Auditor to draw his warrant in favor of North America Companies and Clyde J. Papworth in the amount of \$87.65, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111141, recorded on Microfilm Roll No. 61, approving claim of Luis Roscon, on file in the Office of the City Clerk under Document No. 456038, in the sum of \$26.88; directing the City Auditor to draw his warrant in favor of Luis Roscon in the amount of \$26.88 in full payment of said claim, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111142, recorded on Microfilm Roll No. 61, authorizing the City Attorney to settle claim of William N. Cory, on file in the office of the City Clerk under Document No. 462974, in the sum of \$82.81; directing the City Auditor to draw his warrant in favor of said William N. Cory in the amount of \$82.81 in full payment of said claim, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111143, recorded on Microfilm Roll No. 61, denying claim of O. O. Kammerer on file in the office of the City Clerk under Document No. 464857, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111144, recorded on Microfilm Roll No. 61, denying claim of Jack E. Kenworthy on file in the office of the City Clerk under Document No. 463961, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111145, recorded on Microfilm Roll No. 61, denying claim of Edgerton Scott and Lily Bell Scott on file in the office of the City Clerk under Document No. 464942, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111146, recorded on Microfilm Roll No. 61, denying claim of Robert H. Siebe and Fern Siebe, on file in the office of the City Clerk under Document No.



464899, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Proposed Ordinance amending Section 101.0405 and Section 101.0406 of the San Diego Municipal Code, Regulating R-1 and R-2 Zones, was presented.

Without further discussion, Councilman Kerrigan said that a hearing should be set on the proposed ordinance.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, a hearing was set on such proposed ordinance for 10:00 o'clock A.M., Tuesday, April 14, 1953.

(The motion was originally made for "one month", but was changed to the date mentioned - being 4 weeks from the ordinance's presentation.)

ORDINANCE NO. 5520 (New Series), recorded on Microfilm Roll No. 61, appropriating the sum of \$4,250.00 out of the Unappropriated Balance Fund of The City of San Diego for the purpose of providing funds for payment of City's share of contractual agreement with Stuart Parry Walsh for survey of the local transportation needs, 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 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.

The final reading of such Ordinance was in full.

ORDINANCE NO. 5521 (New Series), recorded on Microfilm Roll No. 61, appropriating the sum of \$116,884.00 out of the Unappropriated Balance Fund of The City of San Diego for the purchase of 122.37 Acres of Land from the Fenton Material Company, 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 Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilman Swan. 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 Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilman Swan. Absent--Councilman Dail.

The final reading of such Ordinance was in full.

(Although the Ordinance does not state what property is involved, the City Manager advised the Clerk's office upon request that it is in Wadsworth's Olive Grove Addition, Horton's Purchase of Ex-Mission Lands, and in Pueblo Lot 1347.)

ORDINANCE NO. 5522 (New Series), recorded on Microfilm Roll No. 61, changing the name of portions of Loma Avenue to Bonita Drive and changing the name of portions Loma Avenue to Olvera Avenue, and naming an unnamed street sometimes known as 58th Street, 58th 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, 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.

E. W. Blom, Acting City Manager, requested, and was granted unanimous consent to present the next matter, not listed on the Council's agenda, relative to approving the annexation of Kathol-Beall Tract approved earlier today, and recommended adoption of the Resolution:

RESOLUTION NO. 111147, recorded on Microfilm Roll No. 61, authorizing and empowering the City Manager to enter into contract for and on behalf of The City of San Diego with Cletus L. Kathol and Regina A. Kathol, husband and wife, 5510 Division Street, National City, California, subdividers of National Vista Development, providing for installation of water mains and appurtenances in said subdivision and for reimbursement by the City to the subdividers of the sum of \$2,406.57 for installation of 8" water main in Division Street from the Bonita Pipe Line west to Arbison Street, including one fire hydrant and assembly, upon execution and delivery to said City of a quitclaim deed conveying to the City all of the right, title and interest of the subdividers in and to the water distribution system in said National Vista Development, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The City Clerk requested, and was granted, unanimous consent to present Certificate of the result of the Municipal Primary Election held in the City of San Diego on March 10, 1953, and of the result of the Municipal Primary Election held in that portion of the San Diego Unified School District lying outside the corporate limits of the City of San Diego, for the purpose of voting on the nomination of Candidate for Member of the Board of Education on Tuesday, the 10th day of March, 1953. The Clerk presented said Certificate, together with two Resolutions which set out the results in accordance therewith, as follows:

RESOLUTION NO. 111148, recorded on Microfilm Roll No. 61, declaring the result of the Municipal Primary Election held in The City of San Diego, California, on March 10, 1953, pursuant to Section 10 Article II of the Charter of The City of San Diego and Ordinance No. 5463 (New Series) adopted January 27, 1953: for nomination of candi-

dates for the following named municipal offices:

Member of the Council from District No. 1:

Two to be nominated:

Clair W. Burgener	received 2,120 votes
C. Harry Burnaugh	received 2,588 votes
Thomas D. Drake	received 2,031 votes
Fred A. Halleman	received 507 votes
Hugh V. Knox	received 732 votes
Dorothy G. Worrall	received 1,079 votes

Member of the Council from District No. 3:

Two to be nominated:

Chester E. Schneider	received 4,747 votes
James K. Christie	received 1,081 votes
William R. McKinley	received 1,835 votes

Members of the Council from District No. 4:

Two to be nominated:

George Kerrigan	received 5,103 votes
Harvey B. Tyndall	received 4,069 votes

Member of the Board of Education:

Two to be nominated:

Mildred L. Hale	received 26,304 votes
Benton Weaver Decker	received 17,692 votes

Mildred L. Hale, having received the votes of more than one-half of the qualified electors voting at said Municipal Primary Election, said Council, pursuant to Section 10 of the Charter, declared Mildred L. Hale to be elected to the office of the Member of the Board of Education.

Proposition A. Amend Section 4 of Article II of the Charter of The City of San Diego, to describe the Councilman's districts by reference to an existing map on file in the City Clerk's Office, and permits the Council in redistricting the City to describe new districts by reference to a map instead of metes and bounds

The vote was:

For said proposition	32,747 votes
Against said proposition	6,592 votes

Proposition B. Amend Section 16 of Article III of the Charter relative to passage of ordinances, Council vote thereon and dispensing with reading of certain ordinances

The vote was:

For said proposition	32,518 votes
Against said proposition	6,008 votes

Proposition C. Amend Section 20 of Article III of the Charter relative to permitting codification of ordinance into a Municipal Code, which is admissible in evidence as prima facie evidence of the passage of ordinances, eliminates requirement that ordinances be published in book form every two years

The vote was:

For said proposition	29,251 votes
Against said proposition	8,531 votes

Proposition D. Repeal Section 21 of Article III of the Charter relative to City supplying offices, quarters and equipment of police, city and municipal courts

For said proposition	31,312 votes
Against said proposition	7,393 votes

Proposition E. Amend Section 35 Article V relative to existing law with respect to purchase of materials and supplies, bidding and sale of surplus material and supplies

For said proposition	21,666 votes
Against said proposition	16,513 "

Proposition F. Amend the Charter by adding Section 40.1 giving the City Attorney concurrent jurisdiction with the District Attorney to prosecute violation of state laws constituting misdemeanors within the city limits

For said proposition	31,937 votes
Against said proposition	6,195 votes

Proposition G. Amend Section 94 of Article VII of the Charter relative to requiring written contracts after competitive sealed bids which exceeds \$2500.00, with provisos

For said proposition	25,730 votes
Against said proposition	12,140 votes

Proposition H. Amend the Charter by adding to Article VII Section 103.1, providing for public utility corporations doing public utility business to first secure the consent of the City to do such business and sets forth the manner of consent

For said proposition	31,279 votes
Against said proposition	6,826 votes

Proposition I. Amend Section 110 of Article VII changing law for time limit for filing claims

For said proposition	31,732 votes
Against said proposition	6,081 votes

Proposition J. Amend Section 113 of Article VII changes the existing definition of Official Advertising

For said proposition	30,637 votes
Against said proposition	7,327 votes

also reciting that all of said propositions received the vote of a majority of the qualified voters voting thereon at said election; that the number of votes given in each precinct to each person, and for and against each measure or proposition, is recorded in the election returns book, which book is part of the records of the Council; authorizing and directing the City Clerk to enter in the minutes of the Council and also in the

election returns book a statement showing in respect of said election the matters and things required by Section 10 of the Charter, and to make results of the canvass of said election returns public immediately by publishing said returns in The San Diego Union, the official newspaper of the City, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111149, recorded on Microfilm Roll No. 61, declaring the result of the Municipal Primary Election held in that portion of the San Diego Unified School District lying outside the corporate limits of The City of San Diego, for the purpose of voting on the nomination of candidate for member of the Board of Education, on Tuesday, the 10th day of March, 1953:

Member of the Board of Education

Two to be nominated:

Mildred L. Hale received 153 votes

Benton Weaver Decker received 88 votes;

that the number of votes given in each precinct to each person is recorded in the election returns book, which is part of the records of the Council; authorizing and directing the City Clerk to enter in the minutes of the Council and also in the election return book a statement showing in respect to said election the matters and things required by Section 10 of the Charter, and to make the results of the canvass of said election returns public immediately by publishing said returns in The San Diego Union, the official newspaper of the City, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

E. W. Blom, Acting City Manager, requested and was granted unanimous consent to present the next 3 matters not listed on the Council's agenda:

Mr. Blom said that 3 awards were presented, resulting from bids filed in the office of the City Clerk prior to ten o'clock A.M., March 10, 1953, for construction of Sutherland Dam Outlet Works under Schedule No. 5 of the Conduit specifications. He told the Council that bids are under the estimates, and outlined the 3 works involved, which he said are completely financed.

RESOLUTION NO. 111150, recorded on Microfilm Roll No. 61, declaring the bid submitted by Southern Pipe and Casing Company for the furnishing of certain steel pipe and fittings for the outlet works at Sutherland Dam to be the lowest bid received, and that said Southern Pipe and Casing Company is the lowest, responsible and reliable bidder; rejecting all bids received except that of Southern Pipe and Casing Company at the lump sum price of \$18,830.00 as set forth in the bid; authorizing and empowering the City Manager to execute for and on behalf of the City a contract with Southern Pipe and Casing Company for furnishing said steel pipe and fittings in accordance with specifications contained in Document No. 465156 on file in the office of the City Clerk, upon execution by said Company of the contract, and upon execution, delivery, filing and approval of the bonds required thereunder by said specifications, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111151, recorded on Microfilm Roll No. 61, declaring the combination of bids for the construction of Sutherland-San Vicente Conduit Section I, extending from Sutherland Dam to Black Canyon Tunnel, in the County of San Diego, California, as follows: the bid of American Pipe and Construction Company in the sum of \$262,327.35 for furnishing and delivering pipe and appurtenances under Schedule No. 6, together with the bid of Engineering Constructors, Inc. in the sum of \$187,755.35 for installation of pipe and appurtenances under Schedule No. 6-A, to be the lowest combination of bids received, and that they are the lowest, responsible and reliable combination of bidders; rejecting all bids received for said work, except the combination of said bids; authorizing and empowering the City Manager to execute for and on behalf of the City, a contract with American Pipe and Construction Company under Schedule No. 6 for furnishing and delivering pipe and appurtenances for said Section I of Sutherland-San Vicente Conduit, and a contract with Engineering Constructors, Inc., under Schedule 6-A for installing pipe and appurtenances for the construction of said Section I, each contract to require strict compliance with specifications and schedules for materials to be supplied or work performed, upon execution by said American Pipe and Construction Company and said Engineering Constructors, Inc., of said contracts, and upon execution, delivering, filing and approval of the bonds required thereunder, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111152, recorded on Microfilm Roll No. 61, declaring the combination of bids for construction of Sutherland-San Vicente Conduit Section III, Extending from Black Canyon Tunnel to the southerly end of Conduit, in the County of San Diego, California: the bid of American Pipe and Construction Company, in the sum of \$562,298.40 for furnishing and delivering pipe and appurtenances under Schedule No. 1, together with bid of Harry L. Foster, in the sum of \$237,859.80 for installation of pipe and appurtenances under Schedule No. 1-A, to be the lowest, responsible and reliable combination of bidders; rejecting all bids received for said work, except the combination of bids for the construction of said Sutherland-San Vicente Conduit Section III: American Pipe and Construction Company under Schedule No. 1 for furnishing and delivering pipe and appurtenances for Section III of Sutherland-San Vicente Conduit, at the lump sum price set forth in its bid, and Harry L. Foster under Schedule No. 1-A for installing pipe and appurtenances for the construction of said Section III, at the lump sum price set forth in his bid; authorizing and empowering the City Manager to execute for and on behalf of the City, a contract with American Pipe and Construction Company under Schedule No. 1 for furnishing and delivering pipe and appurtenances for said Section III of Sutherland-San Vicente Conduit, in accordance with said specifications and schedules, and a contract with Harry L. Foster under Schedule No. 1-A for installing pipe and appurtenances for the construction of said Section III, pursuant to said specifications and schedules, upon the execution by said American Pipe and Construction Company and said Harry L. Foster of said respective contracts, and upon the execution, delivery, filing and approval of the bonds required under said specifications and schedules, was on motion of Council-



man Godfrey, seconded by Councilman Schneider, adopted.

At this time the Council referred back to the item granting permission to Richard Harris to plant, cultivate and harvest grain crops on portion of San Dieguito Reservoir land, etc., at the request of Councilman Godfrey.

E. W. Blom made a verbal report.

No further action was taken beyond the Resolution which had been adopted earlier and shown in these minutes.

Resolution No. 110723, which deals with communication from Alfred Abrevaya relative to use of public property for private purposes at 5051 El Cajon Boulevard by a repair shop, was withdrawn from Council Conference and ordered filed.

The agenda announced a meeting of the San Diego County Division of the League of California Cities to be held in National City on March 20, 1953, at which time Mayor John D. Butler is scheduled to give an informal report on his trip to the South American Conference.

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 11:55 o'clock A.M.

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, March 19, 1953.

A Regular Meeting of the Council was held this date, and was called to Order by Mayor Butler at the hour of 10:09 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler.

Absent---Councilman Dail  
Clerk---Fred W. Sick

A group of students from the Lincoln Jr-Sr Highschool, comprising student body officers, council and legislature, was present, accompanied by Harold Palash, teacher. Mayor Butler welcomed the students and Mr. Palash to the meeting. He explained to the visitors the procedure followed by the Council in its meetings and in the conferences which precede the meetings. The Mayor invited them to visit his offices while in the building today.

At the Mayor's invitation, the students and their teacher arose to receive the acknowledgment of the Council and others present.

A majority of the members of the Council executed an undertaking with San Diego Gas & Electric Company for the furnishing of electric current in Montemar Lighting District No. 1, at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Nathan Beatty Atherton and Dorothy Atherton from the decision of the Zoning Committee in denying permission to split out the westerly 57.5 feet of the easterly 157.5 feet of Lot 62, except the Southerly 490 feet, of Las Alturas Villas Sites - being south of Olivera Street and 230 feet west of Gwen Street - in Zone R-1, the Mayor asked that the Zoning Committee's report be read.

Said report states that the Zoning Committee visited the property and found that Olivera Street had been improved by a strip of pavement for approximately 700 feet. It reports that Donna Estates, to the west and Vista Valencia to the east, had completed the improvements by widening curbs and sidewalks. The report states that Lot 63 adjoining Donna Estates has been partially divided by 4 zone variances; Lot 62 is divided into 3 ownerships, and Mr. Atherton owns the center parcel which is approximately 115 feet on Olivera Street and 600 feet in depth. It states that Mr. Atherton deeded the westerly 57.5 feet except the southerly 490 feet to S. Carriedo, which parcel is not recognized by the Planning Department for a building site as no zone variance has been granted. The communication reports that on January 20, 1953, Mr. Atherton requested an application for a zone variance on the easterly 57.5 feet, under consideration at this time. It states that confronted with said facts, the Zoning Committee recommended to Mr. Atherton that he file for a subdivision. The Zoning Committee, the report signed by D. E. South, states, felt that although variances had been granted on Lot 63 this was the first request for Lot 62, and no houses were constructed. It says, further, that the granting of the application would leave no access to the rear 490 feet of the parcel. It declares, also, that division of lots by metes and bounds is poor planning and harmful to the City; resulting in denial of the variance request by a vote of 3-0.

Glenn A. Rick, Planning Director, showed a map of the property to the Council, and explained the matter in a round table discussion over the map as outlined in the report. He said that if Mr. Atherton is to dedicate, he needs the consent of the owners to the east and to the west. There was discussion between members of the Council and Mr. Rick.

Nathan Beatty Atherton referred to the Planning Commission's Resolution No. 7163 - and read from the Resolution's printed form. He said that the denial is both inconsistent and unfair.

Mr. Rick pointed out that Mr. Atherton read from the standard form, set up in the law.

Mayor Butler reviewed the Resolution, and declared that the Council, Planning Commission and Zoning Committee had recommended subdivisions in like circumstances. Councilman Kerrigan declared that the appellant can build one house at the present time.

Mr. Atherton told the Council that he wants to sell, and split the property.

Councilman Wincote said that there would eventually be 6 parcels.

Mr. Atherton said that one section on the front has already been sold, and that he wants to "split out". He said that one contractor is interested in making a subdivision of the property. He told the Council that he wants to start building.

Mr. Rick referred to the detail of the filing of a subdivision map, which he outlined at the request of Mr. Atherton, including improvements, dedications and costs - on a tentative basis. He said that it would probably take 5 weeks.

Councilman Godfrey said that property owner is interested in immediate improvement, and that the City is interested in the proper improvement also.

Mr. Atherton said that if he is allowed to cut out a parcel, he can define other portions.

Mr. Rick pointed out that he had tried to mention the things which will come up, rather than stating that the Council will do certain things.

Councilman Schneider said that Mr. Rick's advice to go to the Planning Department for information to be given to Mr. Atherton is good.

Mr. Rick spoke about the needed widening dedication. He said that such a thing is difficult to determine under a variance.

Councilman Godfrey wondered how long it would take to take to the Planning Department in order for Mr. Atherton to make a decision.

Instead of answering the question, Mr. Rick suggested tabling of the matter for one week to determine the situation.

Councilman Schneider wondered if there is a deal on in connection with the property.

Mr. Atherton replied "yes", on the west.

Councilman Wincote told Mr. Atherton that the City will give him the courtesy of considering the subdivision; and time on that matter if needed, but that he believed that the answer on the variance will be "no".

Mr. Atherton told of the great expense that would result from having to put on a subdivision. He wondered if a sewer to the back of the property would be needed.

Councilman Schneider moved to the continue the hearing.

Councilman Godfrey suggested return to the matter today, while the hearing is under way. He said that he could see no basis on which an appeal could be granted. He told Mr. Atherton that if his appeal is denied, it does not mean that he is "sunk". He thought the matter should be determined at this time.

RESOLUTION NO. 111153, recorded on Microfilm Roll No. 61, denying the appeal of Nathan Beatty Atherton and Dorothy Atherton, 3783 - 38th Street, from the decision of the Zoning Committee in denying by Resolution No. 7163 application No. 11555, for permission to split out the westerly 57.5 feet of the easterly 157.5 feet of Lot 62 except the southerly 490 feet of Las Alturas Villa Sites - south side of Olivera Street, 230 feet west of Gwen Street - in Zone R-1, and erect a single family residence thereon, sustaining the action of the Zoning Committee contained in said Resolution, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

Application of Dean Davis, 435 - 43rd Street, for permission to operate one taxicab, under the name of Skyline Cab Co., was presented.

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

Application of James C. Kay, 3049-1/2 A Street, for permission to operate one taxicab, under the name of Skyline Cab Co., was presented.

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

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, stating that the Director of Finance has advised that a study of cash handling and receipting methods and procedures of the City Treasurer's Office and the Water Department branch offices at La Jolla and East San Diego has been made. It states that the result of the study has been reviewed and concurred in by the City Treasurer, that as a result it is recommended that the Purchasing Agent be authorized to purchase on the open market 3 Bank Tellers validating machines at a price of \$1,635.00 each, plus State Tax and 2 Burroughs Adding Machine Company Burroughs Style 10-10-361 RD Receipting machines at \$819.00 each plus State Tax. It points out that no useful purpose can be served by advertising for bids.

Councilman Schneider asked about the reason for the recommendation.

John McQuilken told the Council that the recommendation was based on the independent auditor's recommendation for such purchase, and that it would serve the department's need. He said that there is the machine available from only one manufacturer.

RESOLUTION NO. 111154, recorded on Microfilm Roll No. 61, authorizing and directing the Purchasing Agent to purchase in the open market, without advertising for bids, 3 Bank Tellers validating machines, \$1,635.00 each plus State Sales Tax, and 2 Burroughs Style 10-10-361 RD receipting machines, \$819.00 each plus State Sales Tax, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Application of Harold F. Dodds for a Class A Dine & Dance License at 3130 Main Street, was presented, together with recommendations for granting from the various interested City departments.

RESOLUTION NO. 111155, recorded on Microfilm Roll No. 61, granting application of Harold F. Dodds for a Class "A" Dine & Dance License to conduct public dance at Harold's Trading Post, 3130 Main Street, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, 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 Glenclift be approved subject to minor corrections, and the posting of an adequate bond to insure installation of required improvements, was presented.

Asked about the location of the property by the Council, Glenn A. Rick, Planning Director, said that it is the Guymon property at 47th and Market Streets.

RESOLUTION NO. 111156, 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 R. E. Tyson, H. H. Johnson and A. L. Lynds, doing business as a partnership under the fictitious name of Hobart Investment Co., a partnership, for the installation and completion of the unfinished improvements and the setting of monuments required for Glenclift 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 on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111157, recorded on Microfilm Roll No. 61, adopting Map of Glenclift and accepting on behalf of the public Guymon Street, 49th Street, Duval Street, 48th Street, Escuela Street, and portions of Market Street, 47th Street and Hilltop Drive, alleys, and unnamed easements shown on said map within the subdivision, together with any and all abutters' rights of access in and to 47th Street adjacent and contiguous to Lots 122 to 138 inclusive, for public purposes, declaring the same to be public streets and easements and 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, portions of streets, abutters' rights of access in and to 47th Street adjacent and contiguous to Lots 122 to 138 inclusive, all alleys and unnamed easements as dedicated on said map 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.

Communication from the Planning Department, signed by Harry C. Haelsig, recommending suspension of 4 sections of the Municipal Code relative to the Tentative Map of La Jolla Shores Terrace; communication from said department, submitting Resolution approving the revised Tentative Map of La Jolla Terrace, for subdivision of 20-acre parcel of land in Pueblo Lot 1297, were presented.

At the request of Councilman Schneider, Glenn A. Rick explained the subdivision and development.

Councilman Kerrigan reviewed the situation, based upon the Resolutions submitted by the Commission.

Mr. Rick showed a map of the property and told of its location. He said that the Committee had looked at the ground with the subdivider and his engineer. Mr. Rick said that there are 50 foot and 57 foot wide streets provided.



Councilman Schneider wondered if such street width is sufficient, and said that the City could demand streets of greater width.

Councilman Kerrigan said that instead of trying to adjust the matter, if the Council does not like what had been submitted by the Planning Commission, it should be sent back for revision.

Councilman Schneider said that the City has a change to correct a bad condition.

Councilman Swan moved to adopt the Resolutions in connection with the suspensions and the approval of the Map.

Councilman Kerrigan moved to continue the matter over for one week, and that Mr. Freeland, engineer for the subdivider, be invited down to explain the situation, which motion was seconded by Councilman Schneider.

The roll was called on the motion, and the matter continued for one week.

Communication from the Planning Commission, signed by Harry C. Haelsig, submitting Resolution reapproving revised Tentative Map of Rancho Cabrillo, for subdivision of portion of Lots 37 and 40 Rancho Mission, originally approved by Resolution No. 108265, was presented.

Glenn A. Rick reviewed the matter for the Council's benefit.

RESOLUTION NO. 111158, recorded on Microfilm Roll No. 61, reapproving the Revised Tentative Map of Rancho Cabrillo, for subdivision of portion of Lots 37 and 40 Rancho Mission, heretofore approved by Resolution 108265, under conditions set forth in Resolution 108265, except for conditions 1 and 6 as set forth in said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communications from the Planning Commission submitting Resolutions suspending 3 Sections of the Municipal Code relative to the Tentative Map of Rancho Hills Estate, and from the Planning Commission submitting Resolution approving the Tentative Map; being for the subdivision of a portion of Section 82 of Rancho de La Nacion, subject to 10 conditions, were presented.

Glenn A. Rick made a verbal explanation to the Council relative to the proposed subdivision.

RESOLUTION NO. 111159, recorded on Microfilm Roll No. 61, suspending Sections 102.16-8, 102.18, 102.17-c of the Municipal Code, in connection with the Tentative Map of Rancho Hills Estate, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111160, recorded on Microfilm Roll No. 61, approving the Tentative Map of Rancho Hills Estates, for the subdivision of a portion of Section 82 of Rancho de La Nacion, located at Sea Breeze and Roanoke Streets, subject to the conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending that conditions 4 and 6 of Resolution 108386 be amended in connection with the Tentative Map of View Heights Manor, in conformance with the F.A. requirements having to do with street improvements, was presented.

Glenn Rick outlined the area for the Council, and stated that the only modification deals with improvements approved by the City Engineer.

RESOLUTION NO. 111161, recorded on Microfilm Roll No. 61, amending Resolution No. 108386 adopted September 18, 1952, which approved the Tentative Map of View Heights Manor, insofar as Sections 4 and 6 are concerned, and outlining said requirements of those sections, 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 Blocks 126 and 127 Choate's Addition, was presented. The report states that on March 11 the Commission without holding a hearing recommended by a 4-0 vote that the petition be denied because the interested party in the petition had taken out a petition for zone variance. The property, on which the zone would be changed from R-4 to C, is at the two westerly corners of 33rd and F Streets, adjacent to the Wabash Freeway Extension, with property to the west being in a C Zone.

Glenn A. Rick explained the matter, and told the Council that the property would be used only for another bill board.

Councilman Godfrey said that the property is caught between the Freeway and commercial zoning, which puts the owners in a difficult position.

Mr. Rick showed a map to the Council, and said that the Commission could have been influenced in its denial by the thought that the property would be used for a sign board.

Councilman Godfrey spoke in considerable detail about the background of what had been told to him over the telephone.

Mr. Rick then suggested that the matter be referred back to the Planning Commission. He stated that there would be no harm resulting from such a delay.

Councilman Godfrey and Mr. Rick then conducted a discussion between themselves. He said that he thought the property should be properly zoned, and talked about conversations had with a Mr. Haines and a Mr. Holley.

Mr. Rick pointed out that freeways are not built for the purpose of erecting along them signboards.

Councilman Godfrey declared that the property is not a logical residential property.

Councilman Godfrey read to the Council the Planning Commission's record on former actions, supplied by Mr. Rick. He spoke about the man referred to as "Lessee" being the "substantial owner", inasmuch as there is only a family involved. He referred to the man as the lessee as being the son of the owner and felt that if he were in the same position he would have the property transferred to him.

J. F. DuPaul, City Attorney, said that the matter should be referred back to the City Planning Commission for the holding of a hearing inasmuch as no hearing has been held and that the Commission had taken action without it.

On motion of Councilman Godfrey, seconded by Councilman Swan, said matter was referred back to the Planning Commission for a hearing.

Communication from Agnès Lehner (Mrs. Paul B.), 1011 Felspar, San Diego 9, dated 3/14/53, was presented. It states that she has complied with all demands the City requires of trash and garbage containers, and that although the best garbage can that can be bought only two months ago it is already battered and ready to be retired, and makes other observations along the same lines.

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

Communication from Mrs. James K. Macpherson, Jr., 4433-1/2 North Avenue, San Diego 16, dated 12 March 1953, was presented. Among other things it referred to "gypsy camps" ruining San Diego, in connection with the leasing of land at De Anza Point to Mrs. Marian Fesler-Purdy for a trailer camp. It states that it is time that the permanent residents and older citizens of the City band together and restrict further development of trailer parks, especially at the main entrances to San Diego.

Glenn A. Rick made a report on the proposed operation by Mrs. Purdy.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said communication was referred to the City Manager for making an explanation to the writer of the letter.

Communication from Alton H. Putnam, 3146 El Cajon Boulevard, San Diego 4, submitting copy of copy of application before the Public Utilities Commission of The State of California in behalf of his application doing business as California Mountain Co., for certificate of Public Convenience and Necessity to operate a passenger stage service, including incidental baggage and express, between San Diego and Julian and other points in San Diego, Orange, and Riverside Counties, and for the vacating of the operative rights of Mountain Stage Line, Inc., for cause, was presented.

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

Communication from Procopio, Price, Cory and Schwartz, law offices, 420 San Diego Trust & Savings Building, San Diego 1, dated March 13, 1953, signed by Todd Smith, was presented. It refers to lease of the land in the Point Loma area approved by the Harbor Commission for operation of a new sportfishing pier together with tackle store in connection therewith. The communication refers to the lease grant being on the agenda of the Council for consideration and ratification. It states that law firm has been retained by the Point Loma Sportfishing Association, requesting that interested persons be given an opportunity to present their views. The communication says that it would be understating the case to say that the lease would if granted seriously affect the business of the existing Sportfishing Commission and livelihood of individual members, and that business interests of the public will be detrimentally affected. A public hearing is requested in the communication.

Carl Reupsch, representing the Harbor Department, asked if a copy could be referred to the Harbor Commission for its information.

At the request of the Council, the letter was read by the Clerk.

Councilman Godfrey requested that the City Manager answer the communication and say that the matter is not before the Council, and that when it does come before the Council it would be the proper time.

Mr. Reupsch told the Council that protestants have appeared before the Department and Commission. He said, also, that the lease has not yet been prepared, and that it is to come before the Council later.

Councilman Godfrey moved to instruct the City Manager to advise the writers of the communication of the situation as it exists, and to say that when the recommendation for the proposed lease comes before the Council protestants will be heard.

Mr. Reupsch spoke about the proposed leasing and the sale of floats.

There was discussion between individual members of the Council relative to the situation.

Councilman Schneider seconded Councilman Godfrey's motion, and the roll was called, resulting in

RESOLUTION NO. 111162, recorded on Microfilm Roll No. instructing the City Manager to advise the law firm of Procopio, Price, Cory and Schwartz, 420 San Diego Trust & Savings Building, San Diego 1, California, in response to its communication of March 13, 1953, signed by Todd Smith, that the proposed lease for operation of a sportfishing pier together with a tackle store in connection therewith in the Point Loma area has not come before the Council and advising of the existing situation, and informing said firm that when the recommendation from the Harbor Commission for the proposed lease comes before the Council that protestants will be heard, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication signed by John V. Wahl and other property owners on Seminole Drive, dated February 21, 1953, relative to failure to secure the required signatures for the paving of Seminole Drive, requesting that the City share in the cost of the street improvement for the various reasons stated therein, was presented.

Councilman Kerrigan said that property owners have been unable to secure a 50% improvement petition.

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

Communication from San Diego City and County Convention Bureau, filed in the office of the City Clerk under Document No. 465351, submitting request for annual appropriation of \$10,000.00 for the fiscal year 1953-54, was presented.

RESOLUTION NO. 111163, recorded on Microfilm Roll No. 61, referring request of San Diego City and County Convention Bureau for \$10,000.00 appropriation for the fiscal year 1953-54 to the budget conference file, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from San Diego Harbor Association, dated March 13, 1953, 548 Spreckels Building, San Diego 1, signed by William A. Hoss, president, was presented. The communication states that the Association, representing varied interests identified with the activities of the Port of San Diego, views with deep concern the measure known as Proposition K which will be on the ballot at the Municipal General Election April 21, 1953. It also outlines in detail objections which are found to the proposition.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was ordered filed. (Said communication was considered in Conference of the Council on the afternoon of March 17, 1953 - prior to being placed on the agenda.)

Communication from San Diego Council of Churches, signed by Wayne A. Neal, Executive Secretary, addressed to Employer Friends, calling attention to the Union Good Friday Service to be held April 3 12:00 to 3:00 at the First Method Church, and to the Easter Sunrise Service to be conducted at the Organ Pavilion Balboa Park; expressing appreciation for cooperation in years gone by and expressing request that employees will be permitted to attend at least part of the Good Friday Service, was presented.

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

Communication from San Diego Junior Chamber of Commerce, dated March 16, 1953, signed by R. Sherman Platt, president, requesting that the Council waive the rental fee for the Balboa Park Club which has been reserved for the annual Miss San Diego Contest to be held April 19, 1953 and for use of the Club for rehearsals between now and the Pageant finals, was presented. In addition, the communication states that the San Diego entry selection goes to the Miss California Pageant as well.

Councilman Schneider said that he was not sure that he should vote on the question, inasmuch as he has been asked to be a judge.

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

A proposed Resolution consenting to assignment for security of certain tideland lease with General Truck & Engine Company, Inc. as Lessee, to Yellow Manufacturing Corporation, Assignee, was presented.

In behalf of the Harbor Department, Carl Reupsch reported, and told the Council that the matter is brought before it is on account of the Council's recent policy on assignments expressed by Resolution.

Councilman Kerrigan was excused from the meeting.

Mr. Reupsch told the Council about the lessee, and said that it is a loaning agency of General Motors. He pointed out that the Resolution authorizing the assignment is a financing matter.

When the question was brought up about its being on improved property, Mr. Reupsch pointed out that the lessee could get no loan if not improved.

RESOLUTION NO. 111164, recorded on Microfilm Roll No. 61, giving consent to the assignment for security of that certain lease dated the 6th day of March, 1952, with General Truck & Engine Company, Inc., a corporation, as Lessee, to Yellow Manufacturing Acceptance Corporation, assignee - declaring that the lease is unmodified and is in full force and effect and the rental provided for therein has been paid to the City of San Diego and that the City is the sole party interested in said Lease as Lessor - that as a part of the consent the Harbor Commission will notify the Assignee in writing of any default by the Lessee under the lease, and that the Assignee shall be afforded an opportunity to remedy the default in accordance with the terms of the lease, and that the Commission shall also notify the Assignee if the Lessee fails to exercise any option under Lease and the Lessee shall be given the privilege of exercising said option within 60 days after such written notice is given, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Harbor Commission, signed by the Port Director, enclosing form of Agreement for Amendment of Tideland Lease covering premises occupied by Kenneth E. Wilson on the Byron Street Causeway, increasing the land and water area by 50% with proportionate increase in rental, was presented. It states that the Agreement in all respects conforms to the Harbor Commission and Council policy.

Carl Reupsch told the Council that the lease covers additional area, as stated in the transmittal.

RESOLUTION NO. 111165, recorded on Microfilm Roll No. 61, ratifying,



confirming and approving the Agreement for Amendment of Tideland Lease, Amendment No. 1, with Kenneth E. Wilson, an individual, doing business under the name and style of Kenneth E. Wilson, as Lessee, in accordance with Document No. 465554 on file in the Office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution refers to lease having been with National Marine Terminal, Inc., on file in the Office of the City Clerk under Document No. 452232, and assignment on or about the 12th day of November, 1952, to Kenneth E. Wilson.

Proposed Resolution ratifying work accomplished by the Port Director in connection with construction assistance on a concrete block concourse wall at Lindbergh Field with City forces, was presented. The Resolution states that the Harbor Department has provided assistance to the contractor on such construction; that the Port Director has stated the work was done more economically by City forces than if let by contract.

Carl Reupsch spoke for the Harbor Department, and told the Council that the work had gone over the estimate. He said that it was found that the wall was cracking up and that it had to be reinforced. The breaking up, he told the Council, was due to the nearby airplanes. He said that when the big planes start their motors the reaction is so strong that it even breaks the light globes in the administration building. He said, too, that it was not thought that the job would be so big as it developed.

Councilman Godfrey called the Council's attention to the fact that the cost of the work is quite a bit over the estimate - over by more than 3 times. He said that he wants to discourage City work, especially where it will be above the estimate. He said that he wants a break-down. He declared that the Council can act now, then get the figures for information later.

J. F. DuPaul said that the money has been paid out. The Resolution, he said, is to legalize what has been done.

Councilman moved to continue the matter until Tuesday, March 24, 1953, which motion was seconded by Councilman Schneider. The motion carried, and the Clerk was directed to list the item on the agenda for that date.

Councilman Kerrigan returned to the meeting during consideration of the preceding item.

Communication from the Harbor Department, signed by John Bate, Port Director, requesting that the Council pass a Resolution authorizing the providing of assistance for contractual construction of Shelter Island roadway, was presented. It was broken down into estimated labor \$2,000.00, Equipment \$1,000.00. The communication states 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 told of the assistance given by the City, and said that the contract is yet to come in for the paving.

Councilman Schneider said that he felt that assistance to contractors should be reported.

Mr. Reupsch replied that is what is being done. He told about renting equipment and drivers. He said that it is difficult to have a contract regarding the dirt haul, inasmuch as a field survey is needed, and said that the Harbor Department has only one field party. Answering Councilman Schneider, Mr. Reupsch stated that the income to be derived from Shelter Island will make the expense worth while.

RESOLUTION NO. 111166, recorded on Microfilm Roll No. 61, authorizing and empowering the Port Director to do all the work in connection with the providing of assistance to the contractor in building the Shelter Island roads, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution states that the Harbor Department has recommended providing assistance to the contractor in building the Shelter Island roads, that the Port Director has submitted estimates for said work and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 111167, recorded on Microfilm Roll No. 61, approving Change Order No. 7 dated February 28, 1953, filed with the City Clerk as Document No. 465721, 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 \$3,650.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111168, recorded on Microfilm Roll No. 61, approving request of H. H. Peterson, contained in Change Order No. 2, for extension of 30 days to and including March 28, 1953, heretofore filed with the City Clerk as Document No. 465723, in which to complete contract for construction of the University Heights North Reservoir Drain Extension and the lowering of the Mission Valley Pipe Line, contract contained in Document No. 451616 on file in the office of the City Clerk; extending said time of completion to March 28, 1953, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111169, recorded on Microfilm Roll No. 61, granting permission to Gates Towel & Linen Supply Inc., 1155 - 18th Street, San Diego, to install a clarifier or interceptor accumulating grease from wash room, and preventing grease from

draining into the sewer line; subject to approval of Engineering Department, Supervisor of Plumbing Inspection, and on conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111170, 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 lands in Hunters Addition, San Diego Property Union, M. Santee's Subdivision, as more particularly described in said Resolution - consisting of tax-deed lands - was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111171, recorded on Microfilm Roll No. 61, directing the City Attorney to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that the sum of \$384.71 paid to the County Tax Collector under protest on March 6, 1953, representing the last half of the taxes of the tax year 1952-1953 - against various parcels of land being in Rosedale, and in Rancho Ex-Mission - listed in said Resolution, be repaid to The City of San Diego pursuant to the provisions of Section 5096 of the Revenue and Taxation Code of the State of California; authorizing and directing him to take whatever steps he may deem necessary to secure the repayment of said sum, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Councilman Godfrey moved to adopt all the Resolutions accepting deeds listed on the agenda, which motion was seconded by Councilman Schneider.

Councilman Swan spoke about the procedure involved, referring to a parcel of land proposed to be accepted from H. G. Fenton Material Company in Wadsworth's Olive Grove Addition, Horton's Purchase of Ex-Mission Lands and in Pueblo Lot No. 1347. He said that the Ordinance is presented and adopted first, then the deed is presented. He objected to that procedure. (Ordinance referred to by Councilman Swan was No. 5521 (New Series) which appropriated \$116,884.00 out of the Unappropriated Balance Fund for the purchase of 122.37 from the said company).

Speaking on the subject, J. F. DuPaul, City Attorney explained the procedure involved relative to the escrow.

Councilman Swan wanted to know how much is right of way, and how much is to be sold.

The City Manager said that the answer is not known at this time, but said that the information is available "downstairs".

The Mayor pointed out that when it is necessary to buy right of way for a freeway, property will be left over, and that then the City will offer it for sale.

Councilman Godfrey said that if the property is chopped up, there would be severance damages which the City would have to pay, also.

Councilman Swan wondered why the property had not been condemned at the proper time.

The City Manager and the Mayor, answering Councilman Swan who thought the land should be condemned, said that it would cost more to condemn the property and said that procedure is not needed.

Councilman Godfrey pointed out to Councilman Swan that the information he seeks is available.

Councilman Swan asked when he would have the answer.

The Mayor said that the City Manager, who was on the telephone, is trying to get it.

Councilman Swan said that he would have to vote "nay" on the lands acceptance Resolutions, which he did. But he changed the vote before it was declared, and a separate roll call is shown on the H. G. Fenton Material Company land acceptance resolution, which follows on page 29 of these minutes.

RESOLUTION NO. 111172, recorded on Microfilm Roll No. 61, accepting quitclaim deed executed on the 7th day of March, 1953, by Carlos Tavares, Marjorie Claire Tavares, Louis C. Burgener and Patricia W. Burgener, 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 a "Resubdivision of portion of Block J Tecolote Heights", being subdivision of Lots 4 to 21 inclusive in Block J and filed as Map No. 2846 in the County Recorder's Office; 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 Schneider, adopted.

RESOLUTION NO. 111173, recorded on Microfilm Roll No. 61, accepting deed of James W. Hurst and Doris E. Hurst, bearing date January 17, 1953, conveying portions of Lot 8 Block 5 Spring Garden 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 Schneider, adopted.

RESOLUTION NO. 111174, recorded on Microfilm Roll No. 61, accepting deed of Alonzo McFadden and Willie V. McFadden, bearing date February 28, 1953, conveying portions of Lots 13, 14, 15 Block 8 Spring Garden 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 Schneider, adopted.

RESOLUTION NO. 111175, recorded on Microfilm Roll No. 61, accepting deed of Herbert E. Hall and The Bank of America, bearing date January 23, 1953, conveying portion of Section 18 Township 13 South Range 2 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111176, recorded on Microfilm Roll No. 61, accepting deed of Griffith Henshaw and Charles C. Keeney, bearing date January 16, 1953, conveying portion of Section 18 Township 13 South Range Two 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111177, recorded on Microfilm Roll No. 61, accepting deed of J. Parks Blodgett and Emma Eugenia Blodgett, bearing date March 6, 1953, conveying portion of Section 11 Township 18 South Range 2 East, 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111178, recorded on Microfilm Roll No. 61, accepting deed of H. G. Fenton Material Company, bearing date February 5, 1953, conveying portions of Wadsworth's Olive Grove Addition, according to Map No. 482, portions of Horton's Purchase of the Ex-Mission Lands of San Diego, according to Map thereof No. 283, and portion of Pueblo Lot No. 1347; 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 Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilman Swan. Absent--Councilman Dail.

(For discussion on the acceptance of this deed - and procedure having to with appropriations and deed acceptances - see page 28 of these Minutes, just ahead of Resolution No. 111172).

RESOLUTION NO. 111179, recorded on Microfilm Roll No. 61, accepting deed of ~~of~~ Raymond B. Talbot, as Tax Collector of the County of San Diego, State of California, bearing date February 11, 1953, conveying Lots 5, 6, 7 Block 85, Lots 19 to 23 Block 86, Lots 26 and 27 Block 92 City Heights, Lots 76 and 77 Empire Addition to Encanto Heights, portions of Lots 5 and 7 Block 10 First Addition to South La Jolla, Lot 13 Block 2 Hollywood Station, Lots 9 and 10 Block 36 La Jolla 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 Schneider, adopted.

RESOLUTION NO. 111180, recorded on Microfilm Roll No. 61, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, State of California, bearing date February 18, 1953, conveying portion of Pueblo Lot 1773, Lot 30 of Resub-division of Portion of Rosemont Addition to Encanto Heights, Lot 3 Block 14 F. T. Scripps' Addition to La Jolla Park, Lots 13 to 18 Block 24 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111181, recorded on Microfilm Roll No. 61, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, State of California, bearing date February 18, 1953, conveying Lot 7 Block 6, Lots 1 to 5 Block 11, Lots 14 and 15 Block 13, Lot 9 Block 34 Marilou Park, together with portion of Lot 1 Block 549 Old 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 Godfrey, seconded by Councilman Schneider, adopted.



RESOLUTION NO. 111182, recorded on Microfilm Roll No. 61, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, State of California, bearing date February 11, 1953, conveying Lots 23, 24, 25 Block 52 and Lot 28 Block 117 Morena Subdivision, and Block 3 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111183, recorded on Microfilm Roll No. 61, accepting deed of Jack Crivello and Jacqueline D. Crivello, bearing date January 23, 1953, conveying easement and right of way for public street purposes in portion of Pueblo Lot 173, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bangor 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 Schneider, adopted.

RESOLUTION NO. 111184, recorded on Microfilm Roll No. 61, accepting deed of Jerauld Ingle and Jane Keck Reynolds, bearing date February 9, 1953, conveying easement and right of way for public street purposes in portion of Pueblo Lot 172, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bangor 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 Schneider, adopted.

RESOLUTION NO. 111185, recorded on Microfilm Roll No. 61, accepting deed of George F. Phythian and Della L. Phythian, bearing date February 25, 1953, conveying easement and right of way for public street purposes in portion of Pueblo Lot 172; setting aside and dedicating the same to the public use, and naming the same Bangor 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 Schneider, adopted.

RESOLUTION NO. 111186, recorded on Microfilm Roll No. 61, accepting deed of Union Title Insurance and Trust Company, bearing date February 16, 1953, conveying easement and right of way for public street purposes in portion of Pueblo Lot 172, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bangor 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 Schneider, adopted.

RESOLUTION NO. 111187, recorded on Microfilm Roll No. 61, accepting deed of Cecile G. Scroggin, bearing date March 9, 1953, conveying easement and right of way for water pipe line purposes in portion of Lots 81, 82, 83, 84 Valle de los Amigos; 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 Schneider, adopted.

Proposed Ordinance, incorporating portion of Lot 31 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 it conflicts - property being in the vicinity of 47th Street and Market Street, and in a C-Zone - 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, April 14, 1953.

Proposed Ordinance, incorporating portion of Pueblo Lot 1203 into "R-2" Zone, as defined by Section 101.0406 of the San Diego Municipal Code, and repealing Ordinance No. 13457, insofar as it conflicts - being site for an elementary school being a short distance from the Kearney Senior High School now under construction, and in R-1 Zone - 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, April 14, 1953.

Proposed Ordinance incorporating portion of Pueblo Lot 180 into R-1 Zone as defined by Section 101.0405 of the San Diego Municipal Code, and repealing Ordinance No. 5179 New Series, insofar as it conflicts - Loma Valley Subdivision property - 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, April 14, 1953.

Proposed Ordinance incorporating all of Loma View, portions of Point Loma Highlands, and Pueblo Lot 181; all of Blocks 12, 13, 14, 15 and 16, Roseville Heights, into R-1 Zone as defined by Section 101.0405 of the San Diego Municipal Code and repealing Ordinance No. 5179 (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, April 14, 1953.

This is in the vicinity of Loma Valley also.

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

RESOLUTION NO. 111188, recorded on Microfilm Roll No. 61, authorizing Sergeant Gene S. Muehleisen of the Police Department to attend the FBI National Academy at its Fifty-first Session beginning March 23, 1953, at Washington, D.C., and to incur expenses therefor in an amount not exceeding \$860.00, was on motion of Councilman Schneider seconded by Councilman Godfrey, adopted.

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

RESOLUTION NO. 111189, recorded on Microfilm Roll No. 61, stating that in submitting proposed amendment to the Charter of the City providing that no revenues derived from the operation of the harbor or the tidelands shall be used for any other purpose than the operation and maintenance of the harbor and the tidelands fronting thereon and the development and improvement of said harbor and of said tidelands, and the payment of any harbor or tidelands bonds, or the interests, the Council has been advised that the Harbor Commission has the exclusive jurisdiction to expend the revenues and proceeds derived from the use and operation of San Diego Harbor and of the tidelands fronting thereon, the Council did not intend that said amendment should deprive said Commission of its exclusive jurisdiction to control all expenditures of revenues of said San Diego Harbor and the tidelands fronting thereon, and did not intend in any way to suggest to said Harbor Commission that it devote any of its revenues to the payment of existing bonded indebtedness of said City heretofore voted for the purpose of improving the harbor and the tidelands therein, or for the payment of any interest thereon, was on motion of Councilman Schneider, seconded by Councilman Winote, adopted.

There being no further business to come before the Council at this time, said meeting was adjourned on motion of Councilman Godfrey, seconded by Councilman Schneider, at the hour of 11:50 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Bradstreet  
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, March 24, 1953

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

Said meeting was called to order by the Mayor at the hour of 10:05 o'clock  
A.M.

The Minutes of the Regular Council Meetings of Tuesday, March 17, 1953, and of Thursday, March 19, 1953, were presented to the Council by the Clerk. On motion of Councilman Kerrigan, seconded by Councilman Dail, said Minutes were approved by the Council, 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 31 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 110834, the Clerk reported that 4 bids had been received, which bids were presented to the Council by the Clerk.

Said bids were presented to the Council, and upon motion made and seconded they 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 \$700.00, which bid was given Document No. 465944;

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. 465945;

Councilman Godfrey entered the meeting at this time.

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York, a corporation in the sum of \$600.00, which bid was given Document No. 465946;

\* The bid of Leon A. Gilman and Donald I. McKillop, a copartnership doing business as Gilman Grading Co., accompanied by bond written by Indemnity Insurance Company of North America in the sum of \$600.00, which bid was given Document No. 465947.

Councilman Godfrey was excused from the meeting.

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 Date Street, within the limits and as particularly described in Resolution of Intention No. 110070, the Clerk reported that 4 bids had been received, which bids were presented to the Council by the Clerk.

Said bids were, upon motion and second, 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 \$600.00, which bid was given Document No. 465948;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$600.00, which bid was given Document No. 465949;

The bid of Date Street, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1,000.00, which bid was given Document No. 465950;

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. 465951;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$750.00, which bid was given Document No. 465952;

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 Francis Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 110164, the Clerk reported that 3 bids had been received, which bids were presented to the Council by the Clerk.



Said bids were, upon motion and second, 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 \$4,500.00, which bid was given Document No. 465953;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$3,800.00, which bid was given Document No. 465954;

Councilman Godfrey returned to the meeting at this time.

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$5,000.00, which bid was given Document No. 465955.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Tulip Street, within the limits and as particularly described in Resolution of Intention No. 110074, the Clerk reported that 5 bids had been received, which bids were presented to the Council by the Clerk.

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 \$1,000.00, which bid was given Document No. 465956;

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. 465957;

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. 465958;

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. 465959;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$1200.00, which bid was given Document No. 465960.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 110651, 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.

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. 110652, for the paving and otherwise improving 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.

On motion of Councilman Schneider, 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 time set for hearing on Resolution No. 110736 of Preliminary Determination for the paving and otherwise improving of the Alleys in Block 43 Normal 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. 111190, recorded on Microfilm Roll No. 61, determining that the proposed improvement of the Alleys in Block 43 Normal Heights, within the limits and as particularly described in Resolution No. 110736 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 Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the Acting City Manager's stamp of approval, reporting on bids received October 8, 1952, for the furnishing and/or installing of Air Raid Sirems, from 8 bidders, was presented. It states that to secure

75% participation by the State and Federal Governments, it will be necessary for the City to purchase and have installed the sirens required; after acceptance by the City, the Federal and State share of cost should be promptly received in accordance with commitments previously given, the communication states. Award was recommended to Ets-Hokin & Galvin.

RESOLUTION NO. 111191, recorded on Microfilm Roll No. 61, accepting bid of Ets-Hokin & Galvan for the furnishing of sirens under alternate Item 4, and the installation, of sirens sufficient in number to adequately and completely cover all inhabited areas - for \$82,460.00 - and to supply 10 h.p. siren at no additional cost, also to furnish additional sirens required by the City at a price of \$1,330.00; awarding contract, authorizing and instructing the City Manager to enter into and execute the same pursuant to the plans and specifications therefor 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, reporting on bids for furnishing 50 6" 2-way Fire Hydrants and 25 6" 3-way Fire Hydrants, received February 26, 1953, from 5 bidders, was presented. Award was recommended to Mission Pipe & Supply Co., the low bidder, for furnishing the 50 6" 2-way hydrants at \$98.99, terms 2% 30 days, plus State Sales Tax. It states, also, that award of contract for furnishing the 25 6" 3-way hydrants is of necessity being held up pending study of drawings submitted showing construction of the hydrants which the low bidder proposes to furnish.

RESOLUTION NO. 111192, recorded on Microfilm Roll No. 61, accepting bid of Mission Pipe & Supply Co., for the furnishing of 50 6" 2-way Fire Hydrants; awarding contract, 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 Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the installation of a Fire Sprinkler System in the building located at 1769 Front Street, received March 12, 1953, from 2 bidders, was presented. It recommends award to Wulff's Automatic Sprinkler Co., low bidder, for the sum of \$3,8100.00 - 9.3% below the estimate.

RESOLUTION NO. 111193, recorded on Microfilm Roll No. 61, accepting bid of Wulff's Automatic Sprinkler Co., for installation of a Fire Sprinkler System in the building located at 1769 Front Street, awarding contract, authorizing and instructing the City Manager to enter into and execute the same pursuant to the plans and 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 for Resurfacing of portions of University Avenue, 41st Street, Cherokee Avenue, 35th Street, 36th Street, Orange, 33rd, 34th, Lila Drive, 49th, Loraine Drive, Lucile Drive, 44th, 46th and 47th Streets, received by the City Clerk and read to the Council March 17, 1953, was presented. It recommends award to Daley Corporation, low bidder, for resurfacing streets under Item I of the specification, approximately 6454 tons of paving at \$6.70 per ton; award to Griffith Company for resurfacing streets under Item II of the specification, approximately 4092 tons of paving at \$6.82 per ton. The communication states that the prices quoted are approximately 7% higher than received under a previous contract for said type of work.

RESOLUTION NO. 111194, recorded on Microfilm Roll No. 61, accepting bid of Daley Corporation for resurfacing streets under Item #1 of the specification; awarding contract, 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111195, recorded on Microfilm Roll No. 61, accepting bid of Griffith Company for resurfacing streets under Item #2 of the specification; awarding contract, 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 Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the Purchasing Agent's stamp of approval, reporting on bids for installation of approximately 1,500 street name signs, received March 12, 1953, was presented. It states that the low bid of Clarence Earl Rathbun of San Diego, did not contain a bid bond as required. Mr. Rathbun who was present at the bid opening stated that the bond must have been left in his parked car, and the report states that the second low bidder served notice that he would protest any award to the low bidder; that failure of the low bidder to present his bond at the time of the bid does not invalidate the bid if the City elects to accept the same. It recommends award to the low bidder, 32% below the estimate.

RESOLUTION NO. 111196, recorded on Microfilm Roll No. 61, accepting bid of Clarence Earl Rathbun, for installation of approximately 1500 Street Name Signs for the sum of \$14,485.00; awarding contract, authorizing and instructing the City Manager to enter into and execute the same, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Shelley J. Higgins, Assistant City Attorney, dated March 20, 1953, submitting Resolution presenting bound volume of the Minutes and Exhibits of the Citizens' Charter Review Committee of San Diego for the years 1952-1953 and authorizing the City Clerk to file the same in his office, etc., was presented.

RESOLUTION NO. 111197, recorded on Microfilm Roll No. 61, authorizing and directing the City Clerk to file in his office as a permanent record the bound volume of the Minutes and Exhibits of the Citizens' Charter Review Committee for the years 1952-

1953; thanking the Chairman (Graydon Hoffman) and members of said Committee for their work in connection with the report, and on behalf of the people of The City of San Diego expressing appreciation for such work, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111198, recorded on Microfilm Roll No. 61, directing notice of filing of assessment and of the time and place of hearing on the Street Superintendent's Assessment No. 2123 made to cover the costs and expenses of the work done upon the 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, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 111199, recorded on Microfilm Roll No. 61, accepting bid of H. H. Peterson, and awarding contract, 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 Wincote, adopted.

The City Engineer reported in writing that the low bid is 13.2% below the estimate.

RESOLUTION OF AWARD NO. 111200, recorded on Microfilm Roll No. 61, accepting bid of Daley Corporation, and awarding contract, 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 Wincote, adopted.

The City Engineer reported in writing that the low bid is 17.5% below the estimate.

RESOLUTION OF AWARD NO. 111201, recorded on Microfilm Roll No. 61, accepting bid of Griffith Company, and awarding contract 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 Schneider, seconded by Councilman Wincote, adopted.

The City Engineer reported in writing that the low bid is 3.4% below the estimate.

RESOLUTION OF AWARD NO. 111202, recorded on Microfilm Roll No. 61, accepting bid of V. R. Dennis Construction Co. and awarding contract 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 Schneider, seconded by Councilman Wincote, adopted.

The City Engineer reported in writing that the low bid is 20.5% below the estimate.

RESOLUTION NO. 111203, 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 80 City Heights, and portion of Dawson Street, within the limits and as particularly described in said Resolution; approving Plat No. 2419 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 Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 111204, recorded on Microfilm Roll No. 61, for the installation of an ornamental lighting system in Kingsley Street, James Street, Oleander Drive, Poinsettia Drive, Oleander Place, Hyacinth Drive, Wisteria Drive, within the limits and as particularly described in Resolution of Intention No. 109911, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 111205, recorded on Microfilm Roll No. 61, 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, to and including December 31, 1953, in accordance with Engineer's Report and Assessment filed February 6, 1953 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 111206, recorded on Microfilm Roll No. 61, 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, in accordance with Engineer's report and assessment filed in the office of the City Clerk February 6, 1953, was on motion of Council-



man Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 111207, recorded on Microfilm Roll No. 61, 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, in accordance with Engineer's Report and Assessment filed February 6, 1953 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111208, recorded on Microfilm Roll No. 61, appointing time and place for hearing and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 1, for a period of one year from and including March 1, 1953, to and including February 28, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 111209, recorded on Microfilm Roll No. 61, 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 OF INTENTION NO. 111210, recorded on Microfilm Roll No. 61, for the closing of portion of Olive Street, within the limits described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 111211, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of the Alley in Block 80 City Heights, and Dwight Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111212, recorded on Microfilm Roll No. 61, ascertaining and declaring the wage scale for the paving and otherwise improving of Rose Street, Hobart Street, Stewart Street, Millar Street, Catocin Drive, 63rd Street, Pembroke Drive, and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111213, recorded on Microfilm Roll No. 61, ascertaining and declaring the wage scale for the paving and otherwise improving of Winchester Street, Calle Serena, Calle Aguadulce, Calle Tocon, Cumberland Street, Roanoke Street, and Albermarle Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111214, 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 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; 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. 111215, 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 Bancroft Street, within the limits and as particularly described in Resolution of Intention No. 108053, 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. 111216, 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 Kendall Street, Chico Street, Shasta Street and Crown Point Drive, within the limits and as particularly described in Resolution of Intention No. 106666, 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. 111217, 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 Landis Street, within the limits and as particularly described in Resolution of Intention No. 108055 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. 111218, 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 Wightman Street, within the limits and as particularly described in Resolution of Intention No. 107938 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. 111219, 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 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 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. 111220, 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 Birch Street, within the limits and as particularly described in Resolution of Intention No. 109439 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. 111221, recorded on Microfilm Roll No. 61, granting property owner permission to install sewers in portions of Fairmount Avenue, Laurel Street and certain easements 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. 465032, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111222, recorded on Microfilm Roll No. 61, ratifying work accomplished by the Port Director in connection with construction assistance on a concrete block concourse wall at Lindbergh Field with City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution states that the Harbor Department has provided assistance to the contractor in the construction of said wall, that the Port Director has stated the work was done more economically by City Forces than if let by contract.

The matter was before the Council on March 19, 1953, and continued until this date to permit the Council to study the proposition, although the work had already been done.

Communication from the Port of San Diego, signed by John Bate, Port Director, requesting that the necessary resolution be passed authorizing work to be done by appropriate City forces to remodel portion of the Harbor Administration Building for headquarters of the State Division of Fish and Game - at an estimated cost of \$2300.00, was presented.

RESOLUTION NO. 111223, recorded on Microfilm Roll No. 61, authorizing and empowering the Port Director to do all the work in connection with the remodeling of a portion of the Harbor Administration Building for Headquarters of the State Division of Fish and Game, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the Harbor Department has recommended such remodeling, that the Port Director has submitted estimates and has indicated that the same can be done by City forces more economically than if let by contract.

Communication from the Port of San Diego, signed by John Bate, Port Director, submitting for approval a form of Assignment of Agreement covering assignment of the Texas Company's Lindbergh Field gasoline and oil agreement to the Richfield Oil Corporation, was presented.

It states that the agreement entered into August 7, 1952, covers premises at the intersection of Wake Blvd. and Harbor Drive to be used for installation of gasoline storage and the right to operate on the Field. It points out that The Texas Company, when the agreement was granted, lost its exclusive fueling contract with American Airlines and requested permission to assign the agreement to the Richfield Oil Corporation who have taken

who have taken over the servicing of the American Airlines planes, and that since the Richfield Oil Corporation is as financially responsible as the Texas Company the Commission consented to the assignment.

RESOLUTION NO. 111224, recorded on Microfilm Roll No. 61, consenting to the assignment, due to the purchase of assets by the Assignee, of that certain lease dated the 7th day of August 1952 with The Texas Company as Lessee, to Richfield Oil Corporation as Assignee; that as part of the consent it is declared that the lease is un-modified and is in full force and effect and the rental provided for therein has been paid to The City of San Diego and that the City is the sole party interested in the lease as Lessor; that as part of the consent, the Harbor Commission will notify the Assignee in writing of any default by the Lessee under said lease and that the Assignee shall be afforded an opportunity to remedy the default in accordance with terms of the lease, and that the Commission shall also notify the Assignee if the Lessee fails to exercise any option under said lease, and the Lessee shall be given the privilege of exercising such option within 60 days after such written notice is given, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Port of San Diego, submitting form of agreement of "Assignment of Lease" of the Dale E. Watts and Stanley L. Peterson lease covering the Pt. Loma Anchorage premises at the foot of Canon Street to Albert Perel and D. Norman Herwit, due to purchase of assets of the Watts-Peterson partnership by Perel and Herwit, was presented. It states that before the Harbor Commission gave their consent to the assignment, the financial responsibility of the assignees was investigated through Dun and Bradstreet and character references secured from the Port of Long Beach and Port of Los Angeles with whom they had done business, and that all reports were satisfactory.

RESOLUTION NO. 111225, recorded on Microfilm Roll No. 61, consenting to assignment, due to purchase of assets by the Assignee, of that certain lease dated the 1st day of June 1950, with Dale E. Watts, as Lessee, which lease was amended by Agreement for Amendment of Tideland Lease Amendment No. 1, dated the 2nd day of January 1953, and which Amendment adds to the term of the lease an additional 5-year option period and adds the name of Stanley L. Peterson, as a co-partner, to Albert Perel and D. Norman Herwit, as Assignees; consent declared that said lease and its amendments are un-modified and are in full force and effect and the rental provided has been paid to The City of San Diego and that the City is the sole party interested in said lease, as Lessor; that as part of said consent, the Harbor Commission will notify the Assignees in writing of any default by the Lessee under said lease and that the Assignees shall be afforded an opportunity to remedy the default in accordance with terms of the lease, and that said Commission shall also notify the Assignees if the Lessees fail to exercise any option under said lease, and the said Lessees shall be given the privilege of exercising such option within 60 days after such written notice is given, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Port of San Diego, submitting form of "Assignment of Lease" covering the Kenneth E. Wilson lease on the Byron Street Causeway to the United States National Bank of San Diego, being made for collateral purposes and with the approval of the Harbor Commission, was presented.

RESOLUTION NO. 111226, recorded on Microfilm Roll No. 61, consenting to assignment, for security, that certain lease dated the 3rd day of July 1952, with National Marine Terminal Inc., as Lessee, which lease was assigned to Kenneth E. Wilson, to The United States National Bank of San Diego, a National Banking Association, as Assignee; consent declares that said lease is un-modified and is in full force and effect and the rental provided for therein has been paid to The City of San Diego and that the City is the sole party interested in said lease, as Lessor; that as a part of said consent, the Harbor Commission will notify the Assignee in writing of any default by the Lessee under said lease and that the said Assignee shall be afforded an opportunity to remedy the default in accordance with terms of the lease, and that said Harbor Commission shall also notify the Assignee if the Lessee fails to exercise any option under the lease, and said Lessee shall be given the privilege of exercising such option within 60 days after written notice is given, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111227, recorded on Microfilm Roll No. 61, prohibiting parking of automobiles at all times on the south side of El Carmel Place, between Mission Boulevard and Bayside Walk; authorizing and directing installation of the necessary signs and markings; rescinding any resolutions or parts of resolutions in conflict therewith, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111228, recorded on Microfilm Roll No. 61, establishing a parking time limit of 2 hours, between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted, on:

Market Street, between the east line of Pacific Highway and the west line of Kettner Boulevard;

Pacific Highway between the south line of Market Street and the north line of Harbor Drive;

Harbor Drive between the east line of Pacific Highway and the west line of Kettner Boulevard;

Kettner Boulevard between the south line of Market Street and the north line of Harbor Drive;

establishing parking meter zones upon said streets, directing the City Manager to cause parking meters to be installed and parking meter spaces to be designated; authorizing and directing installation of the necessary signs and markings; repealing all resolutions or parts of resolutions in conflict, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.



RESOLUTION NO. 111229, recorded on Microfilm Roll No. 61, prohibiting parking of automobiles at all times on both sides of Santa Clara Place, between Mission Boulevard and Bayside Walk; authorizing and directing installation of the necessary signs and markings to be made; rescinding any resolutions or parts of resolutions in conflict, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The next two items were brought before the Council under questioning by Councilman Schneider, relative to the use of "median lane" on the first of the two.

The City Engineer made a verbal explanation about use of a left turn, the lights in the area, and general comments on the conditions to be corrected.

Councilman Schneider then asked about the proposed Resolution authorizing repairs to the Texas and Adams Avenue bridge by City forces.

The City Manager answered the question by saying that there is a bad condition caused by dry rot which needs to be corrected.

Councilman Schneider next asked about the proposed Resolution - which follows at some distance from the matters just mentioned - authorizing the City to request the Department of Public Works of the State to make engineering investigation of various bridge structures.

The City Manager answered Councilman Schneider by saying that there is mostly maintenance purposes work involved. The State, he said, has experts for the purpose proposed. He said that the City has requested the State to furnish the service, which is available; that it will do so, but that a Resolution will be needed.

The 3 Resolutions follow - but not together, inasmuch as the third was not listed with the first two.

RESOLUTION NO. 111230, recorded on Microfilm Roll No. 61, authorizing and empowering the City Manager to do all the work in connection with the construction of a median lane in Rosecrans Street and Midway Drive, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Engineer 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.

(See explanation above, on this page in connection with this matter.)

RESOLUTION NO. 111231, recorded on Microfilm Roll No. 61, authorizing and empowering the City Manager to do all the work in connection with making the necessary repairs to the Texas Street and Adams Avenue bridge, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has recommended certain repairs, 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.

(See explanation above, on this page in connection with this matter.)

RESOLUTION NO. 111232, recorded on Microfilm Roll No. 61, authorizing and empowering the City Manager to do all the work in connection with the replacing of low voltage traffic signals at various intersections in the downtown area of The City by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has recommended work in connection with replacing the signals, 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. 111233, recorded on Microfilm Roll No. 61, authorizing the City Manager to execute agreement with the Republic Development Co., whereby in accordance with terms of the purchase by the City from the Republic Development Co., of certain lands to be used for playground purposes in Lomita Village Unit No. 4, the City to reimburse the Republic Development Co. for improvement work affecting said land in the amount of \$3900.00, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111234, recorded on Microfilm Roll No. 61, authorizing and empowering the City Manager to execute for and on behalf of the City of San Diego a lease with Roscoe E. Hazard of portion of Pueblo Lot 1102 of Pueblo Lands, according to Map filed in the office of the Recorder of San Diego County as Miscellaneous Map No. 36; for a term of 5 years at a monthly rental of \$30.00; description of the property and terms and conditions set forth in form of lease filed in the office of the City Clerk under Document No. 465979; property has a value of \$10,000.00 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 not otherwise obtainable, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111235, recorded on Microfilm Roll No. 61, authorizing and empowering the City Manager to execute on behalf of The City of San Diego a first amendment to Lease Agreement with R. E. Hazard and E. B. Culnan, whereby a certain portion of

the premises formerly leased to Hazard and Culnan are deleted in order to provide needed dog corral in connection with operation of adjacent City Dog Pound, without diminution of rent - all in accordance with terms and conditions as set forth in form of Amendment filed in the office of the City Clerk as Document No. 465906, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the next matter, Councilman Swan wanted to know about the cost to The City.

The City Manager reported a joint project between the City of San Diego and Scripps Estates Associates, which would result in a saving to the City inasmuch as it would not, thereby, require the City to have a separate project for a sewer outfall.

The City Engineer spoke on the subject, and told the Council that it connects to the La Jolla Shores line.

RESOLUTION NO. 111236, recorded on Microfilm Roll No. 61, accepting recommendation of the City Engineer and the City Manager as to allocation of costs of the Scripps Estates Associates Outfall Sewer and the plat thereof heretofore filed with the City Clerk as Documents Nos. 465297 and 465296, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that trunk line sewers are proposed to be constructed to serve the Scripps Estates Associates Outfall Sewer District; that allocation of costs of said sewer between the City and the property owners about to construct said sewer has been tentatively determined upon by the City Engineer and City Manager and recommended to Council; that a plat has been filed with the City Clerk as provided in Section 64.25 of the San Diego Municipal Code. The Resolution makes detailed findings in connection with the normal cost, the excess cost to be borne by the City.

Councilman Godfrey referred back, at this time, to the matter of consenting to the Harbor lease assignments, and thought that it might be gone into.

Councilman Schneider said that he had asked questions at the time the assignments were presented, and that matter had been explained to him. He reported that the Harbor had reported the matter acceptably to him.

There was discussion between individual members of the Council relative to the leases.

Councilman Godfrey said that it may appear that the Council is overly critical of the Harbor Department.

Councilman Swan said that he agreed with a statement made by Councilman Wincote that the Council should tone down its criticism of the Harbor Department.

There was no further action at this time - beyond the adoptions of the Resolutions affecting the Harbor Department earlier.

RESOLUTION NO. 111237, recorded on Microfilm Roll No. 61, requesting the Department of Public Works of the State of California, in accordance with the provisions of Section 715 of the Vehicle Code of the State of California, to make an engineering investigation of bridge structures located at the following places in The City of San Diego: Adams Avenue and Texas Street; Adams Avenue at Ward Road; 30th Street at Maple; 31st Street at Edgemont; Cedar at Edgemont; Front and Spruce; Midway Drive at Crown Point; the second bridge structure from Crown Point on Midway Drive, and a structure known as Poggi Bridge at Sorrento, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

(See Page 39 of these Minutes for explanation, in connection with this matter).

In connection with the following matter, having to do with sirens, etc. for Civil Defense, Councilman Godfrey asked what funds are involved.

John McQuilken, City Auditor (Finance Director) answered that it has to do with 2 old ordinance, and that the matter is chiefly under the Civil Defense set up. He told the Council that the Council pays the bill, and asks for refunds.

RESOLUTION NO. 111238, recorded on Microfilm Roll No. 61, authorizing and directing the City Auditor and Comptroller to charge all expenditures made by The City of San Diego for purchase and installation of sirens, remote control system and power for Civil Defense sirens for use of the Civil Defense Department of The City of San Diego, in the event of public emergency to protect the citizens of San Diego, against the following funds: Any unexpended balance in the unallocated reserve of the budget for the Civil Defense Department, in the amount of approximately \$78,458.00; any unexpended balance of moneys heretofore appropriated for the use of the Civil Defense Department pursuant to the provisions of Ordinance No. 4903 (New Series), in the amount of approximately \$344.35; any used balance heretofore appropriated by Ordinance No. 5034 (New Series), for the use of the Civil Defense Department, in the amount of approximately \$26,655.65, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

In connection with the next 3 matters, questions were asked of the City Manager.

The City Manager explained that extension of time is needed on the Cox Bros. Construction Co. for completion of contract on the Sunset Cliffs Boulevard Bridge approaches.

The Manager said that designs in connection with the approaches for the next 2 Resolutions for said approaches had been changed by the City.

The City Engineer, answering Council questions said that the Morena Bridge official opening is still set for April 15, and that he does not anticipate any delay. He spoke of signals and lights regarding traffic being needed.

Councilman Wincote said that he had observed a dangerous 4 to 5-foot drop off. He said that he thinks white posts or a guard rail are needed, referring to south-bound temporary use on the Sunset Cliffs Bridge, just as a left turn is made.

The City Engineer agreed, at the request of the Mayor, to check the situation.

RESOLUTION NO. 111239, recorded on Microfilm Roll No. 61, approving request of Cox Bros. Construction Co., contained in Change Order No. 3, for extension of time to and including April 24, 1953, heretofore filed with the City Clerk as Document No. 465911, in which to complete contract for construction of the Sunset Cliffs Boulevard Bridge approaches, contained in Document No. 456298 on file in the office of the City Clerk; extending said completion time to April 24, 1953, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(This matter explained at the end of Page 40 of these Minutes.)

RESOLUTION NO. 111240, recorded on Microfilm Roll No. 61, approving request of Cox Bros. Construction Co., contained in Change Order No. 9, for extension of 75 days to and including April 16, 1953, heretofore filed with the City Clerk as Document No. 465913, in which to complete contract for construction of Morena Bridge approaches, contract contained in Document No. 450409 on file in the office of the City Clerk; extending said completion time to April 16, 1953, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(This matter explained at the end of Page 40 of these Minutes.)

RESOLUTION NO. 111241, recorded on Microfilm Roll No. 61, approving Change Order No. 9, dated February 18, 1953, heretofore filed with the City Clerk as Document No. 465913, issued in connection with contract between The City of San Diego and Cox Bros. Construction Co., for construction of 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 \$5,190.53, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(This matter explained at the end of Page 40 of these Minutes.)

RESOLUTION NO. 111242, recorded on Microfilm Roll No. 61, approving Change Order No. 10, dated March 3, 1953, heretofore filed with the City Clerk as Document No. 465916, 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 decrease in the contract price of \$95.26, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111243, recorded on Microfilm Roll No. 61, granting revocable permit to Consolidated Vultee Aircraft Corporation to install and maintain electric wires in the existing ducts in the overhead structure over Pacific Highway, which are part of a duct system running between Plant 1 and Plant 2, for the purpose of linking the public address systems at said Plants, upon the various conditions set forth in said Resolution; directing the City Clerk to transmit certified copy of said Resolution to Robert B. Watts, Vice President and General Counsel, Consolidated Vultee Aircraft Corporation, San Diego 12, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

In connection with the next matter, having to do with driveway permit to San Diego County Tuberculosis and Health Association, Councilman Schneider asked the purpose.

The City Manager replied that it is to provide off-street parking for 6 cars, and mentioned the customary conditions attached to the Resolution.

RESOLUTION NO. 111244, recorded on Microfilm Roll No. 61, granting permission to San Diego County Tuberculosis and Health Association, 426 Pennsylvania Avenue, San Diego 3, to install a 49-foot driveway, as measured at the top of the full-height curb on the east side of Front Street, between points 12 and 61 feet south of the south line of University Avenue, adjacent to the west 100 feet of Lots 1 and 2 Block 4 Cleveland Heights, subject to the conditions contained therein, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111245, recorded on Microfilm Roll No. 61, allowing bill of San Diego City and County Convention Bureau, bearing date March 18, 1953, in the sum of \$387.24 for expenses incurred; authorizing requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1952-53 for said sum, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111246, recorded on Microfilm Roll No. 61, approving claim of Mary Hammond, on file in the office of the City Clerk under Document No. 464838, in the amount of \$42.28; directing the City Auditor to draw his warrant in favor of Mary Hammond in the amount of \$42.28 in full payment of said claim, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111247, recorded on Microfilm Roll No. 61, approving claim of Howard L. Herr, on file in the office of the City Clerk under Document No. 465037 in the amount of \$121.13; directing the City Auditor to draw his warrant in favor of said



Howard L. Herr in the amount of \$121.13 in full payment of said claim, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111248, recorded on Microfilm Roll No. 61, authorizing the City Manager to settle for \$150.00 the claim of Matthew Perpich, on file in the Office of the City Clerk under Document No. 457157 claiming \$200.00; authorizing and directing the City Auditor to draw his warrant in favor of Matthew Perpich in the amount of \$150.00 in full payment of said claim, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111249, recorded on Microfilm Roll No. 61, authorizing the City Attorney to settle for \$389.00 the claim of Donald M. Roberts, on file in the Office of the City Clerk under Document No. 456903, claiming \$584.78; directing the City Auditor to draw his warrant in favor of said Donald M. Roberts in the amount of \$389.00 in full payment of said claim; rescinding Resolution No. 109484 adopted December 4, 1952, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

In connection with the next item, the Mayor said that he has not been authorized to make the trip called for in the proposed Resolution.

The Manager told the Council that matter can be outlined later.

Communication from the San Diego Chamber of Commerce, dated March 2, 1953, signed by Charles T. Leigh, president, requesting City representatives to accompany local business men on a trip to Sacramento on April 11, 1953 had been referred to Council Conference on March 5, 1953. The matter was withdrawn from Conference, and the following Resolution introduced.

RESOLUTION NO. 111250, recorded on Microfilm Roll No. 61, authorizing the Mayor, one of the Councilmen, and the City Manager or his designated representative, to join the Chamber of Commerce legislative train traveling to and return from Sacramento, California, April 11 through April 15, 1953, and to incur the necessary expenses incident to said traveling, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111251, recorded on Microfilm Roll No. 61, authorizing Messrs. Stanley Lane and Jack Noyes, of the Public Works Department, to attend a two-day "Rescue Seminar" to be conducted by the Federal Civil Defense Administration and the California Office of Civil Defense in Los Angeles, California, on March 26 and 27, 1953; authorizing them to incur all expenses necessary in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111252, recorded on Microfilm Roll No. 61, authorizing Lieut. Ralph B. Lukehart, Commanding Officer of Juvenile Division of the Police Department of The City of San Diego, to attend the annual conference of the California State Juvenile Officers' Association, to be held at Fresno, California, March 25, 26, 27, 1953; authorizing the incurring of all expenses in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111253, recorded on Microfilm Roll No. 61, authorizing Wm. H. McKinley, Superintendent of the Electrical Division, to attend the Spring Conference of the International Municipal Signal Association to be held in Los Angeles April 17 and 18, 1953, and to travel to Los Angeles on the evening of April 16 in order to prepare the agenda for the meeting; authorizing the incurring of the necessary expenses for said trip, was on motion of Councilman Godfrey, seconded by Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111254, recorded on Microfilm Roll No. 61, authorizing James Reading, Traffic Engineer, to attend the regional technical conference of the Illuminating Engineering Society to be held in Los Angeles, California, April 9 and 10, 1953, and incur the necessary expense therefor, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111255, 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 Fred Sharp and Stella Sharp, husband and wife, property being in portion of the Easterly 168 feet of the North Quarter of Lot 48 Horton's Purchase of Ex-Mission Lands, as more particularly described in said Resolution; authorizing 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 the deed conveying property as required by the City, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution states that The City of San Diego is desirous of acquiring portion of the Northwest Quarter of Lot 49 Horton's Purchase of Ex-Mission Lands for the purpose of widening Imperial Avenue, that Fred Sharp and Stella Sharp, husband and wife,

are willing to deed said land to the City in exchange for a quitclaim deed from the City quitclaiming portion of the Nor Quarter of Lot 48 Horton's Purchase of Ex-Mission Lands; that the land to be granted by the City is \$300.00, and the land to be granted to the City is \$300.00.

In connection with the next matter, Councilman Schneider questioned the amount of money.

The City Manager said that there had been an error in the Budget estimate necessitating a further appropriation.

Orin Cope, Assistant to the City Manager, spoke of a matching 8%, and said that it could not be determined for a certainty what the amount of money would be, in advance.

ORDINANCE NO. 5523 (New Series), recorded on Microfilm Roll No. 61, appropriating the sum of \$32,000.00 from the Unappropriated Balance Fund, and transferring the same to Department 51.2 Police and Fire System - for the purpose only and exclusively of providing funds to supplement those heretofore set aside for said System - 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.

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

ORDINANCE NO. 5524 (New Series), recorded on Microfilm Roll No. 61, appropriating the sum of \$15,500.00 from the Traffic Safety Fund, for the purpose of providing funds for the purchase and installation of street name signs, 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 Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

ORDINANCE NO. 5525 (New Series), recorded on Microfilm Roll No. 61, appropriating the sum of \$4,100.00 from the Unappropriated Balance Fund, for the purpose of providing funds for the installation of a fire sprinkling system in the building located at 1769 Front Street (Big Sisters' Home), 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 Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

ORDINANCE NO. 5526 (New Series), recorded on Microfilm Roll No. 61, appropriating the sum of \$4,000.00 from the Unappropriated Balance Fund, and transferring the same to Account 214 (Travel Expense), General Appropriations, Department No. 40.34, 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.

The final reading of such Ordinance was in full.

ORDINANCE NO. 5527 (New Series), recorded on Microfilm Roll No. 61, appropriating the sum of \$200.00 from the Capital Outlay Fund, for the purpose of providing additional funds for the improvement of portions of Roswell, Hanover, Derby and Selma Streets, as authorized by Resolution No. 110860, 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.

The final reading of such Ordinance was in full.

In connection with the next proposed Ordinance, Councilman Schneider asked for an explanation.

The City Manager replied that it "spells out" the procedure, and added that it does what the City has been doing, but that it would put it into an ordinance.

The matter was a proposed Ordinance amending the San Diego Municipal Code by adding Section No. 22.0902.1 regulating the exchanges of City Real Property.

On motion of Councilman Godfrey, seconded by Councilman Swan, said proposed Ordinance was continued 1 week - to March 31, 1953.

In connection with the next proposed Ordinance, the Mayor said that the Council is entitled to see the matter. However, no explanation was made.

The matter was a proposed Ordinance repealing Subsection "F" of Section 22.0225 of the San Diego Municipal Code regulating compensation for additional duties imposed on City Officers in connection with the Department of Finance.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said proposed Ordinance was continued 1 week - to March 31, 1953.

In connection with the next proposed Ordinance, the City Manager made an explanation, and said that it is proposed to use the property, in the vicinity of the Pound, for playground purposes. He said that it would be for recreational use only, and that there are not or would not be any buildings. The Recreation Department is advising the persons interested in the development and use of the property, he said.

ORDINANCE NO. 5528 (New Series), recorded on Microfilm Roll No. 61, authorizing the leasing of Pueblo Lot 1101 of the Pueblo Lands of The City of San Diego to Silver Terrace Bayview Acres Improvement Association, Inc., sole bidder for the leasing of said property, valued at \$30,000.00, as disclosed by the report of the last appraisal made by the City Auditor and Comptroller; authorizing and empowering the City Manager to enter into lease for and on behalf of The City of San Diego with said Association, at an annual rental of \$50.00 payable yearly in advance, for a period of 5 years beginning with the effective date of said Ordinance, on the terms and conditions as set out in the form of lease on file in the office of the City Clerk as Document No. 465982, 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 Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

ORDINANCE NO. 5529 (New Series), recorded on Microfilm Roll No. 61, changing the name of a portion of Chula Vista Avenue to Ballena Street, changing the name of a portion of Sweetwater Avenue to Ballena Street, changing the name of portion of Sweetwater Avenue to Skyline Drive, changing the name of a portion of Cardiff Street to Skyline Drive, and changing the name of a portion of Sweetwater Avenue to Cardiff 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 Godfrey, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

Councilman Schneider asked about the chicken ordinance.

The City Manager said that he would answer communications on the subject.

Councilman Wincote spoke about an operator on Tooley Street. He said that the Council had given great consideration to the distance of 50 feet being required, but that new pens of a chicken raiser are only 20 feet. He said that the man should be warned that the Ordinance if adopted would be retroactive insofar as the 50-foot distance is concerned if that is written into the final draft.

There was no action taken.

The following items which had been referred to Council Conference were withdrawn and were ordered filed:

Communication from Vernon E. Taylor, 826 Garnet Ave. was returned with the notation that all off-street parking matters have been filed.

Communication from San Diego Junior Chamber of Commerce request for \$250.00 toward the administrative cost of staging the 1953 Miss San Diego Pageant was returned with the notation that the Council has approved the \$250.00 appropriation.

Petition relative to passage of an ordinance 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 it existed prior to the beginning of the installation of the utility, was returned with the notation that the City Attorney had reported to the Council, that the entire matter had been referred to the City Manager for establishing a policy.



The agenda listed the following items as having been referred by the Clerk to the City Manager:

Petition of Residents for trash collection in the Alley between Herbert Street and Albert Street.

Communication from Henry H. Hester, Mrs. McKay and Mrs. McCoy relative to Ordinance regulating the keeping of Chickens, etc. (referred to on Page 44 of these Minutes).

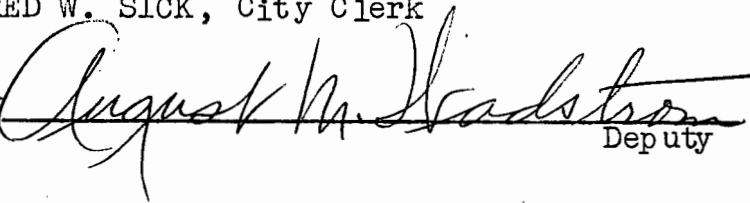
Petition of residents for street light at the intersection of Merlin Drive and Kenwood Street.

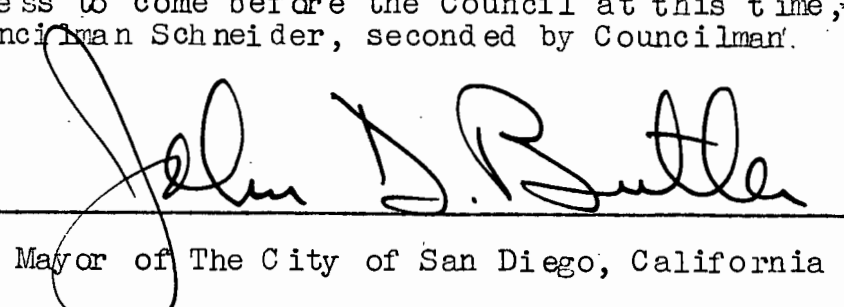
Communication from Pacific Beach Junior Woman's Club relative to needed improvements at the Pacific Beach Recreation Center.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Godfrey, at the hour of 10:50 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,  
Thursday, March 26, 1953

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.

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

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

A group of students from the Lincoln Junior High School was present, accompanied by Mrs. Matilda G. Benziger, teacher.

Councilman Wincote was excused from the meeting at this time.

Mayor Butler welcomed the student visitors, and asked them to arise for recognition, which they did.

Councilman Dail mentioned that the students were from the school which is in his district. He arose in response to the students' applause.

The Mayor explained the Council's procedure, both in Meeting and in Conference. He invited the visitors to his office, upon their leaving the Council Chambers.

The hour of 10:00 o'clock A.M. having arrived, being the time set for hearing on the appeal of Mrs. Estella Whiteside, 4474 Cape May, from the decision of the Zoning Committee in denying by its Resolution No. 7206 her application No. 11658, for a variance to the provisions of Ordinance No. 12793 to permit maintenance of a second living unit on the lower floor of a residence at said address, on Lot 3 Block 91 Point Loma Heights in Zone R-1, a report from the Planning Commission signed by D. E. South, was read to the Council by the Clerk.

Councilman Wincote returned to the meeting.

The report told about the denial, and said that the Council by Resolution No. 65995 had denied Louis T. Whiteside the right to maintain 2 units on said lot, but since that time the 2nd unit has been installed without building permit and rented in violation of the R-1 Zoning. It mentions that Mrs. Whiteside stated in the meeting that there were approximately 20 violations in the neighborhood, but the report points out that no variances of said type have been granted in the area. The report says, further, that it had been recommended to Mrs. Whiteside that if the violations exist she and her neighbors should apply for rezoning.

Glenn A. Rick, City Planning Director showed a map of the location to the Council, told of the location of the property in question, location of property owned by protestants and individuals approving the variance. He told of violations on the property adjoining the property in question. That violation, he said, has been removed. Answering a Council question relative to existing violations, Mr. Rick told the Council that he felt he does not have the right to snoop.

Councilman Godfrey spoke about the bootlegged plumbing which had been installed, making the second unlawful unit, without a permit. He said that various kinds of violators had been found through methods objected to by Mr. Rick.

A sharp tilt resulted, between Councilmen Swan and Godfrey, over use of what Councilman Swan felt was an unfortunate reference made by Councilman Godfrey.

Mrs. Whiteside spoke, and told the Council, when requested to do so, that the plumbing and electrical work had been put in when the house was built. The kitchen was installed later, she said, to keep up payments, in reference to a personal matter. The original intention for use of the area was for a rumpus room, Mrs. Whiteside said.

Mr. Rick said that in an R-1 Zone an agreement can be made by the owner that an extra sink, installed for a rumpus room, will not result in violation of the zoning by resulting in a rental unit. He said that when the original installation had been made, it may have been for use of the area as a rumpus room.

Mrs. Whiteside said that the gas and electric services are on one meter. She said that she can show there are 2 families in 1 house, and also families in converted garages. She said that she felt that it is not up to her, and she does not wish to go around the neighborhood and find violations.

Councilman Dail told of a non-conforming use not making it possible to permit another illegal use. He said that a zone variance would be better than a zone change.

Mr. Rick told of single-family property in the area.

Asked about distance from an R-2 zone, Mrs. Whiteside said one half block.

Mr. Rick showed the Council a map on that point. He said that the Planning Commission is already burdened with 4 to 6 rezonings per meeting, and expressed the belief that the area should not be rezoned unless request comes in from the Property Owners. Asked if he could use an enforcement officer, Mr. Rick said that he could.

Councilman Schneider said that he was not sure that Mrs. Whiteside would be penalized if there are others violating the zoning. He wondered if the Building Inspector could investigate.

Councilman Schneider moved to continue the hearing until 10:00 o'clock A.M. next Tuesday - March 31, 1953 - and request the City Manager to investigate the conditions of the neighborhood.

Councilman Godfrey spoke about an apartment put in in his R-1 neighborhood. He said that if an R-2 zone is wanted, property owners should request it, and not violate the R-1 Zone. If they want an R-1 Zone, he said, that should be enforced. Councilman Godfrey said that the Planning Commission should be given personnel to enforce the law.

Councilman Schneider said, also, that the Council should give the Planning section personnel, and provide for investigation, as well.

Councilman Godfrey said that there is no sound basis for a variance, but that perhaps there should be a rezoning. He said that he felt that the Council should not continue to give out the hope for a variance.

Councilman Wincote said that the City should deal with all violators.

Mrs. Whiteside, asked if there was a member of the family residing in the second unit said that it is a nephew.

Mr. Rick said that the distinction is physical, not based on a blood line.

Councilman Wincote pointed out that the owner could remove 1 kitchen, and still have 4 boarders - especially where they are relatives.

Councilman Schneider moved to continue the hearing until next Tuesday (March 31, 1953), requesting the City Manager to have an inspection made and furnish a report on the condition of the neighborhood to the Conference preceding the meeting of said date.

Mr. Rick told the Council about the previous denial to Mr. Whiteside on the same property.

Councilman Godfrey seconded Councilman Schneider's motion, resulting in RESOLUTION NO. 111262, recorded on Microfilm Roll No. 61, continuing the hearing on the appeal of Mrs. Estella Whiteside from the decision of the Zoning Committee in denying her request for variance to Ordinance No. 12793 to permit a second unit on the lower floor of her residence located at 4474 Cape May Avenue, on Lot 3 Block 91 Point Loma Heights, in Zone R-1; requesting the City Manager to have an inspection made of the condition of the neighborhood and furnish a report thereon to Council Conference preceding the meeting of said date, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(See a reconsideration, on this same item at the beginning of the next page of these Minutes.)

J.R. Smith, 2052 Venice Street, appeared and asked to be heard in connection with the matter just concluded.

On motion of Councilman Godfrey, seconded by Councilman Swan, the action taken on the Mrs. Estella Whiteside appeal was reconsidered.

Mr. Smith, who resides in the same block as the appellant, said that he could see no harm or loss of prestige in granting the appeal. He told, also, about the character of the neighborhood and attitudes of the property owners, as well as the cost involved in re-zoning.

Councilman Godfrey and Schneider both said that the filing fee for the rezoning is \$50.00. Councilman Schneider said that if desired, Mr. Smith could secure from the interested property owners the cost of the rezoning.

Mr. Smith spoke about the condition which exists. He said that he does not object to a second house which exists on the back of a nearby property, having an entrance from the alley. He pointed out the property on a map.

Mr. Rick said that it is as illegal as can be, referring to the property split as referred to by Mr. Smith. He said that he would not object to the rezoning as had been proposed.

Councilman Schneider said that he felt it might be a good idea for Mr. Smith to initiate the move to rezone the property.

Councilman Wincote pointed out an effort to rezone might be ruled out and voted down through adverse opinion of nearby property owners.

Councilman Schneider moved and Councilman Godfrey seconded the motion which would have been the same as Resolution shown on the preceding page. (Inasmuch as the action was the same, Resolution No. 111256 was allowed to stand.)

Communication from The Atchison, Topeka and Santa Fe Railway Company for the granting a a spur track across Island Avenue and in First Avenue, to serve a new General Electric Supply Company building, accompanied by letters of endorsement from said General Supply Company and from George W. Carter Company, the builder, were presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said application and the 2 accompanying letters were referred to the City Manager.

Communication from Clyde Beatty Circus, 2655 Rich St., Los Angeles 39, California, dated March 21, 1953, signed by Rukos Gayer, was presented. Said communication requests permission to put advertising cards on the lamp posts in the downtown area advertising the circus to be held April 16, 17, 18, 19.

RESOLUTION NO. 111257, recorded on Microfilm Roll No. 62, denying said application; and requesting the City Manager to advise the Clyde Beatty Circus of the Council's policy resulting in denying such permit, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Treasurer, signed by L. F. Pepter, Deputy, addressed to the City Manager and forwarded to the Council with the Manager's stamp of approval, stating that the various interested City departments have approved the application of Clyde Beatty Circus, sponsored by the San Diego Council of Temples, April 16th through 19th at the Convair Plant 2, was presented.

RESOLUTION NO. 111258, recorded on Microfilm Roll No. 62, granting permission to San Diego Council of Temples to conduct the Clyde Beatty Circus on April 16th through April 19th, 1953, at the Convair Plant 2 Parking Lot, Frontier and Enterprise Streets, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending that proceedings under Resolution No. 106136 for the paving and otherwise improving of portions of El Paseo Grande, Camino Del Oro, et al, be amended to include portion of La Vereda and Public Land, being portion of Kellogg Park, to include drainage structures, gutters, cross gutters and concrete encasements, as required, was presented.

Walter Olson, of the City Engineer's office told the Council that a drain is needed in connection with the improvement.

RESOLUTION NO. 111259, recorded on Microfilm Roll No. 61, adopting recommendation of the City Engineer filed in the office of the City Clerk on March 18, 1953, under Document No. 465705; authorizing him to amend proceedings for improvement of El Paseo Grande, Camino Del Oro, et al, in accordance with said recommendation, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending that proceedings for improving portions of Jarvis Street, Scott Street and Ingelow Street, granted in Resolution No. 105934 be amended to include water main and appurtenances, gutters and concrete encasement as required, was presented.

RESOLUTION NO. 111260, recorded on Microfilm Roll No. 61, adopting recommendation of the City Engineer, filed in the office of the City Clerk March 18, 1953, under Document No. 465706; authorizing the City Engineer to amend proceedings for improvement of Jarvis Street, Scott Street and Ingelow Street, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The communication from the Planning Commission submitting Resolution suspending 4 sections of the Municipal Code relative to the Tentative Map of La Jolla Shores Terrace, continued from the meeting of March 19, 1953, was presented again.

Harry S. Haelsig, Assistant City Planning Director, explained about the



suspension - and Camino del Colado for the dead-end.

There was a conference over a map with the Council, Mr. Haelsig, and Wm. S. Kellogg, the developer.

Mr. Kellogg, La Jolla Beach & Tennis Club, told about information furnished at the time the property was put up for sale, and said that no mention had been made about the street extension. He told about suggestions made by E. L. Freeland, engineer, to him regarding the street. Camino Del Oro had been mentioned, he said, but not the other.

Mr. Haelsig said that the City owns property adjoining the proposed subdivision.

Mr. Kellogg said that he had talked with Scripps Institution of Oceanography representatives and learned that the Institution would not need access from said property. He went over the suspensions with the Council and with Mr. Haelsig.

Councilman Kerrigan said that 4 exceptions are proposed by the Planning Commission.

Mr. Haelsig said that the 900-foot block is logical.

Councilman spoke about the narrowness of the street, and the turnabout, as he had done previously.

Councilman Dail was excused from the meeting.

Mr. Kellogg said that he would not object to more street width.

Mr. Haelsig said that the other suspensions have to do with the map scale and to placing of leaden discs.

RESOLUTION NO. 111261, recorded on Microfilm Roll No. 62, suspending Sections 102.05, 102.11-2, 102.18, 102.17 of the San Diego Municipal Code in connection with the Tentative Map of La Jolla Shores Terrace, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111262, recorded on Microfilm Roll No. 62, approving the Revised Map of La Jolla Terrace, for the subdivision of the 20-acre parcel of land in Pueblo Lot 1297, subject to the 10 conditions set out therein, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

In connection with the next matter, Harry Haelsig explained the location of the property to the Council.

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 Shirley Heights, was presented.

RESOLUTION NO. 111263, recorded on Microfilm Roll No. 62, suspending Sections 102.09-1&2, 102.07-5, 102.12-6, 102.18, 102.17-c of the San Diego Municipal Code insofar as they relate to the tentative and final maps of the subdivision known as Shirley Heights, located in Lot 15 Rancho Mission of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Shirley Heights, for a subdivision of approximately 66 lots located in Lot 15 Rancho Mission of San Diego, lying southerly of Imperial Avenue and easterly of 55th Street, on a steep hillside, was presented. Said communication states that it will necessitate considerable grading to provide usable building sites; that adjacent to the subdivision boundary on the east is the alignment of the proposed 59th Street-Radio Drive and a dedication of a portion of the property is required for the right-hand turn from Imperial Avenue, and that the Tentative Map has been revised by the Planning Office to make provisions for said proposed major street.

RESOLUTION NO. 111264, recorded on Microfilm Roll No. 62, approving the Tentative Map of Shirley Heights, subject to the 10 conditions set forth therein, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Asst. Planning Director, recommending re-approval of suspension of 4 sections of the Municipal Code, in connection with re-approval of Tentative Map of Vista Park, heretofore covered by Resolution No. 104023 adopted by the Council, was presented.

RESOLUTION NO. 111265, recorded on Microfilm Roll No. 62, suspending Sections 102.07-5, 102.11-2, 102.18, 102.17-C of the Municipal Code in connection with the re-approval of the Tentative Map of Vista Park, 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 Vista Park - a re-submission of the Tentative Map approved by Resolution No. 104024 on October 9, 1951, was presented. The report states that in the intervening period Unit #1 of the subdivision has been filed, and the building is proceeding; that the Planning Commission has recommended approval, subject to 12 conditions.

RESOLUTION NO. 111266, recorded on Microfilm Roll No. 62, approving the Tentative Map of Vista Park, a subdivision of portion of Pueblo Lot 1214 located one-half mile north of the northerly limits of Chesterton and approximately one-fourth of a mile westerly of Linda Vista Road, subject to the conditions contained therein, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from San Diego Architectural Draftsmen's Guild of California, dated March 20, 1953, signed by Henry F. Bugenhagen, pres., and William C. Berry, State sect., being a copy addressed to the City Manager, was presented. It offers congratulations on the appointment of Bob Dorlan(d) as acting Building Inspector of The City of San Diego. It states, also, that the officers and members of the Guild are in unanimous agreement that should be appointed permanently to the post.

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

Communication from Foster and Kleiser Company, Eddy Street at Pierce, San Francisco 19, referring to Senate Bills 733 and 734 and Assembly Bills 2130 and 3335 before the current California State Legislature, having to do with the regulating of outdoor advertising, was presented. It states that the company will support the proposed legislation because it is the writer's opinion that the regulations are reasonable and in the public interest.

The communication was read by the Clerk at the Council's request.

Asked about the matter, the City Manager told the Council that the bills have to be read before he can be sure. He told the Council that he would read them to determine their scope.

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

Communication from Martin A. Leptich, 4549 Mataro Drive, San Diego 15, California, stating that on behalf of the committee of property owners opposed to the annexation of Rolando to the City of San Diego, that a hearing be allowed this date, in reference to proceedings proposed to be instituted thereon, was presented.

Councilman Kerrigan referred to the application that has been before the Council. He said that there are various persons who want answers to their questions.

Councilman Wincote said that it is different from what had come up last week. He declared that the City is making no demands for annexation, and that the matter will be settled at the polls.

Councilman Kerrigan stated that facts are needed regarding the situation. He moved to set a hearing in the matter next Thursday - one week from this date.

Mayor Butler declared that no boundaries have been set, and that the Council is not in a position to have a hearing. He, too, pointed out that the City is not asking for the annexation.

Councilman Dail returned to the meeting.

Orin Cope, Assistant to the City Manager, was heard at this time, by request of the Council. He said that the Council cannot take action until the Boundary Commission map is before it. He said that there is no petition of legal standing for annexation at this time. Protest, he said, had been filed before the map of the proposed annexation had been prepared. The difficulty, as the Council had been told by protestants last week, is primarily about the schools. He said that he has set a meeting for a discussion with a committee, which is purely a question of boundary.

Councilman Wincote stressed the point that it is not up to the Council to determine "for" or "against".

Martin A. Leptich, who signed the letter, said that he knew his property was in the County, when he bought. He read a prepared statement.

B. B. Margolis said that a majority of the people of Rolando want to be eliminated from the boundaries of the area to be incorporated. He showed maps.

Councilman Wincote said that the City is not interested if Rolando wants to come in or stay out. He said that there will be no election unless a proper petition is filed. He declared that the matter is to be determined by vote of the people.

The Mayor said that no petition is in now, but invited Mr. Margolis to file a petition in opposition to the annexation, if he wishes.

Councilman Godfrey said that 25% of the registered voters within the district boundaries can ask for the petition to call the election.

There was discussion between Councilman Godfrey and Mr. Cope relative to the procedure set up for the annexation.

Mr. Cope told about the killing of the petition for starting the annexation. He said that it could not be set down for hearing, if enough protests are received by the Council.

Discussion took place between Mr. Cope and Margolis over the procedure, and the possible addition of property.

Murray Allison, 4405 Alamo Drive, spoke about 4 meetings which had been held at the Rolando School. He said that a group at the hearings want a continuance of proceedings for annexation. He told about the Margolis petitions of opposition. He spoke of trying to bring Mr. Margolis, a Mr. Brown and a commercial group to Mr. Cope's office for a meeting. He said that those anxious for annexation were faced with a small, well organized opposition. He told about "goon squad" tactics used to destroy the meeting. There is backing from a commercial group, Mr. Allison said, to destroy the wish of the people who want to come into the City.

Mayor Butler said that interested persons can work with the City Manager and with the Boundary Commission. He said that there is no basis for petitions under way. Also, he emphasized that the City has no control over politicking in the area involved.

Councilman Wincote stated that the Boundary Commission will act for or against the area.

Mayor Butler said that property owners will determine at the hearing if the matter will go to election. He said that it is necessary to go through the City Manager to see if the matter is satisfactory in connection with sewer and water. He said, also, that permission to circulate the petition for annexation is needed.

The City Manager, talking about the procedure, said that it is necessary to set the boundary, then secure permission to circulate the annexation petition.

Mr. Cope pointed out that the boundary being discussed is tentative only. He said that he has met with both groups - those for and against the annexation. The City is neutral, he declared, as has been pointed out. He is just giving information as requested and needed.

Mr. Allison told the Council that good cooperation has been received from both the City and the County. He asked that the Council be not susceptible to pressure groups, and stressed the point that just the legal processes relative to the annexation are wanted.

Dr. J. J. Hunter, 6102 Madrid Drive, asked to be heard.

After being recognized, Dr. Hunter said that it is regretted that several phases of the matter had been entered into. He told of the location of the property, and spoke about the people in his area not having had proper representation in the Rolando Civic Association. He spoke about petition in the little triangle where he lives. Ten of the property owners, he said, out of seventeen wanted to be excluded. Nineteen lots on College Avenue sampled, are of the similar opinion. He said that property owners he represents, want to participate in the boundary discussion and determination - and not be forced in against their wishes. He pointed out that if said property is not brought in, it will leave a triangle outside. He declared that the entire matter is a neighborhood one, not the City's. He said that he and his interested property owners want a voice in the decision.

Councilman Godfrey suggested discussions be had with Mr. Cope of the City Manager's Office. He said that the City has nothing to sell.

Mr. Brown, 4712 Wilson Drive told the Council that a prime reason for opposing the annexation move has to do with the displacing of school children. He spoke of the great number of people who would be affected by the annexation, change of schools for their children, and who oppose the proposition.

Ross McCorquodale, 4416 Alamo Drive, said that property owners are asking only for permission to proceed in a legal manner. He asked that petitions on the subject be not considered. He said that he wants petitions, in the possession of an earlier speaker opposing the zoning destroyed, if filed. (They were not received by the Clerk).

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

The roll was not called at this time.

Instead, a man whose name was understood to be Gambadella, spoke about the petition.

Discussion developed between Councilman Schneider who had called for the question to file, and the Mayor who took the position that he was running the meeting.

The City Manager spoke at this time, and said that persons interested should talk to Mr. Cope, and that it was wasting the Council's time to proceed in this manner.

The Mayor said that there is nothing to oppose at this time. He, also, suggested the meeting with Mr. Cope.

Mrs. Kingston, representing the Rolando Women's Club, said that there is not a commercial opposition, as had been charged.

The roll was called, and all members voted for the filing of the communication signed by Martin A. Leptich.

(See another reference to this matter on this page of the Minutes).

Communication from Robert J. McPherson, Secretary, Seawater Conversion Co., 2644 Teresita Street, dated March 23, 1953, relative to the securing of a dependable supply of fresh water for San Diego, the conversion of sea water into fresh water, requesting an early conference with the Council on the subject, was presented.

Councilman Swan asked that the matter be referred to conference, inasmuch as he said that water situation is important.

A portion of the letter was read to the Council by the Clerk, by request.

RESOLUTION NO. 111267, recorded on Microfilm Roll No. 62, referring to Council Conference of April 14, 1953, at 2:00 o'clock P.M., questions raised by Robert J. McPherson, 2644 Teresita Street, of the Seawater Conversion Co. relative to dependable supply of fresh water for San Diego, and the conversion of sea water into fresh water, at which time Mr. McPherson will be heard in a 30-minute discussion, was on motion of Councilman Schneider, seconded by Councilman Godfrey.

(Council Conference secretary, requested to do so by the Clerk, said that she will notify Mr. McPherson of the conference and his being heard.)

At this point Councilman Wincote brought up the question of annexation, again. He said that property owners do not understand the processes of the law. He said that the Council should not have a hassle (as was had in the Rolando matter considered above). He said that if it comes to a vote, the question will be decided.

There was no action on the discussion.

(See page 51 of these Minutes for Resolution 111268 presented later).

Communication from Mortician's Service Bureau, Suite 604 New California Building, dated March 23, 1953, was presented. It referred to Funeral Directors of San Diego having been notified by the City Health officer that on and after March 13, 1953, a fee of \$1.00 will be charged for burial and removal permits according to Sec 41.08 of Ordinance 5486 (New Series). It refers to the public hearing held in the matter on July 27, 1953, and it also requested that steps be taken to place the repeal of said section on the calendar for an early date and set a public hearing thereon.

The City Manager asked that the matter go to Conference. He spoke about the Health Department recently enacted ordinance following transfer of the Health services to the Council. He said that burial fee is required in the County. The City has the alternate, he said, to require payment, or to take the equivalent out of taxes. He said that the problem of fees is a general one.

Councilman Godfrey said that he felt the matter should go to the County, inasmuch as it is no longer a City function.

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



Communication from R. H. Power, 3127 Gregory Street, San Diego, dated March 17, 1953, requesting the keeping of the San Diego transportation rates at popular prices, was presented. It says that as a daily passenger on the shuttle bus between 30th Street and University Avenue he has been astounded at the breakdown of the streets by that single bus, and wondered about the cost of repair. The communication states that perhaps when transportation was moved from rail to road, the cost was not counted. The writer says, also, that maybe instead of increasing the rates as has been asked by the Transportation, perhaps the City had better present them with a bill for street repair.

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

RESOLUTION NO. 111268, recorded on Microfilm Roll No. 62, referring to Council Conference the matter of procedure on annexation of property to the City of San Diego on which the City Manager wants to give information, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

(See also pages 49 and 50 of these Minutes for earlier references on this matter.)

Communication from San Diego Highway Development Association, dated March 23, 1953, signed by Robert Apitz, secretary, 4479 Ingraham Street, was presented. It refers to the already overcrowded traffic load on the Mission Valley Road and urges that it is high time now to begin immediate negotiations to build the road into a full Freeway standards" artery. The communication states that the organization will be found ready to be of the fullest assistance.

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

Communication from San Diego Federation of Jewish Agencies, Suite 301 333 Plaza Building, San Diego 1, dated March 23, 1953, signed by Albert A. Hutler, Executive Director, was presented. Said communication refers to the matter previously brought before the Council relative to lease of a section of Balboa Park for youth activities and day camp sponsored by the Jewish Community Center of San Diego. It mentions seeing in the newspapers that the Council has denied the request. It states that the use proposed is to be only for youth activities and for day camp activities. The communication requests that the matter be opened and that opportunity be given to discuss it further with members of the Council.

Councilman Wincote moved to refer the communication to Council Conference, and that it stay there until the Park Commission comes down and pulls it out.

The Mayor stated that the matter can be referred to meeting set for consideration of the question with the Park Commission.

RESOLUTION NO. 111269, recorded on Microfilm Roll No. 62, referring to Council Conference communication from San Diego Federation of Jewish Agencies, Suite 301 333 Plaza Building San Diego 1, dated March 23, 1953, signed by Albert A. Hunter, Executive Director, relative to further consideration to request for lease of section of Balboa Park for youth activities and day camp sponsored by the Jewish Community Center of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from San Diego Fire Fighters Association, Local Number 145, dated March 21, 1953, signed by R. W. Shukraft, President, was presented. Said communication submits comparative salaries figures between San Diego and other California cities, and requests a three-bracket salary increase, was presented.

Councilman Godfrey said that he felt that the salaries should be in line with what is determined at the Budget and Salary conferences.

Fire Department members, sitting in the audience, were asked if they wished to have anything to say at this time, answered without being identified, that they were present to see only what disposition the Council was making of the communication.

RESOLUTION NO. 111270, recorded on Microfilm Roll No. 62, referring to Council Budget Conference File for the fiscal year 1953-54, communication from San Diego Fire Fighters Association filed in the office of the City Clerk March 23, 1953, under Document No. 465878, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, submitting petition to improve the Alley in Block 42 Ocean Beach, by grading and paving, signed by 72.9% of the owners of property frontage, was presented. It recommends that the petition be granted and proceedings be consolidated with those ordered by Resolution for improvement of the Alley in Block 15 Ocean Beach, and recommends also that the improvement extend to the curb line of Sunset Cliffs Boulevard if required and that sewer laterals be installed if required.

RESOLUTION NO. 111271, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 465114 for paving and otherwise improving of the Alley in Block 42 Ocean Beach; 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 assessed to pay the costs, damages and expenses of the paving and otherwise improving the same; directing said Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 110197 for improvement of the Alley in Block 15 Ocean Beach, 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, recommending granting petitions for paving and otherwise improving of portions of Altadena Avenue, Trojan Avenue and Orange Avenue - Documents Nos. 460091 and 463685, was presented. It states that the petition on Orange Avenue is signed by owners of 66.6% of the property frontage and on Altadena Avenue and Trojan Avenue it is 75%, and recommends that they be combined with proceedings ordered by Resolution No. 110206 for improvement of 51st Street, and outlines the work proposed.

RESOLUTION NO. 111272, recorded on Microfilm Roll No. 62, granting petitions contained in Documents Nos. 460091 and 463685 for the paving and otherwise improving of portions of Altadena Avenue, Trojan Avenue and Orange Avenue; directing the City Engineer to consolidate proceedings with those ordered by Resolution No. 110206 for improvement of portion of 51st Street; authorizing and 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 improvements upon said streets, 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 Documents Nos. 462130, 463683 and 464296, for paving and otherwise improving portions of Galveston Street, Ashton Street, Littlefield Street, and the easterly portion of Frankfort Street, petitions signed by owners of 64.7% of the property frontage, recommending granting thereof, was presented. It recommended consolidation with petitions under Resolution No. 110207 for improvement of Frankfort Street and Gardena Avenue.

RESOLUTION NO. 111273, recorded on Microfilm Roll No. 62, granting petitions contained in Documents Nos. 462130, 463683 and 464296 for the improvement of portions of Galveston Street, Ashton Street, Littlefield Street, and Frankfort Street; directing the City Engineer to consolidate proceedings with those ordered by Resolution No. 110207 for improvements of said Streets; authorizing and directing the City engineer to furnish description of the assessment district and a plat showing the exterior boundaries of the 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, submitting Documents Nos. 450150, 450151, 458506, 458507, 458508, 458509 and 458838, being petitions for the paving and otherwise improving of portions of Juniper Street, Poppy Pl., Marigold Street, Pepper Drive, Sycamore Drive, 39th Street, stating that petitions are signed by the owners of 62.8% of the property frontage, recommending that they be granted and that proceedings be consolidated with those ordered by Resolution No. 104064 for the improvement of Manzanita Drive, and Resolution No. 105941 for the improvement of Tyberlose Street, was presented.

RESOLUTION NO. 111274, recorded on Microfilm Roll No. 62, granting petitions contained in Documents Nos. 450150, 450151, 458506, 458507, 458508, 458509 and 458838, for the improving of portions of Juniper Street, Poppy Place, Marigold Street, Pepper Drive, Sycamore Drive, 39th Street, Manzanita Drive and Violet Street; ordering the City Engineer to consolidate proceedings for said improvement with those heretofore ordered by Resolutions Nos. 104064 and 105941 for the improvement of Manzanita Drive and Tüberose 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 said improving, 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, submitting Document No. 461967, a petition for paving and otherwise improving of portion of Lehigh Street, recommending granting and that proceedings be consolidated with those ordered by Resolution No. 107502 for improving Nashville Street and Lehigh Street, was presented.

RESOLUTION NO. 111275, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 461967 for improving Lehigh Street; directing the City Engineer to furnish description of the assessment district, and 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 thereof; directing the City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 107502 for the improvement of Nashville Street, 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, submitting Document No. 465163, a petition for paving and otherwise improving of Lister Street, signed by owners of 75.5% of the property frontage; recommending that petition be granted and proceedings be consolidated with those ordered by Resolution No. 109276 for improvement of Chicago Street, Denver Street, Erie Street and Lister Street, was presented.

RESOLUTION NO. 111276, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 465163 for the paving and otherwise improving of portion of Lister 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; directing to consolidate said assessment district with assessment district heretofore ordered by Resolution No. 109276 for improvement of Chicago Street, Denver Street, Erie Street and Lister Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, submitting Document No. 464295, being petitions to improve portion of Mohawk Street, and 72nd Street, signed by owners of 70.3% of the property frontage; recommending granting and combining proceedings with those ordered by Resolution No. 110209 for improvement of portions of Mohawk and 71st Streets, was presented.

Resolution No. 111277, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 464295 for the paving and otherwise improving of portions of Mohawk Street and 72nd Street; directing the City Engineer to furnish a description of the assessment district and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the paving and otherwise improving of said Streets; directing the City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 110209 for improvement of portions of Mohawk Street and 71st Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, submitting Document No. 461984, being petition to pave and otherwise improve portion of Pacific Beach Drive, signed by owners of 69.8% of property frontage; recommending that the petition be granted, and proceedings combined with those ordered by Resolution No. 110210 for the improvement of portion of Oliver Avenue, was presented.

RESOLUTION NO. 111278, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 461984 for the paving and otherwise improving of portion of Pacific Beach Drive; directing the City Engineer to furnish a description of the assessment district and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof; directing him to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 110210 for the improvement of portion of Oliver Avenue, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, submitting Documents Nos. 450153, 457946 and 457947, being petitions to improve portions of Shamrock Street, Tuberose Street, Sycamore Drive, Pepper Drive, and Sycamore Drive, signed by 61.3% of the property frontage; recommending that the petition be granted, and proceedings combined with proceedings previously ordered by Resolution No. 106137 and for improvement of Pepper Drive, and Resolution No. 109278 for improvement of Sycamore Drive, was presented.

RESOLUTION NO. 111279, recorded on Microfilm Roll No. 62, granting petitions contained in Documents Nos. 450153, 457946, 457947 for the paving and otherwise improving of Shamrock Street, Tuberose Street, Sycamore Drive, Violet Street, Pepper Drive, and Sycamore 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 thereof; directing the City Engineer to consolidate assessment district with the assessment districts heretofore ordered by Resolutions Nos. 106137 and 109278 for the improvement of portions of Pepper Drive and Sycamore Drive, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition filed under Document No. 463686 for improvement of portion of Temecula Street, signed by owners of 72.3% of the property frontage; recommending that the job consist of improving portions of Mentone and Temecula Street, and portion of Temecula Street, was presented.

RESOLUTION NO. 111280, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 463686 for improvement of portion of Temecula Street; directing the City Engineer to furnish description of the assessment 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 him to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 110184 for the improvement of Mentone Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for paving and otherwise improving of portion of Venice Street, under Document No. 462729, signed by 66.2% of the property frontage; and consolidating with district ordered by Resolutions Nos. 105937 and 107269 for improvement of Mendocino Boulevard and Voltaire Street and property in Loma Alta No. 1, was presented.

RESOLUTION NO. 111281, recorded on Microfilm 62, granting petition contained in Document No. 462729 for the paving and otherwise improving of Venice 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 of the paving and otherwise improving of Mendocino Boulevard and Voltaire Street and said Venice Street, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for paving and otherwise improving of the Alley in Block 100 City Heights, bearing signatures of owners of 66.7% of the property



frontage, was presented.

RESOLUTION NO. 111282, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 462728 for the paving and otherwise improving of the Alley in Block 100 City Heights; directing the City Engineer to furnish 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 Godfrey, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, reporting on petitions bearing Documents Nos. 46273 for paving and otherwise improving of the Alley in Block 10 City Heights Annex No. 2; 465031 for paving and otherwise improving of the Alley in Block 11 City Heights Annex No. 2 - 62.9% and 60.4% of property frontage signatures, respectively - recommending that petitions be granted and consolidation of proceedings into one improvement district, was presented.

RESOLUTION NO. 111283, recorded on Microfilm Roll No. 62, granting petitions for paving and otherwise improving of the Alleys in Blocks 10 and 11 City Heights annex No. 2; 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 Dail, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition contained in Document No. 464505 for paving and otherwise improving of the Alley in Block 4 Eastgate, signed by the owners of 62.9% of the property frontage, was presented.

RESOLUTION NO. 111284, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 464505 for the paving and otherwise improving of the Alley in Block 4 Eastgate; 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 Dail, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for paving and otherwise improving the Alleys in Block 66 Ocean Beach, signed by owners of 81.2% of the frontage property, was presented.

RESOLUTION NO. 111285, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 460082 for the paving and otherwise improving of the Alleys in Block 66 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 Godfrey, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for the paving and otherwise improving of the Alley in Block 178 Pacific Beach, signed by owners of 90.0% of the property frontage, was presented.

RESOLUTION NO. 111286, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 462132 for the paving and otherwise improving of the Alley in Block 178 Pacific Beach; 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 and to be assessed to pay the costs, damages and expenses, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for the paving and otherwise improving of the Alley in Block 119 University Heights, signed by owners of 64.2% of the property frontage of the north and south alley; recommending that the north and south alley in said block be improved including removal of trees if required, was presented.

RESOLUTION NO. 111287, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 461906 for the paving and otherwise improving of the Alley in Block 119 University 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 therefor, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for paving and otherwise improving portions of Carleton Street and Plum Street, signed by owners of 65.0% of the property frontage, was presented.

RESOLUTION NO. 111288, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 462860 for the paving and otherwise improving of Carleton Street and Plum Street; directing the City Engineer to furnish 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

thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, reporting on petition for paving and otherwise improving of Gloria Street, signed by owners of 68.0% of the property frontage, was presented.

RESOLUTION NO. 111289, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 463687, for the paving and otherwise improving of portion of Gloria 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 Schneider, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petitions contained in Documents Nos. 458286, 458287 and 458724 for the paving and otherwise improving of Landis Street, Altadena Avenue, Sterling Ct., 50th Street, 52nd Street and Rex Avenue, signed by owners of 63.7% of the property frontage, was presented.

RESOLUTION NO. 111290, recorded on Microfilm Roll No. 62, granting petitions contained in Documents Nos. 458286, 458287 and 458724 for the paving and otherwise improving of portions of Landis Street, Altadena Avenue, Sterling Ct., 50th Street, 52nd Street and Rex 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 Schneider, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, reporting on Document No. 462859 being petition for improving portions of Oak Crest Drive, 50th Street, Winona Avenue signed by owners of 63.4% of the property frontage, recommending granting, was presented.

RESOLUTION NO. 111291, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 462859 for the paving and otherwise improving of Oak Crest Drive, 50th Street, Winona Avenue; directing the City Engineer to furnish 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 thereof, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition bearing Document No. 460090, with 61.7% of the property frontage, for paving and otherwise improving of portions of San Jacinto Drive and Santa Margarita Street, was presented.

RESOLUTION NO. 111292, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 460090 for the paving and otherwise improving of San Jacinto 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, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for paving and otherwise improving of Udall Street, signed by owners of 90.4% of the property frontage, was presented.

RESOLUTION NO. 111293, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 462730 for the paving and otherwise improving of Udall 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 in said City 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.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for paving and otherwise improving of Wrelton Drive, Document No. 448426, signed by owners of 65.1% of the property frontage, was presented.

RESOLUTION NO. 111294, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 448426 for the paving and otherwise improving of Wrelton 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.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, submitting Documents Nos. 426559 and 441466, petitions for the paving and otherwise improving of Wunderlin Avenue, signed by 64.2% of the property frontage, was presented. It recommended granting.

RESOLUTION NO. 111295, recorded on Microfilm Roll No. 62, granting petition contained in Documents Nos. 426559 and 441466 for the paving and otherwise improving of Wunderlin 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.

In connection with the next matter, John Bate, Port Director, made a verbal explanation, and told the Council that due to the short haul involved, adoption of the proposed Resolution would save money for the City.

Communication from the Port of San Diego, signed by John Bate, recommending adoption of a Resolution authorizing dirt haul to 10th Street Pier Area by City forces - \$5,000.00 total estimate, was presented.

RESOLUTION NO. 111296, recorded on Microfilm Roll No. 62, authorizing and empowering the Port Director to do all the work in connection with the hauling of dirt to the 10th Street Pier area, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

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

RESOLUTION NO. 111297, recorded on Microfilm Roll No. 62, authorizing the City Manager to execute an agreement with the San Diego Chamber of Commerce, a corporation, whereby said San Diego Chamber of Commerce shall, for the City's fiscal year 1952-1953 advertise and publicize the advantages of The City of San Diego as a residential, tourist, business and convention City; the City to reimburse the Chamber of Commerce for expenses in accordance with schedule set forth in said agreement, not to exceed \$15,000.00 in accordance with form filed in the office of the City Clerk as Document No. 466091, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

In connection with the next matter - being the proposed Resolution authorizing amendment to lease with the Mission Bay Yacht Club on portion of El Carmel Point, Mission Bay - the City Manager made a verbal explanation. He showed a map to the Council indication additional area, including deletion and a new area. He told of the rental, at the Council's request.

There was discussion between The City Manager and individual members of the Council regarding the area and the rental.

The Manager spoke about the consolidation of 2 yacht clubs in the area.

Councilman Godfrey said that he does not object to needed land, but said that he does oppose private use which may be extended.

The Manager reviewed the original lease terms, and told the Council that the City Auditor has had difficulty in auditing. He said that the lessee has had no concessionaire, but has served snacks to members. He pointed out that a straight rental is better than as has been carried on. He said that if there is any concessionaire on the premises, it will need a new lease to cover that point.

Councilman Swan wondered what effect there would be on the Mission Bay Channel opening. He declared that there are mostly small boats at said club, which do not use the Channel.

Councilman Wincote spoke about private parking behind a fence. He said that he felt that there would be a mistake to have private parking.

Mr. Diamond, who did not give his first name, spoke as president of the Club. He said that proposed use of a portion is for parking. There are 150 members, he said, with the new provision for approximately 50 more car spaces, and 50 more boats. There would be no problem, relative to the parking situation, since the area is about 1/2 mile away from the Mission Bay amusement area, Mr. Diamond told the Council.

Councilman Wincote said that he does not want to indicate any preferential treatment - inasmuch as it is a public beach property.

Mr. Diamond spoke again and said that the lease provides spaces for members and for guests, who are limited by the Club's by-laws.

Councilman Wincote said that 100 spaces would be satisfactory - but not 400.

Mayor Butler left the meeting at this time, and Councilman Swan assumed the duties of Chairman.

RESOLUTION NO. 111298, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to execute, for and on behalf of the City of San Diego, an amendment to lease filed in the office of the City Clerk as Document No. 390300, which leases a portion of El Carmel Point, Mission Bay, for the purpose of operating thereon a small boat yacht club, which amendment changes the rental provisions in said lease and adds land, upon terms and conditions as are contained in amendment filed in the office of the City Clerk as Document No. 466124, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Among other things, the Resolution provides substitution of \$150.00 per year for the previous provision of \$1.00 per member per year plus 5% of the annual gross income.

RESOLUTION NO. 111299, recorded on Microfilm Roll No. 62, 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 Block 2 Mc Laren's "H" Street Addition set forth therein be cancelled, together with all penalties and other expense in connection therewith; that all deeds to The State of California for delinquent taxes on said property 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 Schneider, seconded by Councilman Kerrigan, adopted.



RESOLUTION NO. 111300, recorded on Microfilm Roll No. 62, approving claim of Florence W. Bettis, on file in the office of the City Clerk under Document No. 464811, in the sum of \$42.89; directing the City Auditor to draw his warrant in favor of said Florence W. Bettis in the amount of \$42.89 in full payment of said claim, was on Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111301, recorded on Microfilm Roll No. 62, approving claim of Frances Gresham, on file in the office of the City Clerk under Document No. 465251, in the sum of \$9.30; directing the City Auditor to draw his warrant in favor of said Frances Gresham in the amount of \$9.30 in full payment of said claim, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111302, recorded on Microfilm Roll No. 62, denying claim of Miss Clara Geffe, on file in the office of the City Clerk under Document No. 465565, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111303, recorded on Microfilm Roll No. 62, denying claim of Mrs. Merle Porter, on file in the office of the City Clerk under Document No. 464783, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111304, recorded on Microfilm Roll No. 62, accepting subordination agreement, executed by Solon S. Kipp and Della A. Kipp, beneficiaries, and Solon S. Kipp, trustee, bearing date February 27, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 25 and 26 Block 35 Fairmont Addition to City Heights, to the right of way and easement for culvert 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111305, recorded on Microfilm Roll No. 62, accepting subordination agreement, executed by La Mesa-El Cajon Savings and Loan Association, a corporation, beneficiary, and La Mesa-El Cajon Corporation, a corporation, trustee, bearing date February 19, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 33 La Mesa Colony, and Cajon Avenue closed to public use, to the right of way and easement for storm drain 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 certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111306, recorded on Microfilm Roll No. 62, accepting subordination agreement, executed by Frank Manescalchi and Tomasa Manescalchi, beneficiaries, and La Mesa - El Cajon Corporation, a corporation, trustee, bearing date February 6, 1953, wherein said parties subordinate all their right, title and interest in and to a certain portion of Lot 33 La Mesa Colony, 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 Dail, adopted.

RESOLUTION NO. 111307, recorded on Microfilm Roll No. 62, accepting deed of Clifford L. Harper and Martha B. Harper, bearing date February 8, 1953, conveying portion of Lot 3 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111308, recorded on Microfilm Roll No. 62, accepting deed of James S. Wilkinson and Jane Wilkinson, conveying portion of Pueblo Lot 1289; 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 Dail, adopted.

RESOLUTION NO. 111309, recorded on Microfilm Roll No. 62, accepting deed of James S. Wilkinson and Jane Wilkinson, bearing date March 12, 1953, conveying portion of Pueblo Lot 1289; 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 Dail, adopted.

RESOLUTION NO. 111310, recorded on Microfilm Roll No. 62, accepting deed of Herbert R. Woodward and Thelma E. Woodward, bearing date September 11, 1952, conveying portions of Lot 12 Lemon Villa, setting aside and dedicating the same to the public use as and for a public street, and naming the same 54th Street; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department, for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111311, recorded on Microfilm Roll No. 62, accepting deed of Mary Chadwick, bearing date March 13, 1953, conveying portions of Lots 7, 8, 9, 10 Block 21 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111312, recorded on Microfilm Roll No. 62, accepting deed of Byron S. Kipp, bearing date February 5, 1953, conveying easement and right of way for culvert in portion of Lots 27 and 28 Block 35 Fairmount 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 Dail, adopted.

RESOLUTION NO. 111313, recorded on Microfilm Roll No. 62, accepting deed of Fred B. Young and Ruth M. Young, bearing date January 6, 1953, conveying easement and right of way for culvert purposes in portion of Lots 25 and 26 Block 35 Fairmount Addition to City 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 Dail, adopted.

RESOLUTION NO. 111314, recorded on Microfilm Roll No. 62, accepting deed of Richard B. Johnson, bearing date February 26, 1953, conveying easement and right of way for sewer purposes, along and across all of that 5.0 foot path, closed to public use by Resolution No. 110734 of the Council on February 24, 1953, lying between Lots 61 and 62 Ludington 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 Dail, adopted.

RESOLUTION NO. 111315, recorded on Microfilm Roll No. 62, accepting deed of Bernard W. Reinbach and Marie M. Reinbach, bearing date December 24, 1952, conveying easement and right of way for sewer purposes in portion of Lots 1, 2, 3, 4 Block 8 Beverly 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 Dail, adopted.

RESOLUTION NO. 111316, recorded on Microfilm Roll No. 62, accepting deed of John W. Allen, bearing date March 16, 1953, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 256; 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 Dail, adopted.

RESOLUTION NO. 111317, recorded on Microfilm Roll No. 62, accepting deed of Gustave A. Hallstrom and Nettie M. Hallstrom, bearing date March 11, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 30 Block 37 Ocean 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111318, recorded on Microfilm Roll No. 62, accepting deed of Eugene La Fond and Katherine La Fond, bearing date February 26, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 33 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111319, recorded on Microfilm Roll No. 62, accepting deed of Republic Development Company, a partnership, bearing date March 2, 1953, conveying easement and right of way for storm drain purposes in portion of Lots 2-1/2 and 3 Block H

Narragansett 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 Dail, adopted.

RESOLUTION NO. 111320, recorded on Microfilm Roll No. 62, accepting deed of Carlos J. Tavares, Marjorie Claire Tavares, Louis C. Burgener and Patricia W. Burgener, conveying easement and right of way for storm drain purposes in portion of Lots 102 and 103 Clairemont Manor 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 Dail, adopted.

RESOLUTION NO. 111321, recorded on Microfilm Roll No. 62, accepting deed of Mark N. Wilbert and Anna Wilbert, bearing date January 26, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 33 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111322, recorded on Microfilm Roll No. 62, accepting deed of The San Diego Society for Crippled Children, bearing date December 11, 1952, conveying easement and right of way for street purposes in portion of Pueblo Lot 1202, setting aside and dedicating the same to the public use as and for a public street (not named), was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111323, recorded on Microfilm Roll No. 62, accepting deed of the Republic Development Company, a partnership, bearing date March 2, 1953, conveying easement and right of way for water main purposes in portion of Lot 12 Block F and Lot 3-1/2 Block H Narragansett 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 Dail, adopted.

RESOLUTION NO. 111324, recorded on Microfilm Roll No. 62, accepting deed of Arthur Layne Stockton, bearing date March 9, 1953, conveying easement and right of way for water pipe line purposes in a strip of land adjacent to the southeasterly line of Block 310 of Ramona in the County of San Diego, State of California; 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 Godfrey, seconded by Councilman Dail, adopted.

The City Manager requested, and was granted unanimous consent to present the next matter, which he explained to the Council.

Communication from the Purchasing Agent, stating that the City Engineer has requested the Purchasing Agent to procure 18 Directional Signs installed and maintained in the intersections now under construction at Midway Drive, Ingraham Street, Ventura Boulevard, Sunset Cliffs Boulevard, and the approaches thereto, was presented. Said communication states that the Automobile Club of Southern California purchases signs in large quantity and makes them available to cities at cost for signs and posts. Also, it reports that installation is accomplished without cost to the City, and the signs maintained by said Club at its expense. It reports that there is no other supplier whose prices and services equal those of the Automobile Club of Southern California.

RESOLUTION NO. 111325, recorded on Microfilm Roll No. 62, authorizing and directing the Purchasing Agent to purchase from the Automobile Club of Southern California 18 Directional Signs required for the locations shown above, at a cost not to exceed the sum of \$1,867.14 including Sales Tax, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The next matter was presented on unanimous consent granted to the City Manager, and explained by him to the Council.

ORDINANCE NO. 5530 (New Series); recorded on Microfilm Roll 62, appropriating the sum of \$65,250.00 from the Capital Outlay Fund for the purpose of providing funds to cover the cost of paving portions of Clairemont Drive and Huxley Street, as provided for in the agreement between The City of San Diego and the Clairemont Company, filed in the office of the City Clerk under Document No. 464247, was on motion of Councilman Schneider, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor 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.  
The final reading of such ordinance was in full.

Communication from Mrs. Joyce E. Beran, 6328 Tooley Street, San Diego 14, dated March 25, 1953, referring to poultry raisers named Olin C. Butts, at 6230 Tooley Street, and stating that it is desired that the Council know the full story from the writer's side of the picture, so that "when this man appeals" to the Council for a permit, the Council will be better informed.

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

Councilman Godfrey requested and was granted unanimous consent to present the next matter, not listed on the Council's agenda - but which had been discussed earlier. Councilman Godfrey said that consideration needs to be given to violations in the R-1 Zones.

RESOLUTION NO. 111326, recorded on Microfilm Roll No. 62, referring to Council for consideration of the matter of violations which exist in the R-1 Zones, at which Conference the Planning Department, the City Manager and the Building Department are to be represented, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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

Councilman Godfrey referred to the showing which had been made by the Grihalva Buick Basket Ball Team, and thought that an official acknowledgement should be made over the team's success.

RESOLUTION NO. 111327, recorded on Microfilm Roll No. 62, referring to the City Manager the matter of the Grihalva Buick Basket Ball Team's excellent showing, for the awarding of a scroll therefor, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

A recess was taken, on motion of Councilman Godfrey, seconded by Councilman Dail, to the hour of 2:00 o'clock P.M., this date.

Upon reconvening, at the hour of 2:30 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 meeting was called to order by the Mayor at the hour of 2:30 o'clock P.M.

RESOLUTION NO. 111328, recorded on Microfilm Roll No. 62, requesting transfer of Temporary Housing, pursuant to Title VI of the Lanham Act - Pueblo Lot 475, 81st Congress which authorizes the Administrator of the Housing and Home Finance Agency, upon filing of the prescribed request to relinquish and transfer upon terms and conditions set forth in said Act all right, title and interest of the United States in and with respect to certain temporary war and veterans housing projects to eligible bodies as defined therein, as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Number of Units</u>
Leila Byrd	CAL-4996N	200
Stoneington	CAL-4040N	96
Riverlawn	CAL-4095B	83
Presidio	CAL-4461	400
Frontier Homes	CAL-4679	700
Frontier Homes	CAL-4737	300
Frontier Homes	CAL-4782	1600
Frontier Homes	CAL-4797	600
Frontier Homes	CAL-4798	300
The Dells	CAL-4738	200
Levant	CAL-4902N	100
Levant	CAL-4997N	80
Torrey Pines	CAL-4677	140
Libertad		

together with personal property, appurtenances and materials held in connection therewith, and the Applicant states that such additional and more particular data and site plans with respect to such temporary housing as may be required by the Public Housing Commissioner will be subsequently furnished to him, reciting various conditions and making represent-

ations in connection therewith, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

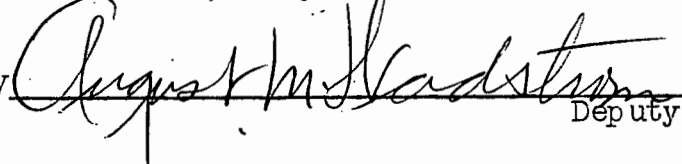
Accompanying said Resolution No. 111328 was certificate of the City Attorney regarding transfer of temporary housing, pursuant to Title VI of the Lanham Act, which certificate is signed by Douglas D. Deaper, Deputy City Attorney.

Upon adopting said Resolution, the Council on motion of Councilman Schneider, seconded by Councilman Kerrigan, adjourned immediately.

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, March 31, 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, Schneider, Dail, Mayor Butler  
Absent---Councilmen Wincote, Kerrigan, Godfrey  
Clerk----Fred W. Sick

The Minutes of the regular meetings of Tuesday, March 24, 1953, and of Thursday, March 26, 1953, 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.

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 duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of L. B. Butterfield, 1211 So. 32nd St., San Diego 13, accompanied by bond written by Maryland Casualty Company of Baltimore in the sum of 10% of the amount of the bid, which bid was given Document No. 466331;

Councilman Kerrigan entered the meeting at this time;

Councilman Wincote entered the meeting at this time;

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, 469 W. Tichenor St., Compton 3, California, 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. 466332;

Councilman Godfrey entered the meeting at this time;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., P.O. Box "F" Hillcrest Sta., San Diego, Calif., accompanied by bond written by American Surety Company of New York in the sum of 10% of the aggregate of the Bid, which bid was given Document No. 466333;

The bid of W. V. Hutchison, 1624 Torrey Pines Road, La Jolla, California, accompanied by bond written by Fireman's Fund Indemnity Company in the sum of ten percent of the amount of the accompanying bid, but not in excess of \$4,800.00, which bid was given Document No. 466334.

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 Small Water Main Replacements, Group No. V, 1952-53 - Specification No. 43 - 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 L. B. Butterfield, 1211 So. 32nd St., San Diego 13, Calif., accompanied by bond written by Maryland Casualty Company of Baltimore in the sum of 10% of the amount of the bid, which bid was given Document No. 466335;

The bid of Moffitt and Waddington Irrigation Co., accompanied by bond written by Glens Falls Indemnity Co. in the sum of ten per cent of the amount bid, which bid was Given Document No. 466336;

The bid of W. V. Hutchison, 1624 Torrey Pines Road, La Jolla, accompanied by bond written by Fireman's Fund Indemnity Company in the sum of ten percentum of the amount of the accompanying bid, but not in excess of \$5,200.00, which bid was given Document No. 466337.

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 Vista Del Mar Avenue, within the limits and as particularly described in Resolution of Intention No. 110355, the Clerk reported that 3 bids had been received, which bids were presented to the Council.

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

Said bids were as follows:



The bid of V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of five hundred dollars, which bid was given Document No. 466339;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York, in the sum of six hundred dollars, which bid was given Document No. 466340;

The bid of William M. Penick and Lloyd T. Penick, copartners doing business as T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of five hundred dollars, which bid was given Document No. 466338.

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

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 42nd Street and Fergus Street, within the limits and as particularly described in Resolution of Intention No. 110165, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

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

Said bids were as follows:

The bid of Daley Corporation, accompanied by bond written by Glen's Falls Indemnity Company in the sum of five thousand dollars, which bid was given Document No. 466341;

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 five thousand dollars, which bid was given Document No. 466342;

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. 466343;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of ten percent of amount of bid, but not exceeding six thousand and no/100 dollars, which bid was given Document No. 466344;

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. 466345.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for 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 of Intention No. 110353, 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 H. H. Peterson, accompanied by bond written by Massachusetts Bonding and Insurance Company, in the sum of \$1,200.00, which bid was given Document No. 466346;

The bid of Charles J. Dorfman, accompanied by bond written by Peerless Casualty Company in the sum of \$1,500.00, which bid was given Document No. 466347.

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. 2112 made to cover the costs and expenses of the work on 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, the Clerk reported that written appeal had been received from John W. Cook, per Marie Cook, which appeal was presented to the Council.

Asked for a report, the City Engineer stated that there was a 1% petition.

Councilman Godfrey returned to the meeting at this time.

The City Engineer told of the type of paving, and explained the assessment.

John W. Cook, the appellant, said that the assessment is unfair.

The Mayor told Mr. Cook that the paving had been done under bid, and award made to the lowest bidder. Mr. Cook, he pointed out, has frontage on 2 streets.

The City Engineer said that the assessment had been figured in the standard way. The bid, he said, was .5% under the estimate.

The Mayor told about the City's experience relative to bids.

The City Engineer, at the request of the Mayor, told of the work involved. Mr. Cook, he said also, has frontage on 2 streets.

Councilman Dail, objecting to the assessment charge, said that property owners should be given the exact cost to be charged. They do not know what the cost will be, he stated.

Councilman Wincote said that Mr. Cook should not be confused by leading him to believe that there will be a reduction in cost.

Mr. Brook then wondered if the broken sewer main had been figured in the bid.

The City Engineer replied "no", and said that any mains broken by the contractor become his responsibility.

Mr. Cook said that the assessment is a lot of money, and that he is no millionaire. He asked about Ogden Street, which is not paved.

The City Engineer replied that there is a petition for Ogden Street

improvement. There are double frontage lots there also, he said. Mr. Cook's property will not be assessed for that street, he told the Council. (There were no other appeals).

RESOLUTION NO. 111329, recorded on Microfilm Roll No. 62, overruling and denying the appeal of John W. Cook, from the Street Superintendent's Assessment No. 2112 made to cover the costs and expenses of the work of 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; 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 the Street Superintendent to record in his office said warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2114 made to cover the cost and expenses of the paving and otherwise improving of Teak Street, between 39th and 40th Streets, within the limits and as particularly described in Resolution of Intention No. 106667, the Clerk reported that no 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. 111330, recorded on Microfilm Roll No. 62, confirming and approving the Street Superintendent's Assessment No. 2114, for the paving and otherwise improving of Teak Street, within the limits and as particularly described in Resolution of Intention No. 106667; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed assessment for the furnishing of electric current for the lighting in Sunset Cliffs Lighting District No. 1, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 111331, recorded on Microfilm Roll No. 62, confirming the proposed Assessment of the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting in Sunset Cliffs Lighting District No. 1, contained in Engineer's Report and Assessment filed in the office of the City Clerk February 20, 1953; adopting as a whole said report, 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 of Preliminary Determination No. 110844 for the paving and otherwise improving of the Alley in Block 109 Central Park, the Clerk reported that written protests had been received from Louis Tony Musacco (in behalf of Theresa Musacco (deceased), Mrs. E. T. Behm, Mrs. Helena Reed, which protests were presented to the Council.

Councilman Schneider said that Mrs. Reed cannot get out, inasmuch as she is crippled, and that she wants to know why 5" cement concrete pavement is specified.

Reporting on the protests presented in writing, the City Engineer said that they amount to 15% protest. Answering Councilman Schneider's question, the Engineer said that the City is using concrete in all alleys. Asphalt, he said, might be cheaper.

Councilman Swan wanted to know why 4" is not specified rather than 5".

Councilman Schneider said that the burden is on the people. He told the Council that he would like to have a comparison of costs between 5" cement concrete and a couple of inches of asphalt.

The City Engineer said that he does not know what the difference in costs would be, at this time. He said that the Council can abandon and put in asphalt if it wants to.

Councilman Schneider declared that there is not 10% traffic in alleys that there is on the streets.

Charles McGuffie was recognized next. Why, he asked, should there be asphalt? He said that only about 6 people use the alley - and that it is mostly for trash.

The City Engineer said that he decides that is needed for the improvements.

There was discussion between members of the Council regarding the City policy and pavement type. It resulted in argument regarding the initial cost and the upkeep cost.

Speaking again, Mr. McGuffie said that the trash truck is the only trash truck which uses the alley. He said that several property owners oppose the 5" c.c. as being too high in cost.

The Mayor said that there are compelling reasons for concrete over asphalt in alleys.

The City Engineer spoke about past improvements of alleys with asphalt and told of many protests which resulted on account of its use. He said that it is difficult to lay on account of the machines employed. Very few protests, he said, have arisen over use of concrete in alleys.

Councilman Schneider contended that cost is the problem.

The City Engineer advised throwing out the proceedings by the Council if it doesn't like what has been specified.

Councilman Wincote suggested giving property owners the cost to individuals, if a canvass is made relative to the different types. The question, he said, should be determined by the property owners.

Councilman Schneider moved to continue the hearing 1 week - for week-to-week - to give the City Engineer to give a cost report and recommendation on the recommended pavement type in the alley, which motion was seconded by Councilman Wincote, adopted.

James T. Brown, 3160 L Street, spoke before the roll could be called. He, too, spoke about the improvement. He told about being not able to pave the alley earlier because the war was on. He said that at that time the property owners could have graded and put oil on the alley. He said that he is willing to do something, but expressed the belief that concrete is not needed.

Councilman Wincote pointed out that the Engineer may not have the information on cost available in a week.

The Engineer said that this is only the first hearing, and that not much time would be lost if the City starts over.

The roll was called on the motion, resulting in

RESOLUTION NO. 111332, recorded on Microfilm Roll No. 62, continuing the hearing on Resolution of Preliminary Determination No. 110844 for the paving and otherwise improving of the Alley in Block 109 Central Park to the hour of 10:00 o'clock A.M., Tuesday, April 7, 1953; directing the City Engineer to give a cost report and recommendation regarding the type of pavement, 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. 110845 of Preliminary Determination for the paving and otherwise improving the Alley in Block 69 Park Villas, Public Rights of Way in Lots 25 and 26 said Block, 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. 111333, recorded on Microfilm Roll No. 62, determining that the proposed paving and otherwise improving of the Alley in Block 69 Park Villas and Public Rights of Way in Lots 25 and 26 said Block, within the limits and as particularly described in Resolution No. 110845 of Preliminary Determination is feasible, and that the limits 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 Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 110846 of Preliminary Determination for the paving and otherwise improving of Winona Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from John N. Bergen, 4976 Trojan Ave., San Diego 15, which protest was presented to the Council.

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

Before other persons were heard, the City Engineer reported a 2.2% protest. He said that the writer of the letter (Mr. Bergen) was asking for information, rather than protesting. Answering a Bergen question, the City Engineer said that the water main referred to would be put in by the City, and not charged to the affected property owners.

Ted A. Bridges, 4235 Winona wanted to know about the pavement type. The rest of that street, he said, is black top.

The City Engineer replied that the grade of the street is steep, and that 12% grade is the maximum for use of asphalt. Concrete is used for that reason, he said. He told the Council, also, that concrete is not used on streets now, except for streets of steep grade.

Councilman Kerrigan told the Council that they would run into trouble, inasmuch as many of the properties are below grade.

There was a conference over an Engineer's map between members of the Council and the City Engineer. He told the members of the Council the grade of the street.

Councilman Schneider was excused from the meeting at this time.

Councilman Kerrigan told the Council that it should look at the ground. The Mayor referred to the petition on file for the work, which specifies a minimum type to be used.

Councilman Kerrigan said that property on 50th Street, included in the proceeding, is below grade.

Councilman Schneider returned to the meeting at this time.

Councilman Kerrigan stated that contractors may "up" the bid price when they look at the property.

Asked about the doing of the work on 50th Street south of Orange Avenue, there was a showing of hands from a large group of persons favoring doing of the work. At this time an unidentified woman arose in the group and wondered why it is proposed to hold up the improvement.

Mr. Bridges spoke again, and said that he is not protesting, but is just interested in a price estimate.

Councilman Wincote said that sometimes a bidder doubles his bid because he would have to assume bonds on the low property.

Councilman Kerrigan pointed out that he is just calling the situation to the property owners' attention, and that he is not trying to stop the improvement.



Mrs. George Amem, 4155 - 50th Street, who identified herself as the circulator of the petition, said that she and others do not want the dust and dirt resulting from the present unimproved street.

C. H. Newton, 4243 Winona Avenue, asked for information regarding the cost. He said that he is willing to go through, but wondered if it is a "normal" job.

Willard Olson, representing the City Engineer, said that there is a normal cost estimate.

Mr. Newton asked about the 70-foot copper pipe. He wanted to know about changing the pipe location.

Orin Cope, Assistant to the City Manager, said that he will get the answer for Mr. Newton, and that when he has it he will give it to Mr. Newton.

Answering Councilman Wincote, as to how many of the lots Councilman Kerrigan had referred to as being low, Mr. Kerrigan said 4 or 5.

RESOLUTION NO. 111334, recorded on Microfilm Roll No. 62, overruling the protest of John N. Bergen against the work of improving Winona Avenue, and 50th Street, within the limits and as particularly set forth in Preliminary Resolution of Determination No. 110846; overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111335, recorded on Microfilm Roll No. 62, determining that the proposed improvement of Winona Avenue and 50th Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 111334, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment; finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Councilman Dail was excused from the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time for the continued hearing on the appeal from Mrs. Estella Whiteside from the decision of the Zoning Committee in denying her request for a zone variance to permit maintenance of a second living unit on the lower floor of Lot 3 Block 9 Point Loma Heights, at 4474 Cape May Avenue, in Zone R-1, the matter was brought before the Council again.

RESOLUTION NO. 111336, recorded on Microfilm Roll No. 62, denying the appeal of Estella Whiteside, 4474 Cape May, from the decision of the Zoning Committee in denying by its Resolution No. 7206 her application No. 11658 for variance to the provisions of Ordinance No. 12793 for permission to maintain a second living unit on the lower floor of the residence at said address on Lot 3 Block 91 Point Loma Heights, in Zone R-1, sustaining the action of said Zoning Committee; requesting the City Manager to inform Mrs. Whiteside in writing of the reasons for the City's denial of her request, was on motion of Councilman Schneider, seconded by Councilman Wincote.

Petition of Darrell J. Smith, et al, for permission to initiate proceedings for the annexation to the City of San Diego of Kensington Park, Precincts 1, 2, 3 in the County of San Diego, was presented.

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

Petition of Margaret VanWert, 729 "B" Street, et al, requesting that the San Diego Padres be denied the use of Balboa Park for a site for a ball park, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said Petition was referred to the "Baseball" file (Planning Commission).

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received for furnishing Penetration Paving Asphalt, Emulsified and Liquid Asphalt for a period of one year beginning April 1, 1953, received March 26, 1953, from 2 bidders; recommending award to W. F. Nelson Company, the low bidder - at prices which average 3/4¢ per gallon higher than those paid on previous contract - was presented.

RESOLUTION NO. 111337, recorded on Microfilm Roll No. 62, accepting bid of W. F. Nelson Company for furnishing the City's requirement of 85-100 Penetration Paving Asphalt, Emulsified and Liquid Asphalt for a period of one year beginning April 1, 1953, in accordance with schedule attached to said Resolution; awarding contract, authorizing and directing the City Manager to enter into and execute the same, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

In connection with the next matter the City Manager made a verbal explanation.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for alterations to the Bulk Fertilizer Loading Facilities at the Sewage Treatment Plant, received March 18, 1953, from A. E. Poulsen & Company (although 3 prospective bidders were contacted) in the amount of \$2,436.00 plus sales taxes, was presented. The report states that the bidder accomplished the original work of installing pelletizing equipment at the plant and is the logical company to handle the alterations presently required. It states that the Director of Public Works has reported that the work has been estimated originally to cost \$2,000.00 but that a revised estimate is \$2,500.00. The award to said Company was recommended.

Councilman Dail returned to the meeting at this time.

RESOLUTION NO. 111338, recorded on Microfilm Roll No. 62, accepting bid of A. E. Poulsen & Company for alterations to the Bulk Fertilizer Loading Facilities at the Sewage Treatment Plant; awarding contract, authorizing and instructing the City Manager to enter into and execute the same on behalf of The City of San Diego, 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 200 Red Wool Sweaters for the Junior Traffic Patrol, received March 25, 1953, from 2 bidders; recommending award to Jones Knitting Mills of Los Angeles, the low bidder, at \$6.50 per sweater - 75¢ per sweater lower than the bid price of the same supplier who furnished sweaters to the City approximately one year ago, was presented.

RESOLUTION NO. 111339, recorded on Microfilm Roll No. 62, accepting bid of Jones Knitting Mills for furnishing 200 Red Wool Sweaters; awarding contract, authorizing and instructing the City Manager to enter into and execute the same, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Councilman Kerrihan was excused from the meeting at this time.

In connection with the next matter, the City Manager made a verbal explanation.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing the City's requirements of Centrifugally Spun Reinforced Concrete Pipe for a period of 6 months beginning April 1, 1953, received March 25, 1953; recommending award to American Pipe and Construction Co., sole bidder, as per schedule attached thereto, was presented. It states that prices submitted by said Company are identical with those charged the City on the expiring contract.

RESOLUTION NO. 111340, recorded on Microfilm Roll No. 62, accepting bid of American Pipe and Construction Co. for furnishing the City with its requirements of Reinforced Concrete Pipe for a period of 6 months beginning April 1, 1953, in accordance with schedule attached thereto; awarding contract, authorizing and instructing the City Manager to enter into and execute the same on behalf of The City pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for installation of Traffic Signals and Safety Lighting at the intersections of E Street and Third Avenue and Fourth Avenue, received March 18, 1953, from 2 bidders; recommending award to California Electric Works, the low bidder, at the price of \$13,032.25, was presented. It states that the bid is 29.3% below the estimate.

RESOLUTION NO. 111341, recorded on Microfilm Roll No. 62, accepting bid of California Electric Works for installation of Traffic Signals and Safety Lighting at the intersections of "E" Street and Third Avenue and Fourth Avenue; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City, a contract therefor in accordance with plans and specifications on file in the Office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent reporting on bids for furnishing one 25-ton capacity Truck Crane for the Harbor Department received February 11, 1953, from 7 bidders; recommending award to American Hoist & Derrick Company of St. Paul, Minnesota, low bidder meeting specifications, was presented.

RESOLUTION NO. 111342, recorded on Microfilm Roll No. 62, accepting bid of American Hoist & Derrick Company for the furnishing of one 25-ton Truck Crane for 2-speed Transmission; awarding contract, authorizing and instruction 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 Swan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting that pursuant to Resolutions Nos. 110950 and 111000, the Purchasing Agent advertised and sold at public auction on March 21, 1953, 8 surplus Police motorcycles, 57 Police impounded bicycles and 9 lots of parts, was presented. The report states that the motorcycles were sold to 8 successful high bidders for \$2,195.00; the 57 Police impounded bicycles and 9 lots of parts were sold to 63 high bidders for \$572.02 - and that money has been deposited to credit of proper accounts.

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

RESOLUTION NO. 111343, recorded on Microfilm Roll No. 62, authorizing and directing the Purchasing Agent to advertise and sell the following buildings, to be moved by the purchaser - all costs in connection with the sale to be deducted from the proceeds received from the sale thereof:

House No. 1905 at Chollas Station;  
House at 434 35th Street;  
House at 607 South Gregory Street;

House located at 3460 Imperial Avenue, and House at 148 North Francis Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution states that said buildings are no longer needed for City purposes, and the City Manager has recommended that they be sold.

RESOLUTION NO. 111344, recorded on Microfilm Roll No. 62, 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 at the southerly end of Cushman Place, bearing Document No. 466199; 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 Schneider, adopted.

RESOLUTION NO. 111345, recorded on Microfilm Roll No. 62, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the installation of Traffic Signals and Safety Lighting at the intersections of Laurel Street at Fourth Avenue and Fifth Avenue, and the interconnection of traffic signals in Laurel Street at Fourth, Fifth and Sixth Avenues; in accordance with Document No. 466200; 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.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition for closing portions of Colusa Street, Donahue Street, Eureka Street, Fresno Street, was presented. The report states that a 1911 Improvement Act proceeding in progress (Resolution of Intention No. 109063) in Bay View Addition and adjacent area under which sewers are now being installed in all of the portions of the streets proposed to be closed, makes it undesirable to start closing proceedings while in progress, and recommends denial.

RESOLUTION NO. 111346, recorded on Microfilm Roll No. 62, denying petition for closing of portions of Colusa Street, Donahue Street, Eureka Street, Fresno Street, and Andrade Street, contained in Document No. 463411, as recommended by the Street Superintendent, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition for closing portion of Horton Avenue - 15 feet on the northeasterly side, adjacent to Lots D, E and F, Block 492 Horton's Addition, between Jackdaw and Thorn Streets, was presented. Said report states that Resolution No. 107250 adopted June 24, 1952, denied petition contained in Document No. 445842, and that there have been several other requests for closing said street. The report points out that the office has made a preliminary study of the area to determine what future improvements might be installed in order to give access to the adjacent property, and that it states that the study indicates the possibility of improvement Horton Avenue and Jackdaw Street between Thorn and Walnut Streets, also Ibis Street between the same limits. It states that until the streets in the area are improved, it is recommended that no further consideration be given to any street closings and that said petition be denied.

On motion of Councilman Schneider, seconded by Councilman Wincote, said petition for closing was denied - (but the Resolution was not numbered, inasmuch as the action was reconsidered, as will be shown later on this page of these Minutes).

Councilman Kerrigan returned to the meeting at this time.

Communication from San Diego Chamber of Commerce, dated March 26, 1953, signed by Stanley Grove, General Manager, was presented. It states that recently matters have come to the attention of the Chamber regarding an attempt being made to establish added Naval facilities in the Long Beach area, including the Eleventh Naval District Headquarters (located in San Diego). The communication states that it feels that San Diego cannot afford to be complacent about such efforts, and that the Chamber is pursuing a program of thorough study of the progress. Also, it points out that during the middle of April a group of 12 to 15 representatives of the Independent Businessmen's Association of Long Beach will visit Washington for the specific purpose outlined. The communication states that the writer and C.T. Leigh, the Chamber's president, will be in Washington April 25 to May 1, and that during their stay they intend to discuss Navy problems and other important issues. It states, further, that it is the sincere belief that the problem is of sufficient importance to warrant a trip to Washington by City Manager O. W. Campbell, and that he take part in his official capacity in the conferences arranged.

Said Communication was read to the Council by the Clerk upon request.

RESOLUTION NO. 111347, recorded on Microfilm Roll No. 62, referring to Council Conference the communication from San Diego Chamber of Commerce, regarding proposed establishment of added Naval facilities in the Long Beach area and recommending that City Manager O. W. Campbell accompany two members of the Chamber to Washington, D.C., April 25 to May 1, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The communication from the Street Superintendent relative to closing portion of Horton Avenue, shown earlier on this page of these Minutes, was brought up again when Mrs. John Tarantino spoke thereon.

The earlier action was reconsidered on motion and second.

Mrs. John Tarantino, a signer on the petition, spoke. She said that she



wanted the portion of Horton Avenue closed as petitioned for. She referred to having put in an earlier petition for said closing.

The City Manager showed the Council a map, and told them that the street could be used.

The City Manager said that there is a unanimous report from the interested City Departments to deny the closing.

The letter from the Street Superintendent was read at this point.

Mrs. Tarantino spoke, and said that she had used a portion of street, which had been claimed by the City would never be used for development.

Councilman Godfrey said that there are several aspects in connection with the issue. He said that it is unfortunate that it had not been pointed out to the Tarantinos there was a legal street there when they bought. He stated that the Council is limited in its right to close.

The City Attorney declared that he was afraid that the Council cannot grant the closing, inasmuch as it is for private use rather than in the public interest.

Councilman Godfrey referred to "the buyer beware", and stated that in this case the buyer had been the victim. The City, he said, is legally restrained from closing the portion of street as requested.

Councilman Wincote pointed out that the street is wide, and than closing a portion of it could cause no trouble.

Councilman Dail read to the Council various reports attached to the file.

Mrs. Tarantino referred to a 75-foot street now. If 15 feet are closed, she said, there would still be plenty street. No other neighbors, she told the Council would be affected; she owns on both sides of the street.

Councilman Godfrey said that previous considerations have no adverse affect on this closing.

The Mayor said that the City had no control over where Mrs. Tarantino had built, in connection with her contention that she should have been told that she was building in the street.

Councilman Godfrey said that it is the responsibility of the buyer, as well as the City, regarding the location of the improvements.

Councilman Schneider who asked Mrs. Tarantino if a title insurance had been secure, and she said that it had, he stated that such insurance covers the point of her having built on public property.

Mrs. Tarantino said that a portion of the living room and garage are on the street.

The City Manager said that if there is no potential public use, it could be found to be in the public interest to close said portion of the street.

Answering questions put by the Council, the City Engineer replied that his department had looked at the property.

Councilman Dail and Councilman Schneider both said that they thought that the Council should look at the property.

Councilman Schneider said that he can cite instances where closing has been in private interest.

On motion of Councilman Dail, seconded by Councilman Schneider, said matter was continued for 1 Week, to give the Council an opportunity to look at the property, which motion was seconded by Councilman Schneider.

Communication from San Diego Junior Chamber of Commerce, dated March 25, 1953, signed by R. Sherman Platt, President, was presented. Said communication submitted budget for activities advertising City resources for the 1953-54 fiscal year, in the sum of \$4550.00 (\$3250.00, 1954 Tournament of Roses; \$1300.00, Harbor Days).

RESOLUTION NO. 111348, recorded on Microfilm Roll No. 62, referring communication from San Diego Junior Chamber of Commerce, submitting budget request for \$4550.00 for activities advertising City resources for the 1953-54 fiscal year, to Budget Conference file for the fiscal year 1953-54, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from San Diego Municipal Employees' Association, Inc., Room 6, B Street Pier, dated March 27, 1953, signed by Ellen M. Murray, president, was presented.

Said communication expresses views on the matter of outside employment for City employees, and methods for covering the same.

RESOLUTION NO. 111349, recorded on Microfilm Roll No. 62, referring communication from San Diego Municipal Employees' Association, Inc., expressing views on the matter of outside employment for City employees, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from C. W. Lindstrom, address not given, dated March 26, 1952, calling the Council's attention to the poor service on the No. 2 San Diego Transit System bus line, and standing passengers every morning and every evening; objecting to raise in fares and referring to longer rides in larger cities for a 15¢ fare, was presented.

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

RESOLUTION NO. 111350, recorded on Microfilm Roll No. 62, directing notice of filing of the Street Superintendent's Assessment No. 2124 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Olivet Street and Cabrillo Avenue, within the limits and as particularly described in Resolution of Intention No. 105802, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111351, recorded on Microfilm Roll No. 62, directing notice of filing of the Street Superintendent's Assessment No. 2125 and of the time and place of hearing thereof, for 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, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 111352, recorded on Microfilm Roll No. 62, accepting bid of John B. Henry, and awarding contract, 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 Godfrey, seconded by Councilman Schneider, adopted.

A written report from the City Engineer states that the low bid is 8.1% below the estimate.

RESOLUTION OF AWARD NO. 111353, recorded on Microfilm Roll No. 62, accepting bid of Daley Corporation, a corporation, 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 Godfrey, seconded by Councilman Schneider, adopted.

A written report from the City Engineer states that the low bid is 8.3% below the estimate.

RESOLUTION OF AWARD NO. 111354, recorded on Microfilm Roll No. 62, accepting bid of Daley Corporation, a corporation, 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 Godfrey, seconded by Councilman Schneider, adopted.

A written report from the City Engineer states that the low bid is 5.3% below the estimate.

RESOLUTION OF AWARD NO. 111355, recorded on Microfilm Roll No. 62, accepting bid of Daley Corporation, a corporation, 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 Swan, adopted.

A written report from the City Engineer states that the low bid is 9.5% below the estimate.

RESOLUTION NO. 111356, recorded on Microfilm Roll No. 62, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 58 H. M. Higgins' Addition, filed in the office of the City Clerk under Document No. 465698; approving Plat No. 2417 showing the exterior boundaries of the district to be included in the assessment for the work and improvement on 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 Swan, adopted.

RESOLUTION NO. 111357, recorded on Microfilm Roll No. 62, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of El Paseo Grande, Calle Clara, Vallecitos, Calle Frescota, Camino del Oro, Alley in Block 9 La Jolla Shores Unit No. 1; Alley in Block 12 La Jolla Shores Unit No. 1; Southerly Alley in Block 34 La Jolla Shores Unit No. 6; La Vereda and Public land being a portion of Kellogg Park, filed in the office of the City Clerk under Document No. 465969; approving Plat No. 2426 showing the exterior boundaries of the district to be included in the assessment for the work and improvement on 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 Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111358, recorded on Microfilm Roll No. 62, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Franklin Avenue and Commercial Street, filed in the office of the City Clerk under Document No. 465696; approving Plat No. 2421 showing the exterior boundaries of the district to be included in the assessment for the work and improvement on 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 Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111359, recorded on Microfilm Roll No. 62, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Reed Avenue, filed in the office of the City Clerk under Document No. 465973;

approving Plat No. 2422 showing the exterior boundaries of the district to be included in the assessment for the work and improvement on said streets; directing the City Clerk upon passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111360, recorded on Microfilm Roll No. 62, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of 37th Street, T Street, Jewell Drive, under Document No. 465971; approving Plat No. 2386 showing the exterior boundaries of the district to be included in the assessment for the work and improvement on said streets; directing the City Clerk upon passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 111361, recorded on Microfilm Roll No. 62, for the paving and otherwise improving of the Alley in Block 7 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 110651, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 111362, recorded on Microfilm Roll No. 62, for the paving and otherwise improving of the Alley in Block 17 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 110652, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111363, recorded on Microfilm Roll No. 62, directing notice of the inviting of sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Eighth Avenue Lighting District No. 1, for a period of one year from and including January 1, 1953 to and including December 31, 1953, in accordance with Engineer's Report and Assessment filed February 6, 1953 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111364, recorded on Microfilm Roll No. 62, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Lighting District No. 1, for a period of one year from and including January 1, 1953 to and including December 31, 1953, in accordance with Engineer's Report and Assessment filed February 6, 1953 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111365, recorded on Microfilm Roll No. 62, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Seventh Avenue Lighting District No. 1, for a period of one year from and including January 1, 1953 to and including December 31, 1953, in accordance with Engineer's Report and Assessment filed February 6, 1953 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 111366, recorded on Microfilm Roll No. 62, for the paving and otherwise improving of Rose Street, Hobart Street, Stewart Street, Millar Street, Catocin Drive, 63rd Street, Pembroke Drive, and Public Rights of Way, 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. 111367, recorded on Microfilm Roll No. 62, for installation of sewer mains, etc., in Winchester Street, Calle Serena, Calle Aguadulce, Calle Tacon, Cumberland Street, Roanoke Street, and Albermarle Street, 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. 111368, recorded on Microfilm Roll No. 62, for the paving and otherwise improving of the Alley in Block 58 H. M. Higgins' Addition, 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. 111369, recorded on Microfilm Roll No. 62, for the paving and otherwise improving of El Paseo Grande, Calle Clara, Vallecitos, Calle Frescota, Camino del Oro, Alley in Block 9 La Jolla Shores Unit No. 1, Alley in Block 12 La Jolla Shores Unit No. 1, the Southery Alley in Block 34 La Jolla Shores Unit No. 6, La Vereda and Public land being a portion of Kellogg Park, 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. 111370, recorded on Microfilm Roll No. 62, for the paving and otherwise improving of Franklin Avenue and Commercial Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 111371, recorded on Microfilm Roll No. 62, for the paving and otherwise improving of Reed Avenue, 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. 111372, recorded on Microfilm Roll No. 62, for the paving and otherwise improving of 37th Street, T Street and Jewell Drive, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111373, recorded on Microfilm Roll No. 62, ascertaining and declaring the wage scale 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.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for the paving and otherwise improving of the Alley in Block J Arlington - 64.3% property frontage signature - was presented.

RESOLUTION NO. 111374, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 462722 for the paving and otherwise improving of the Alley in Block J Arlington; 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 Wincote, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for the paving and otherwise improving of the Alley in Block A First Addition to Ocean Front - 85% property frontage signature - was presented.

RESOLUTION NO. 111375, recorded on Microfilm Roll No. 62, granting petition for the paving and otherwise improving of the Alley in Block A First Addition to Ocean Front; 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 Wincote, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for the paving and otherwise improving of the Alley in Block 11 North Shore Highlands - 80.0% property frontage signature - was presented.

RESOLUTION NO. 111376, recorded on Microfilm Roll No. 62, granting petition for the paving and otherwise improving of the Alley in Block 11 North Shore Highlands; 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 Wincote, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for the paving and otherwise improving of Birch Street - 68.9% property frontage signature - was presented.

RESOLUTION NO. 111377, recorded on Microfilm Roll No. 62, granting petition for the paving and otherwise improving of portion of Birch 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 Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending granting petition for paving and otherwise improving of Camino Del Collado - 69% property frontage signature - was presented.

RESOLUTION NO. 111378, recorded on Microfilm Roll No. 62, granting petition for the paving and otherwise improving of Camino del Collado; 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 Wincote, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for the paving and otherwise improving of portions of Carleton Street and Shafter Street - 63.9% property frontage signature - was presented.

RESOLUTION NO. 111379, recorded on Microfilm Roll No. 62, granting petition for the paving and otherwise improving of portions of Carleton Street and Shafter 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 Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for the paving and otherwise improving of portion of 44th Street - 71.4% property frontage signature - was presented.

RESOLUTION NO. 111380, recorded on Microfilm Roll No. 62, granting petition for the paving and otherwise improving of portion of 44th 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 Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for the paving and otherwise improving of portion of J Street - 61.3% property frontage signature - was presented.

RESOLUTION NO. 111381, recorded on Microfilm Roll No. 62, granting petition for the paving and otherwise improving of J 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 Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petitions for paving and otherwise improving of Jefferson Street, Harney Street and Conde Street - 63.4% property frontage signature - was presented.

RESOLUTION NO. 111382, recorded on Microfilm Roll No. 62, granting petition for the improvement by paving, etc., Jefferson Street, Harney Street and Conde 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 Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for paving and otherwise improving portion of La Jolla Hermosa Avenue - 76.4% property frontage signature - was presented.

RESOLUTION NO. 111383, recorded on Microfilm Roll No. 62, granting petition for paving and otherwise improving of portion of Hermosa 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 Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for the paving and otherwise improving of the south westerly half of portion of Santa Isabel Drive - 78.7% property frontage signature - was presented.

RESOLUTION NO. 111384, recorded on Microfilm Roll No. 62, granting petition for the paving and otherwise improving of portion of Santa Isabel 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, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for the paving and otherwise improving portion of Sapphire Street - 64.2% property frontage signature - was presented.

RESOLUTION NO. 111385, recorded on Microfilm Roll No. 62, granting petition for paving and otherwise improving of Sapphire Street; directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for paving and otherwise improving portion of T Street - 62.5% property front signature - was presented.

RESOLUTION NO. 111386, recorded on Microfilm Roll No. 62, granting petition for the paving and otherwise improving of portion of 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 thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for paving and otherwise improving of Z Street (portion) - 75.3% property frontage signature - was presented.

RESOLUTION NO. 111387, recorded on Microfilm Roll No. 62, granting petition for the paving and otherwise improving of Z 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 Schneider, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for installation of sidewalks on portion of 55th Street - 70.0% property frontage signature - was presented.

RESOLUTION NO. 111388, recorded on Microfilm Roll No. 62, granting petition for the installation of sidewalks on 55th 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 thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition to install sidewalks on various streets in and adjoining Richmond Hills Subdivision - 61.1% property frontage signature - was presented.

RESOLUTION NO. 111389, recorded on Microfilm Roll No. 62, granting petition for installation of sidewalks on Richmond Hills Subdivision streets: portions of Trojan Avenue, Sharron Place, 54th Street, Bernadine Place; directing the City Engineer to furnish a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition for paving and otherwise improving portion of Redwood Street - 75.0% property frontage signature - was presented.

RESOLUTION NO. 111390, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 463684 for the paving and otherwise improving of portion of 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 thereof; directing the Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 110991 for the improvement of Redwood Street and Haller Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from P. Beermann, Director, Water Department, reporting on bids received March 17, 1953, for Small Water Main Replacements Group II, 1952-53; recommending award to W. A. Robertson in the sum of \$64,212.85 - and making other reports on the question, was presented.

RESOLUTION NO. 111391, recorded on Microfilm Roll No. 62, accepting bid of W. A. Robertson & Co. for installation of small water main replacements, Group No. II 1952-53, under Schedule I, as the lowest regular bid received; rejecting all other bids thereon; authorizing and directing the City Manager to execute for and on behalf of The City of San Diego contract with W. A. Robertson & Co., upon execution by said W. A. Robertson & Co. of said contract, and upon execution, delivery, filing and approval of the bonds required thereunder, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.



In connection with the next matter, the City Manager made a verbal explanation in connection with maintenance and the easements involved.

RESOLUTION NO. 111392, recorded on Microfilm Roll No. 62, amending Resolution No. 100598 requesting transfer of Temporary Housing pursuant to Title VI of the Lanham Act relative to including additional property, explanation of the immediate purpose, and easements, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

In connection with the next matter, the City Manager told the Council that there would be \$3,800.00 worth of work.

RESOLUTION NO. 111393, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to do all the work in connection with the construction of the water system on El Cajon Boulevard from approximately the east line of College Avenue east to the City limits, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution states that the Water Department has recommended the reconstruction of said water system, 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. 111394, recorded on Microfilm Roll No. 62, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Bermuda Avenue, at Guizot Street;  
Exchange Place, at Virginia Way;  
Euclid Avenue, at Churchward Street; at La Paz Way; at Manzanares Way; at a point 550 feet south of Manzanares Way; at Olvera Avenue; and at Trinidad Way;  
Santa Rosalia Road, at Manzanares Way; at San Alberto Way; and at the south end;  
San Alberto Way, 400 feet north of Trinidad Way; and at Trinidad Way;  
Aqua Vista Way, at Trinidad Way; and at north end;  
Manzanares Way, 500 feet east of Santa Rosalia Road;  
San Bernardo Terrace, at west end;  
La Paz Way, 550 feet east of Euclid Avenue;  
Owen Street, at Olvera Avenue;  
Proposed street approx. 350 feet west of Gwen Street; and  
Olvera Avenue, approx. midway between last named location and Euclid Avenue;

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

RESOLUTION NO. 111395, recorded on Microfilm Roll No. 62, approving request of The Griffith Company, contained in Change Order No. 1, for extension of 120 days, to and including May 20, 1953, heretofore filed with the City Clerk as Document No. 466289, in which to complete contract for improvements of Roswell Street, et al., contract contained in Document No. 459172 on file in the office of the City Clerk; completion time extended to May 20, 1953, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111396, recorded on Microfilm Roll No. 62, authorizing Leland Cook, Jr., Assistant Superintendent, and Jack H. Kuhns, Chemist, of the Sewage Treatment Division, Department of Public Works, to attend the annual meeting of the Arizona Sewage Works Association to be held at Chandler, Arizona, April 16 to 18, 1953; and Eric V. Quartly, Superintendent, Division, Department of Public Works, to attend the annual meeting of the California Sewage and Industrial Wastes Association, to be held at Santa Barbara, California, April 22 to 25, 1953; authorizing the incurring of all expenses necessary in connection with said trips, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The next matter, which had been before the Council on March 24, 1953, and continued to this date, was brought up for consideration.

ORDINANCE NO. 5531 (New Series), recorded on Microfilm Roll No. 62, repealing Subsection F of Section 22.0225 of the San Diego Municipal Code regulating compensation for additional duties imposed on City officers in connection with the Department of Finance, 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--Councilman Dail. 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, Godfrey, Mayor Butler. Nays--Councilman Dail. 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 next matter, which had been before the Council on March 24, 1953, and continued to this date, was brought up for consideration:

ORDINANCE NO. 5532 (New Series), recorded on Microfilm Roll No. 62, amending the San Diego Municipal Code by adding thereto Section No. 22.0902.1 regulating the exchanges of City real property, 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 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. 5533 (New Series), recorded on Microfilm Roll No. 62, repealing Division 16 Article 3 Chapter IX of the San Diego Municipal Code relating to a penalty provision for violation of the Plumbing Code, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, 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. 5534 (New Series), recorded on Microfilm Roll No. 62, appropriating the sum of \$14,000.00 from the Traffic Safety Fund, for the purpose of providing funds for installation of Traffic Signals and Safety Lighting at the intersections of E Street with Third Avenue and Fourth Avenue, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, 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, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

ORDINANCE NO. 5535 (New Series), recorded on Microfilm Roll No. 62, appropriating the sum of \$5,000.00 from the Capital Outlay Fund, for the purpose of providing additional funds for the construction of cooperative drain projects in the City (in addition to funds heretofore appropriated by Ordinance No. 4948 (New Series)), 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, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

ORDINANCE NO. 5536 (New Series), recorded on Microfilm Roll No. 62, appropriating the sum of \$2,750.00 from the Unappropriated Balance Fund, for the purpose of providing funds for the construction of alterations to the Bulk Fertilizer Loading facilities for the Sewage Treatment Plant, 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 final reading of such Ordinance was in full.

ORDINANCE NO. 5537 (New Series), recorded on Microfilm Roll No. 62, appropriating the sum of \$1000.00 out of the Unappropriated Balance Fund, for the purpose of refurbishing the ladies' Rest Rooms in the City hall of the Civic Center, was on motion of Councilman Swan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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

The final reading of such Ordinance was in full.

An Ordinance appropriating \$250.00 from the Unappropriated Balance Fund and transferring the same to funds appropriated for the Junior Chamber of Commerce re Miss San Diego Contest, was presented.

Councilman Schneider moved to change the amount of the appropriation to \$400.00, as determined in Conference, which motion was seconded by Councilman Dail.

ORDINANCE NO. 5538 (New Series), recorded on Microfilm Roll No. 62, appropriating

riating \$400.00 from the Unappropriated Balance Fund, and transferring the same to the funds appropriated for the Junior Chamber of Commerce in the Advertising and Publicity Fund, Department No. 52, to be used for the City's contribution to the Miss San Diego Contest, 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 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.

The Mayor recognized the next speaker.

A lady, who identified herself as Mrs. John Conrad Lehner, 3680 Wightman Street, San Diego 4, was heard at this time. She referred to a press article which told about the Council refusing permission for the conduct of religious services in Balboa Park. She said that the Council should provide a building in the Park to be assigned for religious worship of God, and said that she did not know what has been done.

Mr. Lehner read a prepared statement. (After the meeting the Clerk asked if she would file the statement - which she did the following day.)

Councilman Schneider assured the speaker that the Council is neither religious or irreligious.

There was discussion between individual members of the Council and Mrs. Lehner relative to the situation.

No action was taken.

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

Mr. Dail handed in a petition of protest against the cost of improving Fergus Street and 62nd Street, considering in the opinion of the signers, that the the improvement is too expensive and a less expensive pavement is required.

(Bids on the project were received, opened and declared this date - at the opening of this meeting).

No action was taken by the Council on the petition.

(The Clerk referred the petition to the City Engineer for his information, in connection with reporting on bids.)

The agenda showed that a petition from H. Chorp for special sewer line permit was 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 Swan, at the hour of 11:38 o'clock A.M.

ATTEST:  
FRED W. SICK, City Clerk

By August M. Hadstein  
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,  
April 2, 1953.

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

A Regular Meeting was held this date, and was called to order by Mayor Butler at the hour of 10:02 o'clock A.M.

Communication from L. B. Butterfield Engineering Contractor, 1211 So. 32nd Street, San Diego 13, California, signed by L. B. Butterfield, dated March 30, 1953, was presented. Said communication requests extension of time for completion of subdivision improvements for Furlow Heights Unit No. 3, under Resolution No. 102500 which approved said subdivision. It states that on April 11, 1952, the writer entered into an agreement with the City and furnished a performance bond agreeing to install and complete all of the improvements required in said subdivision to be installed and completed on or before April 1, 1953. The communication requests that an extension of time for all of the work except the making of the actual connection to the Don Diego Manor outfall sewer and the abandonment and removal of the septic tank and drain lines to be 45 days after the completion of the Don Diego Manor outfall sewer, etc.

On motion of Councilman Schneider, seconded by Councilman Wincote, said request was granted, resulting in

RESOLUTION NO. 111397, recorded on Microfilm Roll No. 62, granting request of L. B. Butterfield Engineering Contractor, dated March 30, 1953, for extension of time under Agreement between Luie B. Butterfield and Edna L. Butterfield, and the City of San Diego, dated April 11, 1952, in connection with improvements affecting the final map of Furlow Heights Unit No. 3, as more particularly set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Councilman Swan and Councilman Kerrigan entered the meeting at this time.

Communication from Mrs. Jesse C. Canale, 3445 Columbia Street, San Diego 1, dated March 27, 1953, requesting permission in an "R-3" Zone, for variance on Lot 3 Block 140 Middletown, to permit construction of a duplex at the rear of the residence now on said lot, for the reasons set forth therein, was presented. It stated that a neighbor at 3465 Columbia Street has a building containing 3 rental units.

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

Petition of E. W. Ries, General Building Contractor, 5234 El Cajon Blvd., San Diego 15, Calif., dated 27 March 1953, was presented. Said petition states that he proposes to grade and improve part of Acorn Street east of Virginia Avenue, and requests that based on completion of said work the portion of the street be accepted by the City of San Diego and dedicated as a public street.

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

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing purchase from the Automobile Club of Southern California 18 directional signs required for the locations stated therein, at a cost not to exceed \$1,867.14 including Sales Tax, was presented. It states that the price was that quoted by the Automobile Club of Southern California for furnishing, installing and maintaining the same. It states that letter of March 27, 1953, from the said Automobile Club advised the Traffic Engineer that cost of certain signs failed to include cost of required reflector buttons, the cost being \$26.72 each higher than previously quoted. It recommended that Resolution No. 111325 be amended to include extra cost or total of \$80.16 additional including State Sales Tax.

RESOLUTION NO. 111398, recorded on Microfilm Roll No. 62, authorizing and directing the Purchasing Agent to purchase from the Automobile Club of Southern California 18 Directional Signs required for Midway Drive, Ingraham Street, Ventura Boulevard and Sunset Cliffs Boulevard intersections, together with required reflector buttons for Signs Nos. 1, 2 and 3 at a cost not to exceed \$1,947.30 including Sales Tax; repealing Resolution No. 111325 adopted March 26, 1953, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Councilman Kerrigan referred back to the first item - being the Butterfield letter re improvements completion in Furlow Heights Unit No. 3. Asked by the Mayor if he wanted to reconsider the action, Councilman Kerrigan stated that he will read the letter later. (There was no action at this point).

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 3 sections of the Municipal Code in connection with the Tentative Map of Clairemont Manor Unit #4, was presented.

RESOLUTION NO. 111399, recorded on Microfilm Roll No. 62, suspending Sections 102.05, 102.18, 102.17-C of the Municipal Code in connection with the Tentative Map of Subdivision of Clairemont Manor Unit #4, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approving the Tentative Map of Clairemont Manor #4, for subdivision of portion of Pueblo Lot 1236 and 1237, a 42 lot subdivision located at Clairemont Drive and Clairemont Mesa Blvd., in the northerly portion of the Clairemont development, was presented.

RESOLUTION NO. 111400, recorded on Microfilm Roll No. 62, approving the Tentative Map of Clairemont Manor #4, subject to 10 conditions set forth therein, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative map for addition to the Tentative Map of East Clairemont Unit #2 (approved by Resolution 107535 on July 10, 1952) of 9 lots, was presented. It states that requirements specified for the original subdivision will cover the requirements for said portion.

RESOLUTION NO. 111401, recorded on Microfilm Roll No. 62, approving Tentative Map for addition of 9 lots to the Tentative Map of East Clairemont Unit #2 shown on map labeled Supplement to Tentative Map Clairemont Unit #13, dated March 9, 1953, subject to conditions set forth in Resolution 107535, and made part of said Tentative Map, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, reporting on communication from Freeland, Peterson and Evenson for a one year extension of the Tentative Map of North Clairemont Extension, approved by Resolutions 106107 and 106579 on April and May 1, 1952, was presented. It states that in the intervening year conditions have not changed that would warrant any amendment to said Resolutions. Said communication recommends re-approval of the Tentative Map, subject to the conditions set forth in said Resolutions.

RESOLUTION NO. 111402, recorded on Microfilm Roll No. 62, reapproving the Tentative Map of No. Clairemont Extension, subject to conditions set forth in Resolutions Nos. 106107 and 106579, adopted April 1, 1952 and May 1, 1952, respectively, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

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 So. Clairemont (shops and apts.), was presented.

RESOLUTION NO. 111404, recorded on Microfilm Roll No. 62, suspending Sections 102.07-5, 102.11-2, 102.18, 102.17-C, 102.06-1, in connection with the Tentative Map of So. Clairemont Shops and Apartments, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of So. Clairemont Shops and Apts., subdivision of portion of Morena and portion of Pueblo Lot 1195, located at Burgener Blvd. and Clairemont Dr., a 5-lot subdivision consisting of about 22 acres - including church site, site for apartment houses and an area for the south shopping center of Clairemont, was presented.

RESOLUTION NO. 111405, recorded on Microfilm Roll No. 62, approving the Tentative Map of So. Clairemont Shops and Apts. subdivision, subject to 7 conditions, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

\*RESOLUTION NO. 111403, recorded on Microfilm Roll No. 62, suspending Sections 102.07-5, 102.11-2, 102.12-1, 102.12-6, 102.18, 102.17-C of the Municipal Code, in connection with the Tentative Map of North Clairemont Extension, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

In connection with the next matter, Harry C. Haelsig made a verbal explanation.

Communication from the Planning Commission, bearing Harry C. Haelsig's signature, recommending suspension of 2 sections of the Municipal Code, in connection with the Tentative Map of Miguel Vista, was presented.

RESOLUTION NO. 111406, recorded on Microfilm Roll No. 62, suspending Sections 102.18 and 102.17-C of the Municipal Code in connection with the Tentative Map of Miguel Vista, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Miguel Vista, subdivision of portions of Lots 7 & 8 Block C and 1 and K of Narragansett Hts. - a 15-lot subdivision located

southerly of Jamacha Rd., easterly of Cardiff St. and adjacent to Unit # 6 of Lomita Village, was presented - subdivision subject to 10 provisions.

RESOLUTION NO. 111407, recorded on Microfilm Roll No. 62, approving the Tentative Map of Miguel Vista, a subdivision of portions of Lots 7 and 8 Block C and 1 and K of Narragansett Heights, subject to 10 conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for the proposed rezoning from R-1 to M-1A, being portion of Pueblo Lot 1339, in Sorrento Valley, was presented. The report stated that there is no road serving the property at this time, and it is marshy and under water a good part of the year, that it abuts on the southeast an existing M-2 zone and on the southwest the A.T.&S.F. Ry. Right of Way. It states, further, that the Planning Commission felt that the property will be used only for industrial purposes because it is accessible only by a railroad and voted 4-0 to recommend adoption of the proposed M-1A, and suggested forwarding to the City Attorney's office for the drafting of a proper ordinance.

RESOLUTION NO. 111408, recorded on Microfilm Roll No. 63, adopting recommendation of the City Planning Commission for rezoning portion Pueblo Lot 1339 adjoining A.T.&S.F. Ry. (vicinity of Highway No. 101 and Sorrento Slough), from the present R-1 Zone to M-1A Zone; directing the City Attorney to prepare and present the necessary ordinance making said change in zone, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, stating that in the approval of the Tentative Map of Lomita Village Unit #6, approved by Resolution No. 110136 on January 20, 1952, it was required that the existing Potrero St. remain open from Friden St. to the east boundary of the property to provide access to the large acreage lots to the east, was presented. It states that in the interim, subdividers have offered dedication of an alternate street which has been favorably recommended upon by the Planning Commission. The Commission, it points out, also recommended elimination of the requirement of Potrero St. through said Unit of Lomita Village.

Communication from the Planning Commission, reporting that the Republic Development Company has offered dedication of Wade Street and Dell Anne Place, a 56 foot street, through Lots 7 and 8 Block C Narragansett Street in lieu of Potrero Street extension which was required to be left open and widened in Unit 6 of Lomita Village, was presented. It stated, further, that since offering to dedicate said street, subdividers have submitted Tentative Map of Miguel Vista which is on the Planning docket. Also, it states there are no departmental objections to the dedication, that the City Engineer has recommended acceptance and dedication without requiring improvements. It states that it appears to the Planning Office that in case Miguel Vista Subdivision was not filed, that the street should be graded to provide access to properties to the east, that if favorable action is taken on the proposed opening, in all fairness the Tentative Map approval on Unit #6 Lomita Village should be amended to eliminate the requirement for the opening of Potrero Street through the unit of Lomita Village.

RESOLUTION NO. 111409, recorded on Microfilm Roll No. 62, declaring that the requirement of the widening and continuation of Potrero St. from Friden St. to the easterly boundary of the property will not be required upon proper closing of the Street and upon the granting of rights of way of Dell Anne Pl. and Wade St. as shown on Dwg. 4836-B and acceptance by the Council, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Attorney, signed by J. F. DuPaul, bearing date March 23, 1953, being an opinion pursuant to the request of the Harbor Commission relative to the proposed amendment to Section 54 of the City Charter to be submitted April 21, 1953, was presented. It deals with the effect of proposition K on the ballot of said date, is adopted, and is a lengthy, detailed explained effect insofar as the Harbor Department and the tidelands under control of said Commission, are concerned.

The City Attorney was requested to send a copy of said opinion to the press.

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

Communication from the Executive Board of the Grant School Parent-Teacher Association, in connection with action taken at the March 17, 1953, meeting and at which a Resolution was adopted relative to suitable tennis courts in lieu of tennis courts formerly used and enjoyed by the pupils of the Grant School and residents of the entire district when Washington Freeway was constructed, was presented.

Said communication, signed by Jane Moore (Mrs. A.E.) president), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, referred to the Budget Conference, by RESOLUTION NO. 111410, recorded on Microfilm Roll No. 62.

Communication from Hotel San Diego, signed by Carl P. Frank, general manager, dated March 28, 1953, relative to shooting gallery being constructed directly across Broadway from said hotel, was presented. It mentions the fact that when a shooting gallery was operated in about the same location it was impossible for guests to sleep until after the gallery was closed in some instances as late as 1:00 to 1:30 A.M. It asks if there is any way that said shooting gallery may be compelled to close by 10 PM if it has been legally licensed to do business, or if there is any way to prevent its



beginning operation. The communication states that the gallery is a public nuisance, and that every other merchant along the street in the locality feels the same way.

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

Communication from Pacific Beach Diamond Squares, signed by Tillie Street, Secty., dated March 27, 1953, requesting improvements at the Pacific Beach Recreation Center, which lies southeasterly of the intersection of Diamond Street and Gresham Street, was presented. The communication states that said organization meets on Friday evening of each week, and members believe that the most needed improvement is a wooden floor covering the present cement in the main hall (for said organization's Square Dancing).

RESOLUTION NO. 111411, recorded on Microfilm Roll No. 62, referring communication from Pacific Beach Diamond Squares, requesting appropriation for installation of wooden floor in the Pacific Beach Recreation Center main hall, to Budget Conference, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Eric Sanders, 7861 Normal Avenue, La Mesa, California, dated March 29, 1953 - being copy of letter to Voice of the People, San Diego "Evening Tribune", was presented. Said communication suggests exhibiting an old steam locomotive and an old steam car in Balboa Park.

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

Communication from San Diego Harbor Grange, No. 775, dated March 27, 1953, signed by James M. Lytle, Master, was presented. Said communication states that there is no single factor so vitally important to San Diego's future economic security as the comprehensive development of the entire San Diego Bay, and it submits a resolution in support of a San Diego Port Authority. It states that the Grange will greatly appreciate notification of any additional assistance it can render in the furtherance of that farsighted project.

RESOLUTION NO. 111412, recorded on Microfilm Roll No. 62, referring communication from San Diego Harbor Grange No. 775 submitting Resolution in support of a San Diego Port Authority, to Council Conference to be held with the Harbor Commission, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from San Diego Sports Commission, Administration Building, Balboa Park, dated March 23, 1953, was presented. In addition to making various observations, the communication states that the Commission sincerely regrets that it was unable due to various reasons to fulfill the functions for which it was created, and that the Commission is most appreciative of the trust and confidence placed in it. It states that the Commission feels that it is no longer serving a useful purpose, and requests that the necessary steps be taken by the Council and the Board of Supervisors to abolish said commission. The communication points out that members of the Commission wish to pledge their continued cooperation and will continue to serve individually or collectively in any way they can.

The City Manager suggested that a letter of appreciation be sent.

Councilman Dail, commending the organization said that the Commission is making an unprecedented move.

On motion of Councilman Schneider said matter was referred to the City Attorney for preparation of the necessary Resolution regarding termination of the commission, commendation for services rendered, and relative to transfer of funds set up, which motion was seconded by Councilman Dail.

Communication from E. Werden Conway, 530 Spreckels Building, San Diego 1, dated March 27, 1953, referring to an appearance he had made before the Council at which time it was stated that copy of text of Dr. Gallagher's address would be sent to the Council. It asked that when members of the Council have read it that it be returned to him in the enclosed envelope.

Members of the Council seemed a little puzzled, inasmuch as the text of the address gave no clue as to the subject previously under discussion.

The City Manager suggested that the matter might be referred to him.

On motion of Councilman Dail, seconded by Councilman Schneider, the communication and clipping transmitted were referred to the City Manager.

Communication from the Port of San Diego, dated 1 April 1, 1953, signed by John Bate, Port Director, was presented.

The communication referred for consideration and approval 3 Documents for Council consideration and approval:

Solar Aircraft Company Lease: covering parking lot adj Harbor Drive between Thorn and Grape Streets - 3-year period at \$195 per month and agreement as additional consideration, grading the southerly 1/2 of Hawthorn Street and installation of curbs along the southerly line of the street fronting the leased premises at the lessee's cost and expense.

The Flying Tiger Line, Inc., Agreement for Amendment of Lease (Amendment No. 1): affecting modification of lessee's landing fees in order that said fees may more closely conform with those of other carriers on Lindbergh Field.

Shields B. Craft Agreement for amendment No. 1; affecting modification of

Port of San Diego communication continued:-

lessee's landing fees in order that they may more closely conform with those of other carriers on Lindbergh Field.

It states that terms and conditions of the aforementioned documents comply in all respect with established Harbor Commission policy.

In connection with the next matter, John Bate explained the terms of the lease, and the improvement cost. He said that the lease fee is about 5¢ per square foot, and that parking is not restricted.

RESOLUTION NO. 111413, recorded on Microfilm Roll No. 62, ratifying, confirming and approving lease, a copy of which is on file in the Office of the City Clerk as Document No. 466385, between The City of San Diego acting by and through the Harbor Commission as Lessee, and Solar Aircraft Company as Lessee, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

In connection with the next matter, Mr. Bate said that it is a modified lease.

RESOLUTION NO. 111414, recorded on Microfilm Roll No. 62, ratifying, confirming and approving Agreement for Amendment of Tideland Lease between The City of San Diego and the Flying Tiger Line, Inc., in accordance with Document No. 466387 on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The Council asked for no report from the Port Director on the next matter.

RESOLUTION NO. 111415, recorded on Microfilm Roll No. 62, ratifying, confirming and approving the Agreement for Amendment of Tideland Lease between The City of San Diego and Shields B. Craft, in accordance with Document No. 466390 on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Proposed Lease with Paulardo Sport Fishing, Inc., which had been before the Council on March 19, adjoining the existing Point Loma Sportfishing Association's lease, which had been brought before the Council on communication from Procopio, Price, Cory and Schwartz which firm had requested to be heard in opposition, was presented at this time. Said firm had been notified by the City Manager's office that the matter was on today's agenda; also the Manager's office had notified Edwin Campbell representing the proposed lessee of the item being listed today.

The Mayor told those interested in the lease that it had been brought to the Council by the Harbor Commission.

Todd Smith, attorney, with the firm of Procopio, Price, Cory and Schwartz was heard. Mr. Smith told the Council that he had been retained by the Pt. Loma Fishing Association, and said that inasmuch as members of the Association are out fishing, and it had not been possible to prepare a complete case, he asked for a postponement for a period of 2 weeks. He stated that because of the complicated nature of the matter, the Council would profit by such a postponement.

The Procopio, Price, Cory and Schwartz letter, signed by Todd Smith, was presented to the Council. Mayor Butler and Councilman Wincote read it silently.

Mr. Smith said that it is thought that the proposed lease is not in the best interest of the City, the Harbor Commission and otherwise. Again he asked for a postponement for the purpose of preparing better argument. Mr. Smith said that the proposed pier, in Point Loma, would be less than 25 years from the present piers. He said that the existing piers "started with nothing," and that the operators had built up a good business. He told the Council that it would be in the interests of all not to ratify the proposed lease, inasmuch as all would not be served, being next to the present pier. He stated, however, that his clients do not want a monopoly; they just don't want another pier "next door".

Councilman Wincote pointed out that the Council has never refused to grant a hearing when requested.

Councilman Dail said that if the reason for postponement is not known, others might wonder about the reasons for granting the same.

Councilman Wincote stated that this is not a hearing - just a request for one.

The Mayor stated that if the Lessees have no objection to continuing with the matter, a hearing might well be conducted at this time.

Mr. Smith said that individuals had been present before the Harbor Commission before the lease had been recommended to the Council.

Edwin Campbell, representing the Paulardo Sport Fishing, Inc., the proposed lessee, stated that there had been appearances before the Harbor Commission 2 or 3 months ago. He said that he thinks the objection raised is relative to the competitive basis. He stated that he objects to a continuance, inasmuch as the sport fishing season is about ready to start, and does not want the lease held up beyond the starting time.

Councilman Schneider asked if the Harbor Commission could issue a permit for occupancy for a period less than one year before coming to the Council.

John Bate, Port Director, replied "yes", but added that the Harbor Commission had been criticised for such action.

Councilman Wincote said that the City is up against a situation - not an argument between 2 factions. Again he said that this is not a hearing, but that the Council has never refused a hearing.

Councilman Dail said that if a competitor comes in and shows that the proper procedure has not been had, or that the matter is detrimental to the public good, it might be advisable to have a hearing.

Councilman Godfrey said that good grounds had not been shown for asking a delay. He said that there had been reasonable representation in the Port. He said that there is nothing new or startling in the case. He said that the issue had been brought up a couple of weeks ago, and that the terms had been known several weeks ago.

Councilman Dail said that Mr. Bate should give information in the matter.

The Mayor said that it should be determined if a continuance is advisable. He told the Council that before arguing, it should be decided if the request of Procopio Price, Cory and Schwartz should be granted.

Councilman Dail moved to deny the request for the continuance, which motion was seconded by Councilman Godfrey.

The roll was not called.

Mr. Bate said that there had been a series of meetings in the matter, and that negotiations had gone on over a period of 3 months. He said that there is the question of location of the proposed pier, and told of the improvements in the area for use of all. He said that there had been a debatable point on the part of the Harbor Commission relative to the siphoning off of business, from the present operation. He told about the type of facility of the present operation. He said that there has been a charge of monopoly, which is partly true. Mr. Bate told of requests, of membership, and also about the matter of chartered boats. He said that he wants to verify dates of past activities. He told about the number of boats of the 2 organizations. Mr. Bate declared that sport fishing is encouraged by competition, and declared that there is the matter of location involved. He said that the location for the proposed operation is advisable, that it is known as fishing operation area, has restaurant and improvements. He said that the site proposed is the only one possible, except to the south. He said that it is the policy to have no sport fishing boats in the yacht basin. Space, he told the Council, is limited in the Basin.

Howard Minor, manager of the H. & M. Sports fishers, was heard next. He said that the Sports Fishers he represents had been in business 4 or 5 years at the Foot of Broadway. Then all parking facilities had been taken up by the parking meters which had been installed, and that as a result there is no place left for patrons' automobile parking. He said that he does not object to competition, but asked that the new lessee be not located so close to the present operation. He agreed that there had been no objection to moving in on the pier, by the Point Loma Association. The new lessees, he stated, have no following although the present operators do. He said that the new operators should not move in next to the present lessees, and he protested the proposed move.

J. F. DuPaul, City Attorney, asked about the matter, replied that it is just a matter of policy.

Councilman Schneider asked the Port Director if it is not the policy to separate like types of operation.

Mr. Bate replied that it is, but that this is the best suited place for the purpose. The Basin, he said, is filled now. He told of the operation and the lessees in the area. Mr. Bate told the Council that 150 to 200 feet would then be available on that side of the harbor for lease.

Councilman Godfrey asked who had put in the present improvements.

Mr. Bate told Mr. Godfrey that \$49,000.00 had been put up by the City.

Councilman Godfrey said that the City cannot have a 1/2 dozen areas for sports fishing. The activity, he said, should be concentrated.

Mr. Minor asked for a hearing before the Harbor Commission. He said that he has no copy of the proposed lease, and said that he wants 2 weeks, or perhaps 1 week.

The Mayor said that the matter is now out of the Commission's hands, that it has considered it previously, and that it is now before the Council.

Mr. Bate said that various discussions had been held, and the final decision made.

Councilman Godfrey stated that the lease terms have nothing to do with the questions.

Mr. Smith spoke again, and said that if the lease gives certain rights which he did not name, it would be opposed.

Councilman Swan wondered if the Harbor Commission can reconsider.

Mayor Butler answered Mr. Swan by saying that the matter has been before the Commission, and that it has been closed by the Commission.

Councilman Schneider spoke about the lease being strictly for charter parties, and wondered if that would ease the situation, as stated by Mr. Bate.

Mr. Minor stated, again, that he does not know the terms of the lease.

George Weaver, member of the Point Loma Fishing Association spoke. He told about a half million dollars having brought in on ticket scales, referring to the City's \$49,000.00 investment. Great expenditures are made throughout the City by patrons, he said. He told about the percentage spent for advertising to build up the area. He spoke about being willing "to take boats in and operate with us." He said he would not object, if subject to the same restrictions. He told about the established business in the area. There is not a surplus of business, Mr. Weaver said, and spoke of operating the finest type of landing on the Coast. Money is plowed back into the business, the speaker said. He said that he does not want another firm to move in on what has already been built up.

Tod Smith said that the City has great interest and control. He spoke about having built up the business, and enjoying a good name, resulting in people from elsewhere coming in on account of the present group.

Councilman Dail declared that the City should not support a monopoly.

Mr. Smith said that services would be lessened, instead of being increased with more operation. He said that there is room for another sport fisher, but not at the expense of the present operator.

Councilman Dail observed that the City is larger now, and growing.

Councilman Godfrey said that the City is not trying to damage the present business. He said, however, that if another area is built up, the City would have to put up further improvements at another \$50,000.00 expenditure.

Mr. Smith asked the City not to put in competitors to cut each others' throats.

Mr. Bate told about the background in relation to the better feeling between the Point Loma Sports Fishing Association and the H. & M. Sports Fishers in the beginning. Both have worked out, however, he declared, and that they are both making money. He stated that the Harbor Commission had heard the arguments, but had granted the lease. The Commission consists of too smart men, he told the Council, to make foolish decisions.



Mr. Weaver said that he has the busiest charter boat in San Diego, but that it is not full regularly.

There was discussion between individual members of the Council and Mr. Weaver over the number of people who use the charter boat. Mr. Weaver said that the price of the boat is \$100.00 per day, and he spoke further about the operation. He said that there is not enough business to operate more. He spoke about the wild cat boaters who are operating now. The wild catters, he said, who operate from various points, do not have the same expenses.

Mr. Smith wanted to know from Mr. Bate about the space left.

Mr. Bate repeated what he had said. There is only space for sport fishing in the commercial basin, not in the yacht basin.

Councilman Dail moved to approve the lease, which motion was seconded by Councilman Wincote.

Councilman Swan asked Mr. Bate about the lease.

Mr. Bate reviewed the lease time.

The roll was called on the motion, resulting in

RESOLUTION NO. 111416, recorded on Microfilm Roll No. 62, ratifying, confirming and approving Tideland lease, a copy of which is on file in the Office of the City Clerk as Document No. 466430, between The City of San Diego acting by and through the Harbor Commission as Lessor, and Paularto Sport Fishing, Inc., as Lessee, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111417, recorded on Microfilm Roll No. 62, authorizing the City Manager to execute lease with Wieland H. Collins and Jennie Collins for portion of San Vicente Reservoir site more particularly described in form of lease filed with the City Clerk as Document No. 466618 for recreational concession purposes at a monthly rental of 7% of the gross revenues to be derived therefrom for a period of 5 years, commencing on the first day of April, 1953, in accordance with terms and conditions of said form, real property value \$100.00 as disclosed by the report of the last appraisal by the Auditor and Comptroller, for the reason that the City will derive revenue not otherwise obtainable, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

(Said lease is at San Vicente Reservoir site)

RESOLUTION NO. 111418, recorded on Microfilm Roll No. 62, authorizing the City Manager to execute agreement with Wieland H. Collins and Jennie Collins, whereby in connection with concession lease of portions of San Vicente Reservoir site, services will be provided for the City and certain City of San Diego permits and tickets will be sold to the public as compensation for which the City will pay 5% of the amount of such sales, as set out in form of lease heretofore filed with the City Clerk as Document No. 466392, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111419, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to enter into contract for and on behalf of the City of San Diego, with Guy C. Lichty and Fern G. Lichty, husband and wife, and Leopold Fellner and Clara M. Fellner, husband and wife, 5319 La Jolla Boulevard, La Jolla, California, subdividers of Campus Heights Subdivision, providing for installation of water mains and appurtenances in said subdivision and for the reimbursement by the City to the subdividers of \$727.85 for installation of 8" water main - Acorn Street and 62nd Street from the easterly boundary of El Cerrito Terrace Subdivision to the northerly boundary of Campus Heights Subdivision (Map No. 2910), and 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 distribution system in said Subdivision, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111420, recorded on Microfilm Roll No. 62, approving Change Order No. 3, dated March 20, 1953, heretofore filed with the City Clerk as Document No. 466395, issued in connection with contract between The City of San Diego and H. H. Peterson for construction of University Heights North Reservoir Drain Extension and the lowering of the Mission Valley Pipe Line, contract contained in Document No. 451616 on file in the office of the City Clerk; amounting to increase in the contract price of approximately \$84.60, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111421, recorded on Microfilm Roll No. 62, approving request of W. A. Robertson Company, contained in Change Order No. 2, for extension of 45 days, to and including April 13, 1953, heretofore filed with the City Clerk as Document No. 466418, in which to complete contract for installation of small water main replacements, Group I, contract contained in Document No. 458239 on file in the office of the City Clerk; extending completion time to April 13, 1953, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111422, recorded on Microfilm Roll No. 62, approving Change Order No. 1, dated March 18, 1953, filed with the City Clerk as Document No. 466420, issued in connection with contract between The City of San Diego and R. A. Wattson & Sons for installation of Oregon Street Pipe Line Replacement, contract contained in Document No. 456364 on file in the office of the City Clerk, changes amounting to increase in the contract price of approximately \$1,084.11, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111423, recorded on Microfilm Roll No. 62, accepting plat, and approving allocation of costs of the Jamacha Road Trunk Sewer Extension, in connection with recommendation of the City Engineer and the City Manager on file in the office of the City Clerk, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Said Resolution states that the normal cost to be paid by the subdividers as provided in the San Diego Municipal Code is determined to be the actual cost, minus the excess cost; the excess cost to be borne by the City subject to later recoupment is determined to be \$6,838.16; that the excess cost to be paid by the City shall be recoverable pursuant to the San Diego Municipal Code by imposition of charge upon the land benefited by connection to said sewer, at the rate of \$21.00 per family unit to be served thereby consistent with said plat and recommendations of the Engineer and Manager; that the Resolution and burden assumed by the City shall be ineffective and inoperative for any purpose (a) until the certificate of the Auditor and Comptroller required by Section 80 of the Charter and then only to the extent that (b) payment of the excess cost above mentioned to John R. Neede as agent for the subdividers is accepted as being payment to the subdividers,

RESOLUTION NO. 111424, recorded on Microfilm Roll No. 62, granting permission to William D. Smith, Jr., General Member of The Tower Bowl, Broadway at Kettner Boulevard, to keep the Tower Bowl bowling alley open and for playing therein one hour after the regular closing hour of 2:00 o'clock A.M., until 3:00 A.M.; on Saturday mornings, to accommodate the swing shift workers from the Ryan Aeronautical Company, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111425, recorded on Microfilm Roll No. 62, authorizing J. H. Shaw, Purchasing Agent, to attend the Annual Convention of the National Association of Purchasing Agents, to be held in Los Angeles on May 24 to and including May 27, 1953; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

ORDINANCE NO. 5539 (New Series), recorded on Microfilm Roll No. 62, appropriating \$6,850.00 from the Unappropriated Balance Fund, for the purpose of providing funds to pay the City's share of the cost of a trunk sewer extension in Jamacha Road, to serve Lomita Villages, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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

The final reading of such Ordinance was in full.

ORDINANCE NO. 5540 (New Series), recorded on Microfilm Roll No. 62, appropriating the sum of \$3,900.00 from the Unappropriated Balance Fund, for the purpose of providing funds to pay the cost of certain street improvements being made by the Republic Development Company in front of property being purchased by the City for Playground purposes, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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

The final reading of such Ordinance was in full.

The Mayor inquired if anyone in the audience had any matters to be brought before the Council. There was no response.

There being no further business to come before the Council at this time. Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said meeting was adjourned at the hour of 11:13 o'clock A.M.

Upon leaving the Council Chambers, the Mayor announced that 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,  
Tuesday, April 7, 1953

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, Kerrigan, Dail, Godfrey, Mayor Butler.  
Absent---Councilman Schneider  
Clerk-----Fred W. Sick

The Minutes of the Regular Council Meetings of Tuesday, March 31, 1953 and of Thursday, March 26, 1953, were presented to the Council by the Clerk.

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

At this time Mayor Butler awarded to the following City employees, service emblems for their long-time service with the City of San Diego:

Robert L. Simpson, Supervisor of Division of Water Recreation - 25 years;  
Collier Glover, Laborer, Division of Streets, Public Works Department - 25 years.

Said matter was listed later on the agenda, but was up at this time out of order.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2116 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 42 City Heights, within the limits and as particularly described in Resolution of Intention, the Clerk reported that written appeal had been received from Henry Jordan, which appeal was presented to the Council.

The City Engineer reported a 1.7% appeal, based on cost of the work.

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

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

RESOLUTION NO. 111426, recorded on Microfilm Roll No. 62, overruling and denying the appeal of Henry Jordan from the Street Superintendent's Assessment No. 2116 made to cover the costs and expenses of 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; overruling and denying all other appeals; confirming and approving the Street Superintendent's Assessment No. 2116; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing the Street Superintendent to record in his office said warrant, diagram and assessment, was on motion of Councilman 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. 2115 for the paving and otherwise improving the Alley in Block 67 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 104943; the Clerk reported that no written appeals had been received.

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

No one appeared to be heard verbally, and no written appeals were filed.

RESOLUTION NO. 111427, recorded on Microfilm Roll No. 62, confirming and approving the Street Superintendent's Assessment No. 2115 made to cover 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; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2113 made to cover the costs and expenses of the work of paving and otherwise improving of Pynchon Street, within the limits and as particularly described in Resolution of Intention No. 104944, the Clerk reported that written protests had been received from Lela G. Harshaw, and from Hisayo D. and Joseph Y. Tavabe, which protests were presented to the Council.

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



No one appeared to be heard verbally, and no written appeals were presented. RESOLUTION NO. 111428, recorded on Microfilm Roll No. 62, overruling and denying the appeals of Lela G. Harshaw and of Hisayo D. Tavabe and Joseph Y. Tavabe, from 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, overruling and denying all other appeals; confirming and approving said Assessment; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2118 made to cover the cost and expenses of the paving and otherwise improving of Puterbaugh Street, within the limits and as particularly described in Resolution of Intention No. 105803, the Clerk reported that no written appeals had been presented.

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

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

RESOLUTION NO. 111429, recorded on Microfilm Roll No. 62, confirming and approving the Street Superintendent's Assessment No. 2118 made to cover the paving and otherwise improving of Puterbaugh Street, within the limits and as particularly described in Resolution No. 2118; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2117 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block A Belmont, the Clerk reported that written appeals had been received from Meyer Rimland and from Marie B. White, which appeals were presented to the Council.

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

Prior to a verbal appellant, the City Engineer reported a 5.2% appeal filed.

Meyer Rimland appeared to be heard, and told the Council that he had not signed the petition, but that he is willing to pay his share of the cost. He stated that is unable to use his garage as a result of the alley improvement. Also, Mr. Rimland said, he that damage had been done to the driveway curb.

The City Engineer said that the Contractor will fix the curb damage, but that the garage is located above grade, and that the property owner will have to provide the correct grade.

Councilman Wincote was excused from the meeting.

The Mayor spoke to Mr. Rimland, and told him that he will have to have the garage conform to the grade.

Mr. Rimland replied that the City should have notified him of the work which has not made his garage useless.

Councilman Dail stated that the question affecting grades insofar as they affect garage levels, comes up regularly when the buildings do not conform with the future improvement grades. That happens all the time, he said.

Mr. Rimland said that he had been raised right in the old country. He asked "why do things like that", to make the garage useless. He stated that he wants the contractor to fix the situation, and said that he is willing to pay the bill. He said that the alley should not have been torn up with notice to him.

Councilman Dail stated that the situation should be referred to the City Manager, and that he do as much as possible, including correction of the drainage problem.

RESOLUTION NO. 111430, recorded on Microfilm Roll No. 62, referring to the City Manager for investigation the protest of Meyer Rimland, 4495 Euclid Avenue, in connection with the matter of his being unable to reach his garage as a result of the paving the Alley in Block A Belmont, also Mr. Rimland's protest against the water situation as a result thereof; requesting the City Manager to give as much help as possible in correcting the existing condition, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

Mr. Rimland spoke again and said that he wants to know what is to be done. He said that he does not want a run around.

RESOLUTION NO. 111431, recorded on Microfilm Roll No. 62, overruling and denying the appeals of Meyer Rimland and of Marie B. White from the Street Superintendent's Assessment No. 2117 made to cover the costs and expenses of the work of paving and otherwise improving the Alley in Block A Belmont, within the limits and as particularly described in Resolution of Intention No. 106458, overruling and denying all other appeals thereon; confirming and approving the Street Superintendent's 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 Dail, 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. 110840, for the paving and otherwise improving of 41st Street and Broadway, 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 Swan, seconded by Councilman Kerrigan, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 110841, for the paving and otherwise improving of Moana Drive, 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 Kerrigan, seconded by Councilman Swan, said 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 proposed assessment for the furnishing of electric current for the lighting of the ornamental street lights located in Crown Point Lighting District No. 1, the Clerk reported that no written protests had been presented.

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

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

RESOLUTION NO. 111432, recorded on Microfilm Roll No. 62, 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 the ornamental street lights located in Crown Point Lighting District No. 1, in accordance with the Engineer's Report and Assessment filed in the office of the City Clerk March 2, 1953; adopting said report as a whole, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed assessment for the furnishing of electric current for the lighting of the ornamental street lights located in Garnet Street 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 filed.

RESOLUTION NO. 111433, recorded on Microfilm Roll No. 62, 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 the ornamental street lights located in Garnet Street Lighting District No. 1, in accordance with the Engineer's Report and Assessment filed in the office of the City Clerk March 2, 1953; adopting said report and Assessment as a whole, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed assessment for the furnishing of electric current for the lighting of ornamental street lights located in Presidio Hills 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 filed.

RESOLUTION NO. 111434, recorded on Microfilm Roll No. 62, 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 the ornamental street lights located in Presidio Hills Lighting District No. 1, in accordance with the Engineer's Report and Assessment filed in the office of the City Clerk March 2, 1953; adopting said report and Assessment as a whole, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

Inasmuch 6 votes of the Council were needed to adopt the Resolutions on the next 2 matters, the Sergeant of Arms was sent by the Mayor to bring back Councilman Wincote, who was absent under action by the Mayor excusing him earlier.

Councilman Wincote returned to the meeting during the discussion on the next hearing.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 110978 of Preliminary Determination for the paving and otherwise improving of the Alley in Block 8 E. W. Morse's Subdivision, 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. 111435, recorded on Microfilm Roll No. 62, determining that the proposed improvement of the Alley in Block 8 E. W. Morse's Subdivision, within the limits and as particularly described in Resolution No. 110978 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 Kerrigan, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 110978 of Preliminary Determination for the improvement of the Alley in Block 8 E. W. Morse's Subdivision, 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 filed.

Councilman Wincote returned to the meeting.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 110979 of Preliminary Determination for the improvement of Pacific Beach Drive, between Riviera Drive and Jewell Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Mr. Clark, who did not give his first name or initials, who stated that he represented his daughter whom he did not name, asked the Council for information regarding curbs.

The City Engineer spoke about the curbing identified by Mr. Clark as being at Pacific Beach Drive and Haines Street, and told of the City using the curb which is already there. There will be no charge for curb at the location mentioned.

RESOLUTION NO. 111436, recorded on Microfilm Roll No. 62, determining that the proposed improvement of Pacific Beach Drive, within the limits and as particularly described in Resolution No. 110979 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 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.

The hour of 10:00 o'clock A.M. having arrived, being the time to which the hearing was continued from the meeting of March 31, 1953, on Resolution of Preliminary Determination No. 110844, in connection with the question of substituting asphalt for cement concrete, Councilman Kerrigan moved to continue the hearing for one week.

The City Engineer gave the Council an estimate, being a lesser figure for the use of asphalt. The Property owners as a whole had not been advised, he said. The difference in cost, the Engineer told the Council would be about \$25.31 per 25-foot lot.

Mr. Steck, who had no property involved in the proceeding, but spoke in behalf of contractors, was heard. He said that he did not agree with the City Engineer. When the matter of lot sizes had been gone into between the Engineer and Mr. Steck offered his apology when he was told by the Engineer that he made his estimate on 25-foot lots.

At first it was proposed to continue the hearing one week, and direct the City Engineer to notify the 3 protestants on the cost of a change to asphalt concrete. However, that was changed to provide for the Engineer to notify all the affected property owners.

RESOLUTION NO. 111437, recorded on Microfilm Roll No. 62, continuing the hearing on Resolution of Preliminary Determination No. 110844 for the paving and otherwise improving of the Alley in Block 109 Central Park one week; directing the City Engineer to notify all the affected property owners relative to the difference in cost for use of asphalt concrete instead of the proposed cement concrete, and ascertain their views thereon, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent reporting on bids for improvement of Yacht Harbor Drive, Shelter Island, for the Harbor Department, received from 4 bidders on March 18, 1953; recommending award to Sim J. Harris, low bidder, in the sum of \$40,042.00 which includes Alternates 3-a and 4-a, was presented. It states that the Harbor Department estimate was \$42,123.00.

RESOLUTION NO. 111438, recorded on Microfilm Roll No. 62, accepting bid of Sim J. Harris Company for improvement of Yacht Harbor Drive, Shelter Island, for the sum of \$40,042.00, including Alternates 3-a and 4-a; awarding contract, authorizing and instructing a majority of the members of the Harbor Commission to execute contract pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent reporting on bids for furnishing 16 Airport Type Fluorescent Luminaires for the Harbor Department, received from 2 bidders on April 1, 1953; recommending award to General Electric Supply Company, a Division of General Electric Distributing Corporation of San Diego, was presented.

RESOLUTION NO. 111439, recorded on Microfilm Roll No. 62, accepting bid of General Electric Supply Co. for furnishing 16 Airport Type Fluorescent Luminaires @ \$150.00 each, or \$2,400.00 plus State Sales Tax; awarding contract, authorizing and instructing a majority of the members of the Harbor Commission of The City of San Diego to execute on behalf of The City of San Diego a contract pursuant to specifications 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, reporting on bids for construction of power and telephone manholes and ducts at De Anza Point Mission Bay Park, received March 25, 1953, from 5 bidders; recommending award to Ets-Hokin & Galvin, low bidder, in the amount of \$18,800.00 - approximately \$7,000.00 under the average of bids received, and less than half of the high bid received, was presented.

RESOLUTION NO. 111440, recorded on Microfilm Roll No. 62, accepting bid of Ets-Hokin & Galvan for construction of Power and Telephone Manholes and Ducts at De



Anza Point, Mission Bay Park, for \$18,000.00; awarding contract, 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 Swan, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of culvert in Lots 26, 27, 28 Block 35 Fairmount Addition, received March 25, 1953, from 6 bidders; recommending award to Pace Construction Company, low bidder - bid 20.7% below the estimate - was presented.

RESOLUTION NO. 111441, recorded on Microfilm Roll No. 62, accepting bid of Pace Construction Company for construction of culvert in Lots 26, 27 and 28 Block 35 Fairmount Addition; awarding contract, authorizing and instructing the City Manager to enter into and execute a contract therefor pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for approximately 50 tons of Sodium Silicofluoride for the Water Department, was presented.

RESOLUTION NO. 111442, recorded on Microfilm Roll No. 62, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing approximately 50 tons of Sodium Silicofluoride in accordance with Document No. 446704 was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager, referring to communication from Bonded Builders requesting that the City obtain and dedicate a street easement for opening of Arosa Street for a distance of approximately 187 feet across property of College Baptist Church, and the Assistant Planning Director's communication bearing Document No. 465012 was presented.

The communication states that the matter has been discussed with the Planning Department and with Mr. Kaufman of said builders. The communication reports, further, that facts appear:

1. The proposed subdivision, College Terrace, has access to the intersection of Rose and Millar Streets, which are now being paved under a 1911 Act project;
2. The Planning Commission has placed no requirement upon the subdivider for opening Arosa Street westerly across the church property.

It states that while the Manager agrees with the subdivider that the opening and improvement of Arosa Street to College Avenue would be desirable, it is the opinion that dedication should not be sought by the City or accepted by the City until and unless some plan is developed for completing the necessary improvements. Also, the communication recommends that the Tentative Map of College Terrace be approved, and the Bonded Builders be advised that the City will not accept dedication of the portion of Arosa Street west of their subdivision unless arrangements have been completed for improvement of the street to City standards.

The City Manager made a verbal report relative to the Street to the west, which he told the Council is not essential to the subdivision. He said that when the people to the west propose a subdivision, that matter can be handled later. It is in acreage, now, the City Manager said, except for one house. Most of the property affected is owned by the Church, the Manager said. He showed members of the Council a rough sketch and in its connection made an explanation of the area. He is very familiar with it, he said, inasmuch as he passes over the territory daily.

RESOLUTION NO. 111443, recorded on Microfilm Roll No. 62, adopting recommendation of the City Manager, dated March 20, 1953 - in connection with Bonded Builders request that the City obtain and dedicate easement for opening Arosa Street a distance of approximately 187 feet across property of College Baptist Church - also in connection with Tentative Map of College Terrace, as follows: "That the Tentative Map of College Terrace be approved, and that Bonded Builders be advised that the City will not accept dedication of the portion of Arosa Street west of their subdivision unless arrangements have been completed for improvement of the Street to City standards", was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the City Manager returning Document No. 463988, being petition from Helms Bakeries for annexation of portion of Lot 47 Rancho Mission, and recommending that the petition be granted, was presented.

RESOLUTION NO. 111444, recorded on Microfilm Roll No. 62, granting petition of Property Owners, requesting the annexation of portion of Lot 47 Rancho Mission, contained in Document No. 463988, as recommended by the City Manager under Document No. 466646, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111445, recorded on Microfilm Roll No. 62, giving notice of the proposed annexation to The City of San Diego of a portion of Lot 47 Rancho Mission - as more particularly set forth therein - in the County of San Diego, State of California, to be known and designated as "Lot 47 Rancho Mission Tract", and making reference to written consent of all of the owners of the uninhabited territory that the same may be taxes to pay its proportionate share of any indebtedness or liability of The City of San Diego contracted prior to or existing at the time of the annexation, etc., was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 4 sections of the Municipal Code in connection with the Tentative Map of Mission Valley Rancho Tract #1, was presented.

RESOLUTION NO. 111446, recorded on Microfilm Roll No. 62, suspending Sections 102.07-5, 102.11-2, 102.18, 102.17-C of the Municipal Code, in connection with the Tentative Map of Mission Valley Ranchos Tract No. 1, 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 Tentative Map of Mission Valley Ranchos Tract No. 1, a 20-lot subdivision, each of 1 acre or more located in portion of Pueblo Lot 1111, on Camino Del Rio access road one-fourth mile west of Texas Street - extending southerly to the foot of the slope of Mission Valley Canyon, was presented. Said communication sets out 7 conditions in connection with the subdivision.

RESOLUTION NO. 111447, recorded on Microfilm Roll No. 62, approving Tentative Map of Mission Valley Ranchos Tract No. 1, a subdivision located in portion of Pueblo Lot 1111, approximately a quarter of a mile west of Texas Street, on conditions set forth therein, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, submitting drawing (D.1.12) labelled "Development Plan of La Jolla Community Center", considered by the Commission at a public hearing on March 25, 1953, after notices of hearing had been published, was presented. It states that the Director of Parks and Recreation explained that the La Jolla Town Council is interested in more tennis courts and has offered to provide the funds for construction. Also, the communication states that it was La Jolla's request that they be built at said playground on the south side of Prospect Street between Cuvier Street and Draper Avenue. The Planning Commission, the communication reports, voted 4-0 to recommend that the Development Plan, dated November 1952 be approved in principle, including provision for additional tennis courts, removal of some of the noisy play facilities, and provision for additional lawn and planting areas, and that the general plan be included in the Master Plan of the City, also that the City Attorney be asked to prepare the necessary ordinance for Council action after a public hearing.

RESOLUTION NO. 111448, recorded on Microfilm Roll No. 62, adopting recommendation of the City Planning Commission, filed in the office of the City Clerk April 2, 1953, under Document No. 466609, to include a Development Plan of La Jolla Community Center in the Master Plan of the City; requesting the City Attorney to prepare and present the necessary ordinance for action by the Council, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The continued matter - which had been before the meeting of the Council on March 31, 1953 - being communication from the Street Superintendent denying petition for closing portion of Horton Avenue adjacent to Block 402 Horton's Addition, was presented again. The previous continuance from the first consideration, at which time Mrs. John Tarantino, owner of Lots 7 & 8 Block 138 Middletown, spoke in favor of the closing - was for the purpose of permitting the Council an opportunity to look at the street requested to be closed and the adjoining property.

RESOLUTION NO. 111449, recorded on Microfilm Roll No. 62, denying petition filed in the office of the City Clerk under Document No. 463699 to close Horton Street, 15 feet on the northeasterly side adjacent to Lots D, E, F Block 402 Horton's Addition as recommended by the Street Superintendent; requesting the City Manager to advise Mrs. John Tarantino and other affected property owners of the reason for the denial, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from Frank Luckel, Member of the State Assembly, being copy of one addressed to Tom Wright, Mayor of Oceanside, stating that he will probably vote as San Diego City suggests on A.B. 1640, 1641 and 1642; also that concerning the 4% sales tax he intends to oppose it inasmuch as taxes are high enough to support the Government if they will exercise the necessary economy, was presented.

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

Communication from Leonard Lafferty, Secretary, Pacific Beach Business & Professional Association, P.O. Box 242 Pacific Beach Station, San Diego 9, dated April 2, 1953, was presented. It refers to conversations with the City Manager, members of the Council and Pacific Beach residents relative to traffic problems faced by the Pacific Beach and La Jolla areas, and expresses views relative to roads, and use of Gas Tax Funds, was presented. On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said communication was referred to the City Manager.

Communication from San Diego Symphony Orchestra Ass'n, Suite 2, House of Hospitality, Balboa Park, signed by Donald A. Stewart, President, dated April 1, 1953, was presented. The communication requests, at the direction of the Executive Committee, a request for an appropriation by the City of San Diego in the sum of \$5,000.00 for the summer season of 1953 of the Association. It outlines events to be held, and requests favorable consideration.

RESOLUTION NO. 111450, recorded on Microfilm Roll No. 62, referring communication from San Diego Symphony Orchestra Assn., filed in the office of the City Clerk

as Document No. 466612 requesting \$5,000.00 appropriation to the Budget Conference file for 1953-1954, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from San Diego Municipal Employees' Association, Inc., Room 6 B Street Pier, San Diego 1, dated April 2, 1953, transmitting salary requests and recommendations in connection therewith, for the fiscal year 1953-1954, was presented.

Mary Harvey, representing the Association, made a verbal plea in connection with the salary matter. Last year, she pointed out, the Council ran out of time, and said that it is desired to avoid that this year. She asked that the Civil Service recommendation be furnished to her at the same time as to the Council.

Members of the Council informed Miss Harvey that if she did not receive the recommendation from the Commission, the Council would see that the Association gets it.

RESOLUTION NO. 111451, recorded on Microfilm Roll No. 62, referring communication from San Diego Municipal Employees' Association, filed in the office of the City Clerk on April 6, 1953, under Document No. 466709, forwarding salary request and recommendations for 1953-54, to the Budget Conference file for the fiscal year 1953-54, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, reporting on bids received March 31, 1953, for the paving and otherwise improving of 62nd and Ferguson Street, within the limits and as particularly described in Resolution of Intention No. 110165, was presented. Said report itemized the bids, and recommended award to Cox Bros. Construction Co., the low bidder, at \$41,447.74 - being 15.0% below estimate.

On the date of receiving the bids, a petition of protest from property owners against the high cost, was presented to the Council. That petition was referred by the Council to the City Engineer.

Mrs. Smith, whose first name was not given, 612 - 62nd Street, was recognized, when she asked to speak. Mrs. Smith said that she had circulated the petition. She told the Council that the paving is needed, but not at a high cost.

The Mayor pointed out that it is up to property owners to make the determination. He said that if the lowest bid is not accepted, the Council would have to go through the proceedings again on new specification.

The City Engineer, speaking on the question, said that "everybody does not stand in line." He said that he does not know what another bid would be.

Mrs. Smith told the Council that the lots are 50 ft and 54 ft wide.

The City Engineer said that there are 61 lots of various sizes - 92 parcels. He said that an award of contract, if bidders stand still on present prices, would be does not know what a future bid would be. He read various possible lesser prices to the Council. Cox, he said, is an in and out bidder, and that he might not bid again even if he had the present low bid. He had made a very favorable bid this time, the Engineer stated. Cox does not bid over half of the jobs, and that if he drops out on another bid, there would be a different figure.

There was discussion between Councilmen Wincote and Dale as to the merits of the request, and the possible future bid price.

The City Engineer told the Council that Cox had given an unusually low excavation bid. He said, also, that it does not make too much difference in the matter of thickness of the pavement.

Mrs. Smith stated that she had circulated both petitions, and that she had been asked by the property owners to represent them. She said that they cannot afford a high cost.

The Mayor declared that property owners would be getting a better paving under the present specifications and bid, than under another that would be almost the same cost.

Mrs. Smith stated that the streets are not much traveled. Heavy paving is not needed, she said.

There was discussion between Councilman Dail and Mrs. Smith in regard to the two petitions.

Mrs. Smith said that only about 2 did not want the less expensive paving, and had refused to sign the petition relative to the cost.

Councilman Wincote said that he thinks the matter should be decided by the people. He said that it is close, one way or the other. Another bid, he said, might save very little. He said that the City could go back "to the petition", instead of going back all the way. He pointed out that the property owners apparently do not have the money for expensive work.

The City Engineer told the Council that tests had been run. He stated, however, that he had no comparative tests, inasmuch as another nearby street had been paved without soil tests.

Councilman Dail said that the Council is not familiar with the soil tests, being a technical matter.

Councilman Wincote moved to continue the matter one week "for the lady's benefit."

Councilman Swan moved to abandon the proceedings.

The City Engineer stated that tests show high expansion, with much adobe.

Councilman Dail said that he lives on the street, and that there is largely an adobe condition.

There was discussion between Councilman Wincote and the City Engineer regarding the soil type. The Engineer told about the difference of adobe. If it is wet, he said, it has practically no bearing quality. Cement Concrete and Asphalt Concrete both would crack, he said. Tests, the Engineer said, are made by a testing laboratory.

Councilman Swan moved to reject the bids, which motion was seconded by Councilman Dail. The roll was not called on the motion at this point.



Willard Olson, from the City Engineer's Office, said in answer to question put by Councilman Wincote, is 52.2%.

There was discussion between Councilman Godfrey and Mrs. Smith regarding last week's petition of protest (received after the bids had been opened, on that same day.) The City Engineer said that the 52.2% was based on plotting of the protests on a map.

Mrs. Smith said that the ones she could not contact told her later that they were in favor of the 4" paving.

Councilman Dail checked the protest petition against the Engineer's plotting of the petitions.

There was discussion between Councilman Dail and Mr. Olson over the property ownership.

Mrs. Smith said that all except the 2 persons would have signed the protest, if they could have been contacted.

Councilman Godfrey said that the Council has 2 factors to consider. He stated that it is not a case of Council super-engineering knowledge, but property owners'.

Councilman Swan said that he does not like to override the City Engineer, but that the proposed improvement furnishes a good opportunity to test the matter.

Mrs. Smith stated that property owners are willing to take a chance on a saving.

Councilman Wincote said that property owners should be advised regarding the required delay.

The City Engineer said that there would be 5 months or more, if the proceedings are started over now. He said that he had not broken down costs, but had an estimate. The present expenses, incurred under this proceeding, would be tacked onto a new job, he said. There would not be great extra engineering costs, the Engineer stated.

The Mayor said that there may be a very little saving, but a delay caused.

Councilman Wincote said that favorable bids had been received.

The roll call was taken on the motion, resulting in the following Resolution:

RESOLUTION NO. 111452, recorded on Microfilm Roll No. 62, rejecting bids and abandoning proceedings for the improvement of 62nd Street and Fergus Street, within the limits and as particularly described in Resolution of Intention No. 110165 - bids offered under Resolution Ordering Work No. 119072; rescinding all proceedings subsequent to adoption of said Resolution of Intention, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

Councilman Dail said that the project should be re-engineered. The following Resolution was in accord with that statement:

RESOLUTION NO. 111453, recorded on Microfilm Roll No. 62, directing the City Engineer to furnish description of the assessment district, and a plat showing the exterior boundaries of the 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 62nd Street, and Fergus Street, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 111454, recorded on Microfilm Roll No. 62, 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 Vista Del Mar Avenue, within the limits and as particularly described in Resolution of Intention No. 110355, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

A written report from the City Engineer states that the low bid of V. R. Dennis is 9.9% above the estimate.

RESOLUTION ORDERING WORK NO. 111455, recorded on Microfilm Roll No. 62, 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, in accordance with Engineer's Report and Assessment filed February 20, 1953, in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111456, recorded on Microfilm Roll No. 62, 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 Talmadge Park Lighting District No. 2, for a period of one year from and including March 1, 1953, to and including February 28, 1954, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 111457, recorded on Microfilm Roll No. 62, 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 Wincote, seconded by Councilman Kerrigan, adopted.

In connection with the next matter, Councilman Swan asked "why close all these streets?"

Glenn A. Rick, Planning Director, replied that all are in the Mission Bay Park, and that the City owns all the property.

RESOLUTION OF INTENTION NO. 111458, recorded on Microfilm Roll No. 62, for the closing of Bond Street, Dalton Street, Reed Avenue, Pacific Beach Drive, Rosewood Street and the Alley in Block 39 Mission Bay Park Tract, within the limits and as particularly set forth in said Resolution; stating that it is not deemed necessary that any land

be taken therefor; setting out the exterior boundaries of the district to be affected and to be assessed to pay the damages, costs and expenses thereof; electing to proceed under the provisions of the "Street Opening Act of 1889"; providing for publication and posting of notices, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 111459, recorded on Microfilm Roll No. 62, for the closing of portions of Morena Boulevard, Hickory Street and Unnamed Street, within the limits and as particularly set forth therein; stating that it is not deemed necessary that any land be taken therefor; setting out the exterior boundaries of the district to be affected and to be assessed to pay the damages, costs and expenses thereof; electing to proceed under the provisions of the "Street Opening Act of 1889"; providing for publication and posting of notices, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111460, recorded on Microfilm Roll No. 62, ascertaining and declaring the wage scale 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 Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111461, recorded on Microfilm Roll No. 62, ascertaining and declaring the wage scale for the paving and otherwise improving of Winona Avenue and 50th Street, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111462, recorded on Microfilm Roll No. 62, 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 Arista Street, within the limits and as particularly described in Resolution of Intention No. 109438 and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111463, recorded on Microfilm Roll No. 62, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on sewer mains in 44th and C Streets, within the limits and as particularly described in Resolution of Intention No. 109663 and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111464, recorded on Microfilm Roll No. 62, 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 Thor Street, within the limits and as particularly described in Resolution of Intention No. 109440 and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval recommending amendment of proceedings to extend to the center line of 28th Street so that the improvement will properly connect with the existing improvements - in connection with Resolution No. 107499 to improve portion of Island Avenue, was presented.

RESOLUTION NO. 111465, recorded on Microfilm Roll No. 62, adopting recommendation of the City Engineer filed in the office of the City Clerk on March 31, 1953 under Document No. 466367; authorizing the City Engineer to amend the proceedings for improvement of portion of Island Avenue in accordance with his recommendation, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

In connection with the next matter, Mary Harvey, representing the Municipal Employees' Association, was heard in connection with the proposed Resolution authorizing notice in connection with amendment to Rules of the Civil Service Commission having to do with outside employment, was heard. She said that before the matter reaches the hearing stage, a clarification is wanted. Miss Harvey said that in discussion with the City Manager it was not definitely decided. It was understood that employees in departments under the City Manager would come under his jurisdiction; that the Civil Service would handle the others. There are two different features, Miss Harvey said.

Councilman Wincote said that for employees not under the City Manager, the matter would be referred to the Civil Service Commission.

Councilman Godfrey stated that in any event an appeal would be provided, and that would be to the Civil Service in both cases.

Miss Harvey said that she said she felt that it was a relevant question, inasmuch there is a division of authority.

A question was asked about the hearing date, and the Clerk replied that it must comply with the law and with the Civil Service rules. The date, he said, for the hearing was not immediately available but that it will be determined and put in the Resolution.

Councilman Godfrey spoke about the Council adopting a Resolution with a blank date, and asked that advice be given on the date.

The City Clerk replied that the date is a routine matter; the Council adopts many resolutions and ordinances with blanks in which the proper dates are filled in as determined.

Councilman Wincote wondered which way it would be - the Godfrey way or the Clerk's way.

(The Council Secretary was notified 4/8/53 that the hearing date will be April 28, 1953)

RESOLUTION NO. 111466, recorded on Microfilm Roll No. 62, 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 of San Diego at least 10 days prior to a hearing to be held by the Council upon the question of adopting said amendment, hearing fixed for the 28th day of April, 1953; also directing him to cause copy of proposed amendment to be posted in 3 public places at least 10 days prior to the date of the hearing - also setting out the proposed amendment in words and figures, having to do with outside employment by City employees - was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111467, recorded on Microfilm Roll No. 62, granting to The Atchison, Topeka and Santa Fe Railway Company, a corporation, permission to install, maintain and operate a spur track in and along Island Avenue and across First Avenue, as more particularly described in said Resolution and in accordance with petition and print on file in the office of the City Clerk as Document No. 465877, upon a revocable basis and upon further provisions thereon - at \$100.00 per year payable in advance as rental for each year that said spur track is in place, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

In connection with the next matter, the City Manager reported verbally, in response to question put by Councilman Swan, that the Resolution is necessary inasmuch as there was a faulty title in connection with the property involved.

RESOLUTION NO. 111468, recorded on Microfilm Roll No. 62, authorizing and directing the City Manager and the City Attorney to prepare and execute a title opinion containing a statement of the quality of land obtained by The City of San Diego in connection with the use of Montgomery Air Field, Project 9-04-033-106, which title opinion shall be submitted to the Department of Commerce Civil Aeronautics Administration, District Airport Engineer, Los Angeles, California, for the purpose of obtaining Federal grant payments in connection with the construction of said Air Field, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111469, recorded on Microfilm Roll No. 62, establishing a parking time limit of two hours, between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted, on Fourth Avenue between the north line of University Avenue and the south line of Washington Street; establishing Parking Meter Zones upon said street; directing the City Manager to cause parking meters to be installed and parking meter spaces to be designated; authorizing and directing installation of necessary signs and markings; repealing all resolutions or parts of Resolutions in conflict, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111470, recorded on Microfilm Roll No. 62, declaring intersection stops:  
49th Street and Date Street, affecting traffic on Date Street;  
49th Street and Elm Street, affecting traffic on Elm Street;  
authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111471, recorded on Microfilm Roll No. 62, establishing parking time limit of one hour between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted: National Avenue, between the east line of 13th Street and the west line of 14th Street; establishing Parking Meter Zones upon said street; directing the City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing and directing installation of the necessary signs and markings; repealing all resolutions or parts of resolutions in conflict, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

In connection with the next matter, Councilman Swan asked why 16 years had been specified in the Resolution authorizing lease for the Big Sisters' home building. The City Manager replied that 16 years required to pay for the sprinkler system installed by the City.

RESOLUTION NO. 111472, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to execute for and on behalf of the City a lease with Big Sister League, Inc., a corporation, of Lot A Block 220 Horton's Addition, together with two buildings located thereon, for a term of 16 years at a rental of \$25.00 per month; more particularly description of the property and terms and conditions set forth in form of lease filed in the office of the City Clerk under Document No. 466883, which real property has a value of \$15,000.00 as disclosed by the report of the last appraisal made by the City Auditor and Comptroller, which lease is for the reason that the City will derive revenue therefrom not other obtainable, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111473, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to execute for and on behalf of the City a lease with Safway Steel Scaffolds of portion of Lot C Pueblo Lot 262, according to Plat No. 33.2 thereof, for a term of 2 years, at a rental of \$75.00 per month; the more particular description



of the property and terms and conditions to be set forth in the form of lease filed in the office of the City Clerk under Document No. 466884; real property has a value of \$7,500.00, 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 Wincote, seconded by Councilman Godfrey, adopted.

In connection with the next matter, the City Manager told the Council that the lease had been agreed to about a year ago. He said, further, that the delay had been occasioned relative to the legal terminology.

RESOLUTION NO. 111474, recorded on Microfilm Roll No. 62, authorizing the City Manager to enter into and execute a lease with the Young Men's Christian Association of San Diego, California, for leasing a portion of land known as a portion of De La Cruz Park, to comply with the terms and conditions set forth in Document No. 466886 on file in the office of the City Clerk; rescinding Resolution No. 109306 adopted November 18, 1952, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111475, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to enter into contract for and on behalf of The City of San Diego, with Steelcrete Industrial Buildings, Inc., a corporation, 3652 Coutts Street, San Diego 1, subdivider of that certain subdivision known as Bay Park Vista Unit No. 3, providing for installation of water mains and appurtenances in said subdivision, and for reimbursement by the City to the subdivider of \$1434.75 for difference in cost of installation of mains and appurtenances larger than necessary for the subdivision, upon execution and delivery to said City of a quitclaim deed conveying to said City all of the right, title and interest of the subdividers in and to the water distribution system in said Bay Park Vista Unit No. 3 Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111476, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to do all the work in connection with the construction of an extension to the culvert in Albert Street south of Robinson Avenue for a distance of 112 lineal feet, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the Engineering Department has recommended said culvert extension; 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, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111477, recorded on Microfilm Roll No. 62, 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 portion of Block B O. L. Steel Subdivision, therein described, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing said Property Supervisor to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds; rescinding Resolution No. 111103 adopted March 17, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111478, recorded on Microfilm Roll No. 62, 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 portion of Block 83 Morena, therein described, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes be cancelled; authorizing and directing said Property Supervisor to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds; was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

In connection with the next matter, Councilman Swan asked the proposition. The City Manager made a brief verbal report relative to employment of an expert in the field of franchise law. The Mayor stated that the matter had been considered in Conference prior to the proposed Resolution appearing on the agenda.

RESOLUTION NO. 111479, recorded on Microfilm Roll No. 62, contributing the sum of \$500.00 to the City of Petaluma for the purpose of employing Stephen B. Robinson to prepare opening and reply briefs and present oral argument before the appellate courts in the City of San Diego v. Pacific Telephone and Telegraph Corporation, 3 Civ. 8357, District Court of Appeal, Third District, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution recites the purpose of said employment and makes reference to funds upon termination of said employment; it states that The City of San Diego shall not be liable in connection with said employment for preparation of briefs and presentation of oral argument for any sum in excess of said contribution; that said Resolution shall not become operative until The City of San Diego is notified in writing by the City Clerk of Petaluma that the City Council of Petaluma has employed said Stephen B. Robinson for said purpose and has agreed by resolution to the terms of Section 2 of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111480, recorded on Microfilm Roll No. 62, granting permission in accordance with application and recommendation of the City Manager on file in the office of the City Clerk, to The American War Mothers, Golden Poppy Chapter No. 14 and Chapter No. 68, to conduct 3rd annual sale of paper Carnations on the streets of The City of San Diego May 8 and 9, 1953, for the purpose of raising funds to support the welfare work of the organization, which includes aid to needy veterans and their families and parties for hospitalized veterans at the Naval Hospital, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111481, recorded on Microfilm Roll No. 62, authorizing Orin K. Cope, Assistant to the City Manager, and John McQuilken, City Auditor and Comptroller, to attend the 1953 Annual Conference of the Municipal Finance Officers Association of the United States and Canada to be held in Miami, Florida, May 31 through June 4, 1953; authorizing them to incur all expenses necessary in connection with said attendance, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111482, recorded on Microfilm Roll No. 62, 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 Alan R. and Hannah E. Essery, husband and wife, as joint tenants, the westerly 50 feet of Lots 24, 25, 26, 27 Block 52 Morena; 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 deed for the easement and property as required by the City, together with the sum of \$400.00, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Said Resolution recites that the City is desirous of acquiring portion of Lot 28 for street purposes and portion of Lots 24 and 25 for slope and trainage purposes, that said Alan R. & Hannah E. Essery are owners of said land and are willing to deed easements to the City in exchange for quitclaim deed from the City; that the value of the easements to be granted to the City is \$500.00; that the value of the City property to be conveyed to Alan R. and Hannah E. Essery, as determined by the last report of the City Auditor and Comptroller is \$900.00; that Alan R. and Hannah E. Essery will pay to the City \$400.00 to equalize the valuations on the Exchange, and that the City Manager has recommended that said exchange be made.

RESOLUTION NO. 111483, recorded on Microfilm Roll No. 62, accepting Quitclaim Deed executed on the 10th day of March, 1953, by Clearview Manor (Assignee of Alice Construction Corporation), 219 South Hawthorne Boulevard, Hawthorne, California, quitclaiming to The City of San Diego all water mains and appurtenances 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 Donna Estates, being subdivision of Lots 64, 76, 77, 78 and 80 and portions of Lots 63, 75 and 79 of Las Alturas Villas Sites, filed as Map No. 2852 in the County Recorder's Office, San Diego County, California; 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 Kerrigan, seconded by Councilman Wincote, adopted.

The Mayor requested, and was granted unanimous consent to present the next matter, having to do with amending The San Diego Municipal Code regulating appeal to the Council in connection with regulating psychologists and social workers.

The Mayor Asked Mrs. Gene McFall, who was present, about her reactions to the Ordinance as proposed.

Mrs. McFall replied that she is well satisfied with the Ordinance, as drawn.

ORDINANCE NO. 5541 (New Series), recorded on Microfilm Roll No. 62, amending Sections 33.0501 and 33.0502 of the San Diego Municipal Code regulating appeal to the Council for denial, suspension or revocation of licenses, and amending Division 21 Article 3 Chapter III of The San Diego Municipal Code regulating Psychologists and Social Workers, 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.

ORDINANCE NO. 5542 (New Series), recorded on Microfilm Roll No. 62, appropriating the sum of \$3,300.00 out of the Capital Outlay Fund, for the purpose of providing additional funds for the improvement of Harbor Drive at Laurel Street, including the installation of Traffic Signals and Safety Lighting - in addition to funds heretofore appropriated by Ordinance No. 5245 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor 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, Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider. The final reading of such Ordinance was in full.

ORDINANCE NO. 5543 (New Series), recorded on Microfilm Roll No. 62, appropriating the sum of \$500.00 from the Unappropriated Balance Fund, for the purpose of providing funds to cover the cost of a 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, was on motion of Councilman Swan, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor 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.

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

ORDINANCE NO. 5544 (New Series), recorded on Microfilm Roll No. 62, accepting and dedicating certain lands in The City of San Diego - shown upon subdivision of Ocean Beach Extension located on Spray Street adjacent to the intersections with Long Branch and Brighton Avenues - for the public use of the people of The City of San Diego forever as a public park and children's playground to be used hereafter for no other purpose - declaring now and forever that said land be held in trust by The City of San Diego for such use, and naming the same Ocean Beach Park; authorizing and directing the City Clerk to record in the office of the County Recorder of San Diego County a certified copy of said Ordinance, 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 Godfrey, 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. The final reading of such Ordinance was in full.

ORDINANCE NO. 5545 (New Series), amending Sections 33.0701.5 and 33.0702.5 of the San Diego Municipal Code, having to do with regulations for use of Sound Trucks, both non-commercial and commercial, was on motion of Councilman Swan, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor 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 was furnished to each member of the Council.

A proposed Ordinance amending the San Diego Municipal Code, by amending Sections 91.01 and 91.02, by renumbering Section 91.02.2 and by repealing Sections 91.02.1 and 91.03 thereof, all having to do with the Uniform Building Code - adoption, change, apartment house definition, fire resistance of exterior walls, thickness of footing in inches, depth of foundation below natural surface of ground and finish grade in inches, exterior stairways, exception - was presented. On motion of Councilman Kerrigan, seconded by Councilman Dail, a hearing was set thereon for the hour of 10:00 o'clock Tuesday, April 21, 1953.

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

RESOLUTION NO. 111484, recorded on Microfilm Roll No. 62, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of Wabash Boulevard, Section B, between Harbor Drive and Federal Boulevard, Market Street between 33rd and 36th Streets, and Imperial Avenue between 33rd and 35th Streets, bearing official Document No. 466802; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids in accordance with plans and specifications referred to, 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 agenda:

RESOLUTION NO. 111485, recorded on Microfilm Roll No. 62, authorizing Ed Beale, of the Inspection Department, to attend a hearing on A.B. 1702 (Gas Vent and Heater



Legislation), to be held in Sacramento, California, on April 8, 1953; authorizing him to incur all expenses necessary in connection with said trip, 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, on motion of Councilman Wincote, seconded by Councilman Kerrigan, at the hour of 11:32 o'clock A.M.

ATTEST:  
FRED W. SICK, City Clerk

*John D. Butler*  
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,  
April 9, 1953

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

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

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

The appeal of J. D. and Hazel Taylor from the decision of the Zoning Committee in denying by its Resolution No. 7237, application No. 11692 of J. D. and Hazel Taylor for a variance to the provisions of Ordinance No. 12990 to permit construction of a single family residence on portion of Lots 1 and 2 Block 7 Mission Hills, being the first lot southerly of 4295 Witherby Street, in Zone R-1, the Zoning report was read to the Council by the Clerk.

Councilman Wincote asked about the square footage on the property up for hearing. He asked, also, about substandard lots in the area, and the dates that certain of the improvements on them had gone in.

Glenn A. Rick, City Planning Director, said that he could not answer Councilman Wincote's question, and that the Council might as well know that. He said that the date of the subdivision covering the property was many years prior to 1926. He told about an existing property, which is not a legal subdivision. There was discussion between Mr. Rick and members of the Council over a map. Mr. Rick told about earlier metes and bounds having been used in cupping up of lots.

Morey Levenson, attorney not representing the appellant, said that 2 of the 3 substandard lots were cut up prior to the zoning.

Councilman Wincote pointed out a substandard lot to the Council on the map. Mr. Rick spoke about 50' x 75' lots across the street. He said he believed subdivision on them had been approved between 1926 and 1930, relating to the substandard lots. He said that he can speak about occurrences from 1936 on, but not earlier. He said by subdivision the Council had not approved less than 5,000-square-foot lots. He told about 6,000 square foot lot in question being not as large as a 7,500 square foot lot across the street. He said that he did not want the parcel approved for a non-confirming use. He showed the Council plans of the proposed development, and told about the setbacks on nearby properties. He spoke about the 3,100 square feet on the proposed development.

Dr. J. D. Taylor spoke. He said that he and Mrs. Taylor want to erect another house, and told about the present development.

Councilman Dail was excused from the meeting at this time.

Dr. Taylor told about favorable comments received from neighbor's relative to proposed plans for development. He said that he intends to live in the proposed new

house. He said that in good faith regarding the carrying of the thing through he has put up \$15,000.00 with Bonded Builders on condition that the zone variance is granted. There were 41 signatures on a plat he showed to the Council, in favor of the variance. He expressed the belief that a majority wish was the determining factor. Dr. Taylor that a variance can, and that they have been granted before. He said that on March 4, 1953 he had talked with a Planning Commission member, who said that a compromise could be worked out - that a new house could be used as an adjunct to the present development, and that the present house be rented.

Councilman Wincote stated that he is familiar with the compromise.

Councilman Godfrey asked how one can have a duplex, whether a compromise or not, could be built and occupied in an R-1 Zone.

Mr. Rick said, at when the question was being discussed, that it was he who had looked at the Taylor property at Councilman Wincote's request. It had been done in good faith, he said, and that it was he (not a member of the Zoning Committee) who had recommended addition to the existing structure but not the division of the property into a lot of substandard size.

Councilman Wincote said that there can be no criticism of Mr. Rick.

Dr. Taylor said that if the Council allows the house to be built, as a compromise, it could be built under a variance.

Mr. Rick said, again, that it was not the Commission, but he who checked with the Taylors.

Councilman Wincote agreed with that, and said that he was present.

Councilman Godfrey wondered what basis there is for an R-2 use in an R-1 Zone.

Mr. Rick said that there is authority for 2 families on 1 lot, but not for splitting of the lot in Zone R-1. He said that he did not want the compromise suggestion, and that he does not want it now.

Dr. Taylor said that in order to settle the question, he is willing to accept the compromise officer, which he said that he will present to the Planning Commission.

Councilman Wincote said that the matter before the Council today is on the appeal from the Zoning Committee's decision, and stated that decision should be based on the case's merit.

Mrs. Taylor was heard at this time. He referred to existing small lots in the neighborhood, and spoke about the "Smith house" and "another small house" which was not identified by owner.

Mayor Butler commented on letters of protest and those favoring the variance.

At this point Councilman Wincote stated that two members of the Council want to attend the Joseph L. Burkholder funeral, and that only 5 members of the Council would be left in the meeting as a result. He pointed out that 5 members were needed in order to overrule the Zoning Committee.

Councilman Godfrey said he thought the Council might hear the testimony, look at the property, and decide later.

Morey Levenson, apparently representing property owners opposing the appellants, said that next week he would be in court, and that the court had postponed a case so that he might attend this hearing. He said that he felt the Councilmen should attend the funeral. Mr. Levenson told the Council that he would rather have the matter deferred than hurry up this hearing.

On motion of Councilman Kerrigan, seconded by Councilman Swan, the hearing on said appeal was continued until the hour of 10:00 o'clock A.M., Thursday, April 16, 1953.

Councilman Dail, who had left, earlier, during the foregoing hearing returned to the meeting while the hearing was under way.

It was suggested, under unanimous consent granted to Councilman Wincote, to bring up at this time the Morey S. Levenson communication relative to amendment to the Municipal Code on the tattooing matter.

Mr. Levenson stated that in the 5 minutes allowed, before members of the Council had to leave the meeting would not be enough for his presentation. He stated that he would prefer a one-week continuance.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said communication and the ordinance which accompanied it, were continued until the hour of 10:00 o'clock A.M.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for Bulk Ferric Sulfate, for a period of 6 months, was presented.

RESOLUTION NO. 111486, recorded on Microfilm Roll No. 62, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Bulk Ferric Sulfate for a period of 6 months beginning May 1, 1953 and ending October 31, 1953, according to Notice to Bidders, etc., on file in the office of the City Clerk bearing Document No. 466892, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111487, recorded on Microfilm Roll No. 62, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the grading and drainage of the East San Diego Park and Community Recreation Center, bearing Document No. 466898; auth-

orizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for Clay Sewer Pipe and Accessories for 6 months beginning May 1, 1953, was presented.

RESOLUTION NO. 111488, recorded on Microfilm Roll No. 62, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with Clay Sewer Pipe and Accessories for a period of six months beginning May 1, 1953, and ending October 31, 1953, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file in the office of the City Clerk bearing Document No. 466893, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111489, recorded on Microfilm Roll No. 62, approving plans and specifications for furnishing labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of sewer replacement in the Arozina Canyon from Upas Street southwesterly of Arnold Avenue, filed in the office of the City Clerk under Document No. 466889; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111490, recorded on Microfilm Roll No. 62, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the improvement of Elm Street between Grove Street and 31st Street (including removal of the existing bridge and construction of an earth embankment over 36" culvert; paving of street and construction of curbs and sidewalks, under Document No. 466890; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111491, recorded on Microfilm Roll No. 62, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the improvement of 64th Street between Mesita Drive and Catoctin Drive (including grading, paving and construction of gutter), filed in the office of the City Clerk under Document No. 466891; 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 Schneider, adopted.

Councilman Schneider requested, and was granted unanimous consent to present next matter, not listed on the agenda:

ORDINANCE NO. 5546 (New Series), recorded on Microfilm Roll No. 62, appropriating \$34,000.00 from the Capital Outlay Fund, for the purpose of providing funds for grading and drainage of the East San Diego Park and Community Recreation Center, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

The final reading of such Ordinance was in full.

Councilmen Kerrigan and Dail were excused from the meeting at this time.

Communication from the County Clerk submitting photostatic copy of letter received by the Board of Supervisors from May E. Rehmke of 458 Cuyamaca Avenue, San Diego 13, complaining of a nuisance created by pigeons, was presented.

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

Communication from Squire J. Johnson, Pacific Coast Area Manager, Acme Steel Company, 4901 Pacific Boulevard, Los Angeles 58, California, dated April 6, 1953, was presented. It suggested use of Metal Raceways, in connection with operation by the City of San Diego under the rules of the National Uniform Electrical Code especially so with regard to residence wiring.

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

Communication from Frank Monroe, Captain, USN, Commander, U.S. Naval Training Center, stating that approval has been received from the Bureau of Naval Personnel



to provide the Navy's share of the cost of modernization of traffic signals at gates 3 and 6 at the Naval Training Center, was presented. It states that the Public Works Officer, Eleventh Naval District has been requested to enter into agreement with the City for traffic signal modernization in behalf of the Naval Training Center, and that it is hoped the modernization can be completed at the earliest possible date in view of the traffic hazards under the existing system.

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

Communication from Fred W. Vogt, 1635 Collidge St., dated 6 April 1953, being copy addressed to Leo Calland, Director, Park & Recreation Department, was presented. Said communication refers to the danger - particularly at Kit Carson School playground at the intersection of Coolidge and Glidden Streets - created by the using of a city playground for hard baseball games. It mentions the many complaints voiced to various organizations without results. The communication asks for remedial action and serves as a warning to authorities that such hazards exists.

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

Communication from San Diego Chamber of Commerce requesting that rental fee be waived for use of the Balboa Park Bowl on May 27, 1953, by the U.S. Army Field Band, was presented.

RESOLUTION NO. 111492, recorded on Microfilm Roll No. 62, referring to Council Conference the communication from San Diego Chamber of Commerce requesting that the rental fee be waived for use of the Balboa Park Bowl on March 27, 1953, in connection with use by the U.S. Army Field Band, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111493, recorded on Microfilm Roll No. 62, 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 in portion of Lot 72 Rancho Mission of San Diego, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on said property be cancelled; directing him to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111494, recorded on Microfilm Roll No. 62, approving request of Ace Pipeline Construction Company contained in Change Order No. 3, for extension of time of 30 days to and including April 25, 1953, heretofore filed with the City Clerk as Document No. 466913, in which to complete contract for installation of Small Water Main Replacements, Schedule B-1, contract contained in Document No. 455104 on file in the office of the City Clerk; completion time extended to April 25, 1953, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111495, recorded on Microfilm Roll No. 62, approving request of Charles J. Dorfman contained in Change Order No. 1, for extension of 60 days to and including April 6, 1953, heretofore filed with the City Clerk as Document No. 466915, to complete contract for construction of sewer in Pacific Highway, from Balboa Avenue southerly, contract contained in Document No. 463645 on file in the office of the City Clerk; completion time extended to April 6, 1953, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111496, recorded on Microfilm Roll No. 62, granting Robert K. Rice, 845 Loring Street, San Diego 9, permission to install a 4-inch cast iron sewer line between the property line and the sidewalk; said sewer line to be placed 1 foot outside the property line and run in a northeasterly direction, parallel to the northwesterly line of Lot 1 Block 79 Point Loma Heights Subdivision, to point of intersection with public sewer, to serve property at 4490 Bermuda Avenue; subject to approval of the Engineering Department, the Building Inspection Department and City Properties Department, on conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111497, recorded on Microfilm Roll No. 62, granting B. D. Slinkard, 2926 Suncrest Drive, San Diego, permission to install a 4-inch 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 westerly direction, parallel to the southerly line of Lots A-24-23-22-21 of Treat's Addition, to point of intersection with public sewer, to serve property located at 2798 Treat Street; subject to conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The Mayor requested, and was granted, unanimous consent to present the next matter, not listed on the Agenda:

RESOLUTION NO. 111498, recorded on Microfilm Roll No. 62, expressing grateful appreciation for the public service of Joseph L. Burkholder, General Manager and Chief Engineer of the San Diego County Water Authority and a director of the Metropolitan

Water District, whose death April 6, 1953, caused a great loss to the community; directing that a certified copy of said Resolution be transmitted to Mrs. Rebecca Moody Burkholder, for herself and other members of the family, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111499, recorded on Microfilm Roll No. 62, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date March 9, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 28 Block 12 Roseville Heights, 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111500, recorded on Microfilm Roll No. 62, accepting subordination agreement, executed by the San Diego Trust and Savings Bank, beneficiary and trustee, bearing date March 18, 1953, wherein said parties subordinate all their right, title and interest in and to portions of Lots 55, 56, 57 and 58 Sunshine Gardens, 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111501, recorded on Microfilm Roll No. 62, accepting subordination agreement, executed by the San Diego Trust and Savings Bank, trustee and beneficiary, bearing date March 18, 1953, wherein said parties subordinate all their right, title and interest in and to portions of Lots 48, 49, 50 and 51 Sunshine Gardens, to the right of way and easement for sewer purposes heretofore conveyed 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111502, recorded on Microfilm Roll No. 62, accepting subordination agreement, executed in duplicate by Security Trust and Savings Bank of San Diego, bearing date March 16, 1953, wherein said party subordinates all its right, title and interest in and to a strip of land adjacent to the southeasterly line of the easterly one-half of Lot 320 Ramona, in the County of San Diego, State of California, 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111503, recorded on Microfilm Roll No. 62, accepting deed of Florence Chambers Fleischer, also known as Florence Chambers, bearing date February 16, 1953, conveying portion of Lot 8 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111504, recorded on Microfilm Roll No. 62, accepting deed of Eva McFarland, bearing date March 16, 1953, conveying portion of Pueblo Lot 1152; 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. 111505, recorded on Microfilm Roll No. 62, accepting deed of William N. Thornton and Yvonne M. Thornton, bearing date February 24, 1953, conveying portions of Lots 3, 4, 5, 6, 7, 8, 9 Block 290 Seaman and 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111506, recorded on Microfilm Roll No. 62, accepting deed of William N. Thornton and Yvonne M. Thornton, bearing date February 24, 1953, conveying Lots 34 and 35 and portion of Lot 33 in Block 291-1/2 of Seaman and 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111507, recorded on Microfilm Roll No. 62, accepting deed of John Lewis Eitel and Barbara Lea Eitel, bearing date February 6, 1953, conveying easement and right of way for street purposes in portion of Lot 28 Block 12 Roseville Heights, setting aside and dedicating the same for public use as and for public street, and naming the same Albion 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. 111508, recorded on Microfilm Roll No. 62, accepting deed of Republic Development Co., a partnership, bearing date March 14, 1953, conveying easement and right of way for street purposes in portions of Lots 7 and 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 Dell Anne 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111509, recorded on Microfilm Roll No. 62, accepting deed of San Diego Unified School District of San Diego County, bearing date March 17, 1953, conveying easement and right of way for street purposes in portion of the North one-third of the South one-half of the West one-half of the Southwest one-quarter of Section 34 Township 16S, Range 2W, S.B.B.M., setting aside and dedicating the same to the public use as and for a public street, and naming the same 54th Street; authorizing and directing the City Clerk to file said deed 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. 111510, recorded on Microfilm Roll No. 62, accepting deed of Sara Mastro, bearing date March 10, 1953, conveying portion of Lots 15 and 16 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111511, recorded on Microfilm Roll No. 62, accepting deed of Nellie Heim, bearing date March 11, 1953, conveying portions of Lots 30, 31, 32 Block 3 Vernon Park, setting aside and dedicating the same to the public use as and for a public street, and naming the same Morena Boulevard; authorizing and directing the City Clerk to transmit said deed, together with 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. 111512, recorded on Microfilm Roll No. 62, accepting deed of San Diego Transit System, bearing date February 19, 1953, conveying portion of Lots 1 and 2 Block 192 City Heights, 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 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. 111513, recorded on Microfilm Roll No. 62, accepting deed of William N. Thornton and Yvonne M. Thornton, bearing date February 24, 1953, conveying portions of Lots 18, 19, 20 Block 291 Seaman and Choates 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. 111514, recorded on Microfilm Roll No. 62, accepting deed of William N. Thornton and Yvonne M. Thornton, bearing date February 24, 1953, conveying portion of Lot 12 Block 86 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. 111515, recorded on Microfilm Roll No. 62, accepting deed of William N. Thornton and Yvonne M. Thornton, bearing date February 24, 1953, conveying portions of Lots 45 and 46 Block 5 San Diego Land and Town Company's South Chollas



Addition, setting aside and aside and dedicating the same to the public use, 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. 111516, recorded on Microfilm Roll No. 62, accepting deed of William N. Thornton and Yvonne M. Thornton, bearing date February 24, 1953, conveying portions of Lots 1, 2, 3 Block 5 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. 111517, recorded on Microfilm Roll No. 62, accepting deed of Republic Development Co., a partnership, bearing date March 14, 1953, conveying easement and right of way for 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 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 certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111518, recorded on Microfilm Roll No. 62, accepting deed of William D. Evans, bearing date March 19, 1953, conveying easement and right of way for street purposes in portion of Lot 55 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 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. 111519, recorded on Microfilm Roll No. 62, accepting deed of John R. Hansen and Leona D. Hansen, bearing date March 14, 1953, conveying easement and right of way for street purposes in portion of Lot 55 Las Alturas Villa Sites, setting aside and dedicating said land to the public use as and for a public 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. 111520, recorded on Microfilm Roll No. 62, accepting deed of Duncan E. Davault and Helen L. Davault, bearing date March 23, 1953, conveying easement and right of way for sewer purposes in portion of Lot 19 Hortons Purchase of the Ex-Mission 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 Godfrey, seconded by Councilman Swan, adopted.

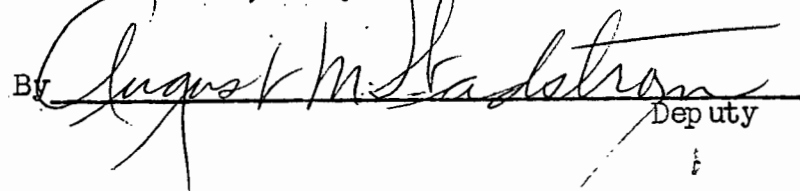
RESOLUTION NO. 111521, recorded on Microfilm Roll No. 62, accepting deed of H. G. Fenton Material Company, bearing date March 24, 1953, conveying easement and right of way for sewer purposes in portion of Lot 12 Horton's Purchase of Ex-Mission Lands of San Diego; authorizing and directing the City Clerk 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 Godfrey, seconded by Councilman Swan, adopted.

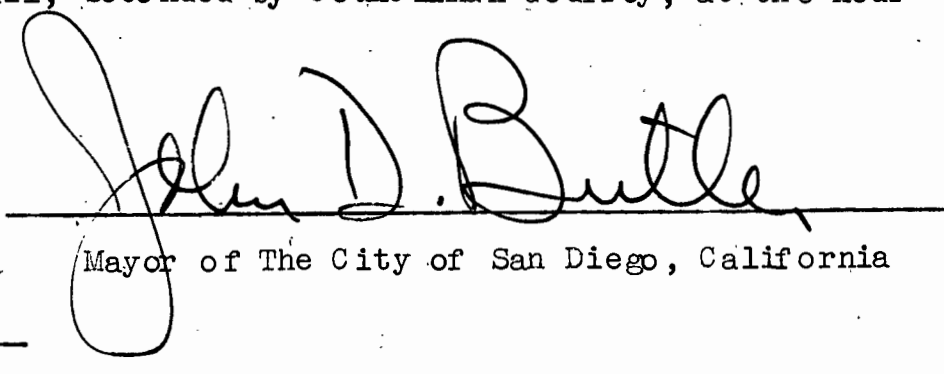
RESOLUTION NO. 111522, recorded on Microfilm Roll No. 62, accepting deed of Harry Hall and Catherine Hall, bearing date March 26, 1953, conveying easement and right of way for slope purposes in portion of Lots 39 and 40 Block 2 Brooklyn Heights Additions, and a portion of Elm Street closed October 9, 1911, by Common Council Resolution 9369; 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.

There being no further business to come before the Council, the meeting was adjourned on motion of Councilman Dail, seconded by Councilman Godfrey, at the hour of 10:52 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, April 14, 1953

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

The Minutes of the Regular Meetings of Tuesday, April 7, 1953, and of Thursday, April 9, 1953, were present 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 for the receiving of bids for 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 Resolution of Intention No. 109911, 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 Ets-Hokin & Galvan, Foot of Sampson Street, San Diego, California, accompanied by bond written by United States Guarantee Company in the sum of \$3,000.00, which bid was given Document No. 467101;

The bid of Pacific Electric, a Limited Co-Partnership, consisting of Earl T. Pridemore and Yvonne E. Pridemore, General Partners, and C. Harry Burnaugh, as Trustee for J. L. & S. D. Pridemore, Limited Partners, 743 Columbia St., San Diego, accompanied by bond written by National Fire Insurance Company of Hartford in the sum of \$2,300.00, which bid was given Document No. 467100;

Councilman Kerrigan entered the meeting at this time.

The bid of California Electric Works, accompanied by bond written by Pacific Indemnity Company in the sum of \$2,500.00, which bid was given Document No. 467099.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2119 for the paving and otherwise improving portion of San Elijo Street, within the limits and as particularly described in Resolution of Intention No. 106325, the Clerk reported that no 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. 111523, recorded on Microfilm Roll No. 62, confirming and approving the Street Superintendent's Assessment No. 2119 made to cover the costs and expenses of the paving and otherwise improving of portion of San Elijo Street, within the limits and as particularly described in Resolution of Intention No. 106325; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of A Street between 17th and 18th Streets, within the limits and as particularly described in Resolution of Intention No. 106116, the Clerk reported that no 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. 111524, recorded on Microfilm Roll No. 62, confirming and approving the Street Superintendent's Assessment No. 2120 made to cover the costs and expenses of the paving and otherwise improving of A Street, between the limits and as particularly described in Resolution of Intention No. 106116; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2121 made to cover the costs and expenses of the paving and otherwise improving of Locust Street, within the limits and as particularly described in Resolution of Intention No. 105705 the Clerk reported that a written appeal had been received from Mrs. Iva L. Cope, which appeal was presented to the Council.

The City Engineer made a verbal report in which he told the Council that

there was a 3.4% appeal, based upon a district assessment.

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 in addition to the one mentioned.

RESOLUTION NO. 111525, recorded on Microfilm Roll No. 62, overruling and denying the written appeal of Mrs. Iva L. Cope from the Street Superintendent's Assessment No. 2121 made to cover the costs and expenses of the work of paving and otherwise improving Locust Street, within the limits and as particularly described in Resolution of Intention No. 105705, 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 Swan, seconded by Councilman Schneider, adopted.

The hour of o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2122, made to cover the expenses of installing a 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, the Clerk reported that written appeal had been received from Geo. Ebersole, which appeal was presented to the Council.

The City Engineer reported a 1.3% appeal, and said further that he agrees that the assessment is too high and that it should be amended.

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

Doris W. Ebersole (Mrs. Geo. Ebersole), told the Council that the assessment is "way up."

The City Engineer was heard again, and he repeated his statement that the assessment is too high, and said that it should be sustained and the assessment roll be modified.

RESOLUTION NO. 111526, recorded on Microfilm Roll No. 62, sustaining the appeal of Geo. and Doris W. Ebersole, from the Street Superintendent's Assessment No. 2122 made to cover the expenses of installing a 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; directing the Street Superintendent to modify and correct said Assessment, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111527, recorded on Microfilm Roll No. 62, confirming and approving the Street Superintendent's modified and corrected Assessment No. 2122 made to cover the expenses of the installation of a 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; 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 Godfrey, adopted.

It was suggested that the next 3 items be continued for one week, inasmuch 6 members of the Council were not present to vote on the Resolutions of feasibility thereon.

The Mayor explained to those in the audience that due to the illness of Councilman Dail, and Councilman Wincote's presence in Sacramento, it would be necessary to hold over the action until 6 members were present. He asked how many persons were interested in the 3 hearings, whereupon several persons raised their hands. Asked how many protested the improvements, so that hearings could be held at this time, there was no response.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 111086 for the paving and otherwise improving of Jennings Street, Albion Street and Silvergate Avenue, the hearing was ordered closed, inasmuch as no protestants were present as shown above. (However, opportunity was left for protest).

RESOLUTION NO. 111528, recorded on Microfilm Roll No. 62, continuing the hearing on Resolution of Preliminary Determination No. 111086 for the paving and otherwise improving of Jennings Street, Albion Street and Silvergate Avenue, until the hour of 10:00 o'clock A.M., Tuesday, April 21, 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 Preliminary Determination No. 111087 for the paving and otherwise improving of Monte Vista Avenue, the hearing was ordered closed, inasmuch as no protestants were present as shown above. (However, opportunity was left for protest).

RESOLUTION NO. 111529, recorded on Microfilm Roll No. 62, continuing the hearing on Resolution of Preliminary Determination No. 111087 for the paving and otherwise improving of Monte Vista Avenue, until the hour of 10:00 o'clock A.M., Tuesday, April 21, 1953, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the paving and otherwise improving of the Alley in Block 109 Central Park, within the limits and as particularly described in Resolution of Preliminary Determination No. 111084, it was suggested by Councilman Schneider that the hearing be continued for one week.

The City Engineer reported that in response to post card notices sent out asking about the type of paving desired, that 43% did not reply; 15.5 asked for cement



concrete, 41.5% requested asphalt.

He showed to members of the Council at the request of Councilman Godfrey, the postal card notice which had been mailed out to property owners giving them the opportunity to express preference for paving type.

RESOLUTION NO. 111530, recorded on Microfilm Roll No. 62, continuing to the hour of 10:00 o'clock A.M., Tuesday, April 21, 1953, the hearing on Resolution of Preliminary Determination No. 110844 for the paving and otherwise improving of the Alley in Block 109 Central Park, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance amending Sections 101.0405 and 101.0406 of the San Diego Municipal Code, Regulating R-1 and R-2 Zones (to permit dwellings to cross adjacent twenty-five foot lot lines), the Clerk reported that no written protests had been received.

The Mayor asked Glenn A. Rick, City Planning Director, to be heard.

Mr. Rick made a verbal explanation. He told the Council that the problem has arisen several times relative to development on previously-subdivided 25-foot lots. He said that zone variances are needed to permit crossing of lot lines, to permit larger and better looking residences. He told about the two proposed rezonings to R-2, which would be for duplexes on 25-foot lots. He said that if the proposed Ordinance is adopted, it would take care of the situation to avoid zone variances. He reviewed terms of the proposed Ordinance. He said that the matter could get out of hand relative to lessening of objections. He spoke of predominantly-developed 2 families on 2 lots in Barber Tract, La Jolla. Mr. Andeck, of the La Jolla Town Council, was present to be heard, Mr. Rick said.

The Mayor asked if anyone was present who desired to be heard.

Andrew Andeck, of the La Jolla Town Council, 7933 Roseland Drive, La Jolla, was heard. He said that he spoke for his group, and told of their opinion that it would be a mistake to change the regulation. There are several locations throughout the City, he said - especially Barber Tract - where duplexes were started, then the property was up-zoned to R-1. That gave the protection needed, Mr. Andeck said, and declared that he is chagrined to find that people could now build duplexes without variances under the proposed Ordinance. He said regular proceedings for variances should apply, which would provide for a particular restriction regarding existing conditions.

The Mayor referred to the Ordinance having provisions with regard to existing conditions.

Mr. Andeck stated that the conditions are broad. He told of there being about 14 vacant lots, also about the possibility of splitting up homes now built, and of residences which might be built on top of garages. That, he said, would change the character of the neighborhood.

Councilman Schneider wondered if it is possible to resubdivide the built-up area, with provisions indicated in the subdivision.

Mr. Rick replied that if owners desire, it would be possible to subdivide with 50-foot lots. He said that it would be difficult, however, to get the owners together.

Mr. Andeck said that if provisions were stipulated through covenant, one alone who would refuse such a restriction, could ruin and upset that plan.

Col. Paul Davison, <sup>401 Maine</sup> from La Jolla also, agreed with Mr. Andeck. He said that there is considerable property vacant in the Barber Tract, owned by people who do not live in La Jolla. The arrangement could, the Colonel said, lead to a tri-plex type of building. There are no rentals there now, he stated, and that he does not want a rental area established.

Councilman Swan asked Mr. Andeck about the number of 25-foot lots in La Jolla.

In response, Mr. Andeck showed to the Council a map which showed the existing zoning. The same situation applies to sections other than La Jolla also, he said. He said that it would be possible to have an R-1 Zone abutting on an R-4 zone.

Captain Paul Blackburn, 523 Gravilla Street, La Jolla, chairman of La Jolla Town Council, was heard next. He stated that in his opinion the Council should not adopt the ordinance, inasmuch as there is adequate machinery to cover the situation now. He asked that the bars be not let down, which he said would be undesirable.

The Mayor stated that the proposed ordinance and the situation which it is proposed to cover by its adoption, has been under consideration by the Council for a long time. He said that he thought that its adoption would improve the City's appearance, and would help the Planning Department's work load.

Councilman Schneider said that there is merit to not breaking down the provisions as they exist, and said that he felt that the La Jolla protest is justified.

Councilman Kerrigan declared that people wouldn't use the right to build single residences on 25-foot lots in La Jolla.

Captain Blackburn referred to the situation having not been tried. He stated that there is machinery now and a present "moral suasion by architectural control at the present time.

Councilman Swan stated that he is interested in other parts of the City also, in addition to La Jolla.

Mr. Andeck spoke again, and said that if the Ordinance is passed, property owners could still put 1 unit on a 25-foot lot, but that if the Ordinance is passed the matter is out of the City's control. He said that he felt that covering the matter by variance, instead, would provide controls which would be lost under such an ordinance.

Dr. Frank J. Dingeman, 3125 Dickens Street, spoke next. He referred rather generally to situations which exist in Ocean Beach in connection with large families.

The Mayor said that he assumed that Dr. Dingeman was in favor of the present Ordinance.

Dr. Dingeman replied that he was.

Mrs. Tobias, 2890 Spruce Street, was heard. She said that if La Jolla wants to protest the Ordinance, why include the entire city?

In reply to Mrs. Tobias, Councilman Schneider said that any Ordinance adopted provides for identical regulation for the entire city.

Councilman Godfrey pointed out to Mrs. Tobias that if she wanted her property rezoned, it is possible to go through a prescribed procedure therefor.

The Mayor, referring back to an earlier comment about not wanting renters in La Jolla, stated that he is a tenant dweller in La Jolla. He said that he had been informed that it is unfortunate that the Mayor had moved out of the City to La Jolla (which is in the City).

Councilman Swan spoke about Section 1 of the Ordinance, and wondered about its being the same as the old one.

Mr. Rick replied that he had added "Poultry".

Councilman Swan wondered how large a farm could be added in Zone R-1.

The City Attorney asked Councilman Swan how much land he had in mind in reference to his question. Mr. Swan did not answer. The Attorney continued by saying that 10 lots, for instance, could be used for a farm, if they were contiguous.

RESOLUTION NO. 111531, recorded on Microfilm Roll No. 62, closing the hearing on the proposed Ordinance amending Section 101.0405 and Section 101.0406 of The San Diego Municipal Code, Regulating R-1 and R-2 Zones; referring the matter to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The Proposed Ordinance incorporating portion of Lot 31 Horton's Purchase Ex Mission Lands into R-2 Zone, repealing Ordinance No. 35 (New Series) insofar as the same conflicts was brought up for hearing at this time.

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.

Glenn A. Rick, City Planning Director, told the Council that the proposed zoning covers the Guymon property. Morey Levenson, he said, had brought an injunction against the City on said property.

The City Attorney suggested continuance of the hearing for 1 week, inasmuch as there is a court case on the property.

On motion of Councilman Godfrey, seconded by Councilman Swan, the hearing was closed, and the matter continued for one week from this date.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating portion of Pueblo Lot 1203 - in the vicinity of Baltic and Armstrong Streets - into R-2 Zone, 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.

Mr. Rick told the Council that the land proposed to be rezoned is for a school site.

ORDINANCE NO. 5547 (New Series), recorded on Microfilm Roll No. 62, incorporating portion of Pueblo Lot 1203 into R-2 Zone, repealing Ordinance No. 13457 insofar as it 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, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen Nohe. Absent--Councilmen Wincote, Dail.

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

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 a portion of Pueblo Lot 180 into R-1 Zone, and repealing Ordinance No. 5179 New Series, the Clerk reported that no written protests had been received.

E. W. Blom, Acting City Manager, told the Council that the property is on Gage Street, and refers to property upon which subdivision has been filed.

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.

Mr. Rick, Planning Director, spoke about the matter which he said had been continued several times. It is involved in the Loma Valley Subdivision, he told the Council. The Ordinance, he pointed out, had been requested by the Council. The Planning Commission, Mr. Rick stated, had agreed with the Council. He said that the "next item" had been added, inasmuch as it would be bad zoning to permit an R-1A zone immediately adjoining the proposed R-1. He stated that it would be pushing the R-1 zone closer to the larger lots. He showed the area to the Council on a map, and stated that the vote of the Planning Commission was 6-1.

ORDINANCE NO. 5548 (New Series), recorded on Microfilm Roll No. 62, incorporating portion of Pueblo Lot 180 into R-1 Zone, and repealing Ordinance No. 5179 New Series, adopted May 8, 1952, insofar as the same conflicts, was on motion of Councilman

Kerrigan, seconded by Councilman Godfrey, placed on its final passage at its first reading by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Wincote, Dail.

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

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 all of Loma View, portions of Point Loma Highlands and Pueblo Lot 181; all of Blocks 12, 13, 14, 15 and 16 Roseville Heights into R-1 Zone, repealing Ordinance No. 5179 (New Series) 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.

Margaret Whitney spoke, and said that there is an R-1C Zone now in the vicinity of Gage Drive and Jennings Street. Mrs. Whitney told the Council that 365 people who live there and who have developed property do not want the rezoning as proposed. It would not be an asset, she said, to rezone Gage Drive property, which would not be suitable for small lots. People, she stated, who live in the area do not want the change.

Councilman Schneider said that the subdivider of the nearby property has his rights to the small lots.

Glenn A. Rick, Planning Director, said that he does not quite agree with Mr. Schneider. He said that it is his belief that when the subdivider gets approval on the tentative map, and when the property is rezoned in 1 year, the rezoning should prevail by legal right.

Councilman Godfrey said that Councilman Schneider and Mr. Rick are both right. He said that the Council would not have included the Kessling property if it had been known that it was being put into the then zoning.

Councilman Schneider apologized for misleading Mrs. Whitney relative to rezoning on account of the subdivision. He pointed out, as Councilman Godfrey had, that the ordinance had included more property when the rezoning was made previously than intended. It is the desire, now, he stated, to correct the situation.

Mrs. Whitney was heard again. She said that the subdivider of the nearby property (Loma Valley) could build houses to improve the area, instead of building on the smaller lots as proposed by the Ordinance.

The Mayor stated that the Council did not realize that the Kessling property was included in the previous rezoning.

Councilman Godfrey said that the people had been told that the area included this morning was not to be in the other rezoning.

ORDINANCE NO. 5549 (New Series), recorded on Microfilm Roll No. 62, incorporating all of Loma View; portions of Point Loma Highlands, and Pueblo Lot 181; all of Blocks 12, 13, 14, 15 and 16 Roseville Heights into R-1 Zone, and repealing Ordinance No. 5179 (New Series) insofar as the same conflicts, 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, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Wincote, Dail.

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

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

William Reed, attorney, thanked the Council for its action (Ordinance No. 5549 (New Series)), in connection with the Loma Valley (Kessling Subdivision). Mr. Reed referred to a discrepancy in connection with dates relative to extension of time granted for filing the subdivision. He asked for a date of June 2, 1953, to file the final map. He referred to February 15 extension and May 15 would be the extension date he said. A little more time is needed he told the Council.

Glenn A. Rick, Planning Director, said that he has no objection.

Councilman Godfrey stated that the matter should be referred to the Attorney for resolution.

RESOLUTION NO. 111532, recorded on Microfilm Roll No. 62, referring to the City Attorney for preparation and presentation granting the verbal request of William Reed, attorney, for extension of time to June 2, 1953, for filing of the final map of Loma Valley Subdivision - upon which Mr. Reed is request to make a request for such extension in writing - 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 received April 2, 1953, from 5 bidders, for installation of Chollas Station Fence; recommending award to Western Fence Company, low bidder, in the amount of \$4172.00, was presented. The report states that the Water Department estimate for the job was \$5000.00.

RESOLUTION NO. 111533, recorded on Microfilm Roll No. 62, accepting bid of Western Fence Company for installation of Chollas Station fence; awarding contract, and authorizing and instructing the City Manager to enter into same, 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, reporting on bids received March 12, 1953, from 4 bidders for furnishing Tapping Valves and Gate Valves; recommending awards to Industries Supply Co. and to Mission Pipe and Supply Co. - for the various items included in the Resolutions which follow, was presented.

RESOLUTION NO. 111534, recorded on Microfilm Roll No. 62, accepting bid of Industries Supply Co. for furnishing Items 1, 3, 4 - Tapping Valves as more particularly described therein; awarding contract, authorizing and instructing the City Manager to enter into and execute the same on behalf of the City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111535, recorded on Microfilm Roll No. 62, accepting bid of Mission Pipe and Supply Co. for furnishing Item 2, Tapping Valves as more particularly described therein; awarding contract, authorizing and instructing the City Manager to enter into and execute the same on behalf of the City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

In connection with the next item there were 4 bids received; and on the following item 3 bids, according to verbal statement made by E. W. Blom, acting City Manager.

RESOLUTION NO. 111536, recorded on Microfilm Roll No. 62, declaring bid submitted by W. V. Hutchison under Schedule I for installation of Small Water Main Replacements, Group No. IV, 1952-53, and 24-inch and 16-inch feeder main in Pueblo Lot 1202 to be the lowest, responsible and reliable bidder; rejecting all bids received except the bid referred to under unit prices amounting to total estimated sum of \$47,451.50; authorizing and empowering the City Manager to execute for and on behalf of the City of San Diego a contract therefor, upon the execution, delivery, filing and approval of the bonds required, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111537, recorded on Microfilm Roll No. 62, declaring bid submitted by W. V. Hutchison under Schedule I for installation of Small Water Main Replacements, Group V, 1952-53, to be the lowest bid received, and declaring W. V. Hutchison to be the lowest, responsible and reliable bidder; rejecting all bids received except such bid; awarding contract under unit prices which amount to a total estimated sum of \$50,605.00; authorizing and empowering the City Manager to execute on behalf of the City a contract with W. V. Hutchison upon execution of contract by him and upon execution, delivery, filing and approval of bonds required, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111538, recorded on Microfilm Roll No. 62, approving plans and specifications for furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for furnishing and erecting houses for the water department impounding Division, bearing official Document No. 467050; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111539, recorded on Microfilm Roll No. 62, authorizing and directing the Purchasing Agent to advertise for sale and sell 18 automobiles listed in said Resolution, now stored in the Police Garage; directing that all expenses in connection with the same shall be deducted from the proceeds thereof, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that automobiles stored are no longer desirable for use or retention by the City, and has recommended that they be sold.

Communication from the Planning Commission, signed by Harry C. Haelsig, submitting Tentative Map for subdivision into 12 lots of the westerly portion of Lot 214 of Clairemont Manor Unit #2; stating that the subdivision was designed to provide a site for an elementary school, that the School Board has not purchased said Lot in its entirety, leaving the remaining parcel for the subdivider to divide into use for residential purposes.

The communication states that all street improvements and services for the lots are being provided on the improvement plans. It states, further, that the Commission has recommended approval and that it is possible that it can be filed either as a regular survey, or as a subdivision.

RESOLUTION NO. 111540, recorded on Microfilm Roll No. 62, approving Tentative Map for Record of Survey for re-subdivision of portion of Lot 214 Clairemont Manor Unit #2 that the area contains less than 5 acres, that the land abuts upon a dedicated street, that no street opening or widening is required, that the lot design meets the approval of the governing body; subject to setbacks and easements being provided as shown on the Tentative Map, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, submitting Tentative Record of Survey Map for resubdivision of Lots 1402 to 1409 in Clairemont #8 by means of Record of Survey, was presented. It states that the area, zoned R-4, was planned for apartments which lot widths are 75 feet, but that it has been decided to reduce lot widths to 61 feet and to erect duplex units. Further, it states that required conditions are met.

RESOLUTION NO. 111541, recorded on Microfilm Roll No. 62, approving Tentative Map for Record of Survey for re-subdivision of portion of Lots 1402-1409 inclusive

Clairemont Unit #8, in that the area contains less than 5 acres, that the land abuts upon a dedicated street, that no street opening or widening is required by the governing body in the dividing of the land, and that lot design meets the approval of the governing body, subject to setbacks and easements being provided as shown on the attached, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for rezoning from R-4 to C Zone, portion of C. L. Carr's Subdivision from R-4 to C Zone - on Market Street commencing east of the alley just east of 25th Street and running east to 28th Street - was presented. It states that a study of the property uses on Market Street between 18th Street and 25th Street which is a "C" Zone, leads the Planning Department to recommend that additional C Zone on Market Street in said vicinity would not be justified. It points out that the topography of the land and the vertical curves on Market Street between 28th and 25th Streets make the land unsuited for business purposes. In addition, it points out that a study of existing uses on Market Street in the existing C Zoning shows that there are only 11 business establishments in the area east of 18th Street and east to 25th Street. Also, it makes a further detailed report on use of property. It points out that the attempt to rezone property started when the Zoning Committee and the Council denied Chris Cantu a zone variance to maintain an illegal sign on a building at approximately 2585 Market Street, and the Council gave Mr. Cantu 90 days in which to remove the sign. The report states that the sign is still there.

Mrs. Elizabeth Stecker appeared at the microphone, and asked to be heard.

The City Attorney stated that this is not a hearing, just a report from the Planning Commission on the petition received.

The Mayor stated that if a hearing is wanted, the Council should have the Ordinance prepared and a hearing set thereon. He said that he is not inclined to hold a hearing today, then refer the matter to the City Attorney, and have another hearing.

Councilman Godfrey said that the Council could hear the Property Owners today. (There appeared to be only the one present).

The Planning Commission's report, referred to above, was read to the Council by the Clerk.

Glenn A. Rick, Planning Director, said that it would accomplish nothing to hold the hearing today. He said that property owners are entitled to a hearing on the ordinance.

The Mayor said that the Council has considered the general area.

Councilman Godfrey said that if there is to be final consideration for rezoning, it would have to be on a hearing set on the Ordinance. It should be, he said, referred to the City Attorney for the ordinance.

The City Attorney stated that it would be well to set a hearing for 5 weeks, in order to allow sufficient time for Ordinance preparation and publication.

It was moved to refer the recommendation to the City Attorney and set a hearing for May 19, 1953, which motion was seconded by Councilman Swan.

Dr. Frank Dingeman, who said that he had left a sick bed to appear at this hearing, told the Council that it was an injustice to the people to follow the recommendation. He said that he was not speaking for himself, inasmuch as he owns only a few feet of property on Market Street.

The roll was called on the motion, resulting in

RESOLUTION NO. 111542, recorded on Microfilm Roll No. 62, requesting the City Attorney to prepare and present an ordinance for rezoning from R-4 to C of property on Market Street, commencing east of the alley just east of 25th Street and running east to 28th Street - being portions of Blocks 22, 23, 38, 39, 52 and 53 C. L. Carr's Subdivision; setting hearing on the proposed Ordinance for Tuesday, May 19, 1953, at 10:00 o'clock A.M. - was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting petition for rezoning area which lies east of Pico Street on the north side of Balboa Avenue and about 1100 feet west of Pacific Highway, was presented. The report states that the property is abutted on the south and southwest by R-4 zoning and on the northwest and east by R-1 zoning, and that the property is in R-1 Zone now occupied by a temporary Federal Housing Project; the southeasterly boundary proposed to be rezoned is approximately the alignment of Rose Canyon Creek. It states that there are only 2 single-family dwellings in the area proposed to be rezoned, that Lot 16 is owned by the Federal Government and should be eliminated from the petition. The communication stated that the Planning Commission could not recommend the R-4 zoning.

Glenn A. Rick, Planning Director, explained the location. He said that there is quite a bit of objection to changing the area to R-4 zoning. He spoke about an injunction filed. He said that that he was not sure that the Council could advertise a hearing on R-4 zone, then change to R-2. Mr. Rick spoke relative to its being advisable of a probable zone variance on a large lot, rather than re-zoning.

An unidentified woman spoke about zoning change. It developed that she was referring to the Elm and Edgemont area - in connection with the hearing on proposed Ordinance regulating R-1 and R-2 Zones.

The Mayor told the lady that the matter which which she referred had been sent to Conference.

Councilman Schneider also told the same lady that the hearing had been closed and the proposed ordinance referred to Conference.

There was no action on that point, which was not the matter under consideration.

RESOLUTION NO. 111543, recorded on Microfilm Roll No. 62, adopting recommendation of the City Planning Commission for denial of petition of property owners for rezoning from the existing R-1 Zone to R-4 Zone of Lots 16, 17, 18, 19, 20 Homeland Villas Unit No. 2, 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 8 The Highlands and Lot 1 Block 1 Rosedale and portions of Lots 72 and 78 Rancho Mission from R-1 to R-2 Zone, was presented. It recommended granting the petition and forwarding the matter to the City Attorney's for drafting the proper ordinance prior to setting a public hearing. The property, the report states, is located about .6 of a mile north of Montgomery Field and about 1500 feet southeasterly of U.S. Highway 395, is owned by the San Diego Unified School District and was purchased as a future elementary school site whenever the growth justifies construction of a school.

RESOLUTION NO. 111544, recorded on Microfilm Roll No. 62, adopting recommendation of the City Planning Commission for granting petition for rezoning from R-1 Zone to R-4 Zone of portion of Lot 8 The Highlands and Lot 1 Block 1 Rosedale, and portion of Lots 72 and 78 Rancho Mission, in subdivision of Kearny Villa; requesting the City Attorney to prepare and present the necessary ordinance for rezoning, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for rezoning from R-1 to C Zone the most southerly corner of Clairemont Drive and Burgener - a one-half acre corner of an unsubdivided 7-acre block bounded by Clairemont Drive, Burgener Boulevard, Fairfield Street and Field Street - all zoned R-1, was presented. Said communication stated that the Planning Commission had voted 6-0 to recommend the rezoning of the area shown on Drawing B-530 be rezoned to C zone, but that the Ordinance be not effective until a Final Map is filed of record for the area is filed, was presented.

RESOLUTION NO. 111545, recorded on Microfilm Roll No. 62, adopting recommendation of the City Planning Commission for granting petition for rezoning from R-1 Zone to C Zone of portion of Lots 141 and 142 Morena; requesting the City Attorney to prepare and present such ordinance, zoning to be not effective until a Final Map is filed of record for said area, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending proceedings be started to change property line grades on Anna Avenue between its termination at Sherman Street and the southwesterly line of Pacific Highway - and the City to pay the costs of said change of grade proceedings - was presented.

RESOLUTION NO. 111546, recorded on Microfilm Roll No. 62, adopting recommendation of the City Engineer, filed in the office of the City Clerk on April 10, 1953 under Document No. 466989 that proceedings be started to change the property line grades on Anna Avenue between its termination at Sherman Street and the southwesterly line of Pacific Highway; that the City pay the costs of said change of grade proceedings, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, recommending approval of the closing of Mira Monte Plaza as shown on Drawing 4896-B, expense to be paid by the property owners, was presented. The communication refers to petition having been denied by the Council under Resolution No. 108883. It states that subsequent to said action, at the Manager's direction, the City Engineer has made a study of requirements for extension of Fay Avenue adjacent to Lot 1 Block 26 and Lot 6 Block 25 La Jolla Hermosa Unit No. 2, and that the Property Department has reached an agreement with the property owners regarding acquisition of property for widening Fay Avenue. It states that the closing is in accord with previous recommendations of the Planning Commission and the Street Superintendent, and does not interfere with the Major Street Plan of the City.

RESOLUTION NO. 111547, recorded on Microfilm Roll No. 62, adopting recommendation of the Street Superintendent filed in the office of the City Clerk April 13, 1953, under Document No. 467027 for closing portions of Mira Monte Plaza adjacent to Lot 1 Block 26 and Lot 6 Block 25 La Jolla Hermosa Unit No. 2; directing the City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

In connection with the next 3 matters, the Mayor said that they should be referred to Council Conference.

Communication from the Park Superintendent, bearing the Park & Recreation Director's signature of approval, and the City Manager's stamp of approval, reporting on the matter of the request received from the San Diego Jewish Community Center for permission to operate a Youth Activity and Day Camp Center, for all races and creeds, in Balboa Park, was presented. In addition to a detailed report, the communication states that at the last meeting of the Commission it was the unanimous decision to request the Council to recommend a lease, portion to be surveyed and described by the City Engineer, to the San Diego Jewish Community Center for establishing and operating a Youth Activity and Day Camp Center under terms of the proposed lease, was presented.

(See also reference to this matter on the next page, under communication from property owners northerly of 1207 Upas Street, on verbal protest of Lt. M. E. Fisher.)

RESOLUTION NO. 111548, recorded on Microfilm Roll No. 62, referring communication from the Park Superintendent to the City Manager relative to proposed lease for youth activity and day camp center of portion of Balboa Park, filed in the office of the City Clerk April 13, 1953 under Document No. 467028, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.



Communication from Richard S. Bell, 2650 Strandway, San Diego 8, dated April 8, 1953, referring to San Diego's great asset in Balboa Park, asking that "our parks" be kept for use of all the people all the time, was presented. It refers to newspaper comment that the Council would formulate a policy on park lands, and that the writer hopes that there will be no changes. It states that through the years people have tried to acquire park land either for public or private use, and that the part of the old policy should be maintained.

RESOLUTION NO. 111549, recorded on Microfilm Roll No. 62, referring communication from Richard S. Bell, Document No. 466990, relative to policy on park lands and opposing use by private groups or individuals to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Norman L. White, 3422 Richmond Street, and others, in the form of a petition, representing owners whose properties are adjacent to portion of Balboa Park lying just east of the Boy Scout Headquarters at 1207 Upas Street, protesting granting of application of the Jewish Community Center for establishment of day camp on said land, and requesting denial of the petition, was presented. It states that such a camp would greatly depreciate property values of said R-1 Zone. It asks that if the request were granted, how could the Council refuse the same privilege to other races and creeds without eventually chopping up Balboa Park. It points out that 10 acres of Park land has already been leased to the Boy Scouts by a former Council, and that to allow a day camp would shut off from public use the entire block. The communication points out that there is now a school, a school playgrounds and a Boy Scouts camp using all the frontage on Upas Street between Park Boulevard and Vermont Street, except for the few acres being petitioned for on the southwest corner of Richmond Street and Upas Street, which the signers believe should be left open for use of the general public.

Said communication of protest was read to the Council by the Clerk.

Mayor Butler stated that the matter has been referred to Council Conference. He said, also, that the Council has met with the Park Commission to decide a policy. He then recognized the next man, who appeared at the microphone to speak.

Lt. M.E. Fisher, USN, 1282 Upas Street, was heard. He stated that he represented people in the area. He told the Council that he could have had signatures of several thousand persons, but that he wants the matter decided on its merits. The Lieutenant told about the great use of Balboa Park, and about sections being cut out of the Park. He told of the great activity, and spoke against further encroachment against the nearby R-1 Zone. He said that the saturation point on encroachment of the park has been reached. He told of the many children who use the Park, and said that the present Boy Scout camp will be insufficient. He said that it would be unwise to grant use to one particular organization, which would reduce the natural access areas of the park. He said that there is no path down the slope to areas which were shown on a map which he produced. The speaker stated that he approves of day camps and cultural activities, but that he felt some other could be used for their establishment. Already the park is loaded with activities, he said. Lt. Fisher spoke about the horseback riders who use the area proposed for the lease, and that children do so also. He told about birds and animals which use the area as a refuge.

The Mayor said again that the matter is to be considered in Conference.

Lt. Fisher spoke again, and said that he opposed the particular area proposed, and stated that even Jewish residents oppose it also.

RESOLUTION NO. 111550, recorded on Microfilm Roll No. 62, referring to Council Conference communication from property owners northerly of 1207 Upas Street---Boy Scout Headquarters---filed in the office of the City Clerk under Document No. 467029, protesting establishment of day camp on land east of said location, and requesting that the area near the southwest corner of Richmond Street and Upas Street be left open for use of the general public, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

In connection with the next two matters, the City Attorney told the Council that they should be set down for hearing.

Communication from Foster and Kleiser Company, signed by Robert E. Tuohy, Columbia at Juniper, San Diego 1, dated April 8, 1953, referring to application having been denied April 1, 1953, by the Zoning Committee for advertising structures on property leased at 4250 Midway Drive, in an "architecturally controlled" area, was presented.

Communication from Foster and Kleiser Company, signed by Robert E. Tuohy, Columbia at Juniper, San Diego 1, dated April 8, 1953, referring to applications having been denied December 3, 1952, by the Planning Commission at 4226 Rosecrans Avenue, and 2937 Chestnut Street, both areas being in the vicinity of the new Morena Boulevard bridge, in an area designated as "architecturally controlled", was presented.

RESOLUTION NO. 111551, recorded on Microfilm Roll No. 62, setting hearing for the hour of 10:00 o'clock A.M., Tuesday, April 21, 1953, on petitions of Foster and Kleiser Company requesting reversal of decision of the Zoning Committee in denying building permit for construction of standard outdoor advertising structures at 4250 Midway Drive, 4226 Rosecrans Avenue, and 2937 Chestnut Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from W. P. Heath, 1115 Cabrillo Circle, Vista, California, dated April 7, 1953, enclosing copy of letter addressed to the County Board of Supervisors offering easement through an East San Diego canyon for a road to connect Fairmount Ave. with Kensington Heights, was presented. It attached copies of map and blue-lines sent to

the County, refers to additional easements and City assistance required, and outlines details and advantages.

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

Communication from Pacific Beach Business and Professional Ass'n., P.O. Box 242, Pacific Beach Station, San Diego 9, signed by Leonard Lafferty, Secretary, dated April 8, 1953, relative to traffic count at the intersection of Balboa Avenue and Morena Boulevard, and expressing thanks for the Council's interest and action taken, was presented. It stated that in making a traffic count on Balboa Avenue and Morena Boulevard, it is hoped that the count will take into consideration the number of Pacific Beach and La Jolla automobiles coming from the downtown area and Mission Valley road that use Morena Boulevard to avoid congestion at Balboa and Highway 101. It makes, in addition, to other traffic matters affecting the area.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the communication was referred to the City Manager for prompt answer - within 1 week.

Communication from Pacific Beach Women's Club, by Mrs. C. W. Benson, corresponding secretary, dated April 9, 1953, urging the City to complete the recreation facilities at the Pacific Beach Recreation, and outlining the need, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was referred to the City Manager for report - in 1 week.

Communication from United States Department of The Interior, Bureau of Reclamation, San Diego Project, Escondido, California, signed by Jean R. Walton, Project Engineer, referring to the United States construction of new aqueduct paralleling the existing aqueduct from the west end of the San Jacinto Tunnel of The Metropolitan Water District of Southern California to the San Vicente Reservoir, San Diego County, was presented.

It refers to additional 75-foot strip of right-of-way required adjacent to the existing right-of-way across Lake Hodges, and submits easement for execution by proper officials. In addition, it requests that when easement has been executed on behalf of the United States and recorded, that conformed copy be furnished. Also, it requests that there be affixed to the easement a certificate or copy of the minutes that authorizes the execution of the instrument on behalf of The City of San Diego.

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

Communication from Mrs. Virginia Johnson, 2144 Felton Street, San Diego 4, and others, addressed to Councilman Dail and City Fathers, relative to a dangerous intersection at 65th Street and Skyline Drive, and requesting a traffic survey due to the increased building in the area of multiple homes, was presented. The request states that the street is narrow and high banks on either side of the road make it a blind intersection, and it makes further assertion to the dangerous condition.

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

RESOLUTION NO. 111552, recorded on Microfilm Roll No. 62, setting for hearing the hour of 10:00 o'clock A.M., Tuesday, April 21, 1953, on the proposed Ordinance amending the San Diego Municipal Code regulating Trailer Parks, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The date for the hearing had been determined in Council Conference, in accordance with Conference minutes.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, a hearing was set for consideration of the building code, on Tuesday, April 28, 1953.

The date for a hearing had been determined in Council Conference in accordance with Conference Minutes, for Tuesday, April 21, 1953, and a notice thereof for that date has been published.

The Mayor announced at this time, that he would have to leave the meeting in order to fly out of town in connection with meeting previously determined where presence is desired.

The City Attorney asked the Mayor if he could stay long enough to vote on the ordinances, inasmuch as 5 votes are needed. Otherwise, he said, they could be put on their first reading only.

As a result, the following Ordinances were taken up at this time, out of order, so that the Mayor might vote upon them:

ORDINANCE NO. 55500 (New Series), recorded on Microfilm Roll No. 62, appropriating the sum of \$4,000.00 from the Unappropriated Balance Fund, and transferring the same to Account 510 Department 05.00, Property Management Fund, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Kerrigan, Schneider, Godfrey, Mayor Butler. Absent-Councilmen Wincote, Dail. Nays--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, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Wincote, Dail. The final reading of such Ordinance was in full.

ORDINANCE NO. 5551 (New Series), recorded on Microfilm Roll No. 62, appropriating the sum of \$1,500.00 from the Capital Outlay Fund, for the purpose of providing additional funds for the widening and improvement of Park Boulevard at the San Diego High School, 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, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Wincote, Dail.

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

The final reading of such Ordinance was in full.

ORDINANCE NO. 5552 (New Series), recorded on Microfilm Roll No. 62, appropriating the sum of \$1,000.00 from the Unappropriated Balance Fund, and transferring the same to Appraisals Account, Property Management Division, Department 05.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Wincote, Dail.

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

The final reading of such Ordinance was in full.

A proposed Ordinance amending the San Diego Municipal Code by amending Section 63.04 thereof providing for leasing of land in Balboa Park to certain organizations, was presented.

(This is the matter referred to earlier in this meeting, on ~~Page~~ Page 114 of these Minutes.)

RESOLUTION NO. 111553, recorded on Microfilm Roll No. 62, referring the proposed Ordinance amending the San Diego Municipal Code by amending Section 63.04 providing for leasing of land in Balboa Park to certain organizations, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 5553 (New Series), recorded on Microfilm Roll No. 62, repealing Ordinance No. 3675 (New Series) of the Ordinances of the City of San Diego entitled "An Ordinance creating a Sports Commission for the City and County of San Diego, California and creating special funds to be known as 'San Diego Sports Commission Promotional Trust Fund' and 'San Diego Sports Commission Revolving Fund' adopted March 2, 1948 as amended by Ordinance No. 4960 (New Series) adopted October 30, 1951, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Wincote, Dail. said Ordinance was adopted

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Wincote, Dail.

The final reading of such Ordinance was in full.

ORDINANCE NO. 5554 (New Series), recorded on Microfilm Roll No. 62, establishing the grade of Cervantes Avenue, between the southerly prolongation of the easterly line of Loma Avenue and a line drawn northwesterly at right angles to the southeasterly line of Cervantes Avenue from the point of intersection of the southeasterly line of Cervantes and with the southerly line of Paradise Road, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Wincote, Dail.

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

ORDINANCE NO. 5555 (New Series), recorded on Microfilm Roll No. 62, establishing the grade of La Jolla Hermosa Avenue, between the northwesterly line of La Canada and a line parallel to and distant 507.30 feet northwesterly from the northwesterly line of La Canada, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Wincote, Dail.

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



ORDINANCE NO. 5556 (New Series), recorded on Microfilm Roll No. 62, establishing the grade of 64th Street between the southeasterly line of Mesita Drive and the northwesterly line of Catoc tin Drive, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Wincote, Dail.

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

ORDINANCE NO. 5557 (New Series), recorded on Microfilm Roll No. 62, establishing the grade of Thorn Street, between the west line of Hawk Street and a line parallel to and distant 105.00 feet westerly from the west line of Hawk Street, 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, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Wincote, Dail.

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

ORDINANCE NO. 5558 (New Series), recorded on Microfilm Roll No. 62, establishing the grade of Warrington Street, between the northeasterly line of Dixon's Subdivision, and the northwesterly prolongation of the northeasterly line of Dixon Place, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Wincote, Dail.

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

ORDINANCE NO. 5559 (New Series), recorded on Microfilm Roll No. 62, establishing the grade of Wilson Avenue between the south line of Dwight Street and a line parallel to and distant 364.57 feet southerly from the south line of Dwight Street, was on motion of Councilman Schneider, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Wincote, Dail.

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

Swan

Mayor Butler left the meeting at this time, and Councilman/assumed the duties of Chairman, leaving the following members of the Council present: Swan, Schneider, Kerrigan, Godfrey.

RESOLUTION NO. 111554, recorded on Microfilm Roll No. 62, directing notice of filing of assessment and of the time and place of hearing - the Street Superintendent's Assessment No. 2126 made to cover the costs and expenses of the work of paving and otherwise improving portion of Lamont Street, within the limits and as particularly described in Resolution of Intention No. 106839, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111555, recorded on Microfilm Roll No. 62, accepting bid of H. H. Peterson for the installation of sewers in the Alley in Block 36 City Heights, Quince Street, Lexington Avenue, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 110353, and awarding contract, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

A written report from the City Engineer states that the low bid is 11.9% above the estimate.

RESOLUTION NO. 111556, recorded on Microfilm Roll No. 62, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 52 Park Villas, under Document No. 466939; approving Plat No. 2425 showing the exterior boundaries of the district to be included in the assessment; 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. 111557, recorded on Microfilm Roll No. 62, for the paving and otherwise improving of 41st Street and Broadway, within the limits and as particularly described in Resolution of Intention No. 110840, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 111558, recorded on Microfilm Roll No. 62, for the paving and otherwise improving of Moana Drive, within the limits and as particularly described in Resolution of Intention No. 110841, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 111559, recorded on Microfilm Roll No. 62, 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, in accordance with the Engineer's Report and Assessment filed March 2, 1953, in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 111560, recorded on Microfilm Roll No. 62, 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, in accordance with the Engineer's Report and Assessment filed March 2, 1953, in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 111561, recorded on Microfilm Roll No. 62, 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, in accordance with Engineer's Report and Assessment filed March 2, 1953 in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION CHANGING GRADE NO. 111562, recorded on Microfilm Roll No. 62, for Scott Street and Harbor Drive, within the limits and as particularly shown on 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 Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111563, recorded on Microfilm Roll No. 62, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Sunset Cliffs Lighting District No. 1, for a period of one year from and including January 15, 1953 to and including January 14, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111564, recorded on Microfilm Roll No. 62, directing notice of filing of Assessment No. 2128 made to cover the costs and expenses of the paving and otherwise improving portion of 46th Street, within the limits and as particularly described in Resolution of Intention No. 107589, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111565, recorded on Microfilm Roll No. 62, directing notice of filing of assessment and of the time and place of hearing thereof, for the paving and otherwise improving of West Street and Ocean View Boulevard, within the limits and as particularly described in Resolution of Intention No. 107166, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111565, recorded on Microfilm Roll No. 62, directing notice of filing of assessment and of the time and place of hearing thereof, for the paving and otherwise improving of West Street and Ocean View Boulevard, within the limits and as particularly described in Resolution of Intention No. 107166, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 111566, recorded on Microfilm Roll No. 62, 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, 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. 111567, recorded on Microfilm Roll No. 62, 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 Schneider, seconded by Councilman Kerrigan, adopted.

*duplicate*

RESOLUTION OF INTENTION NO. 111568, recorded on Microfilm Roll No. 62, for the closing of the Alley between Lots 17 and 18 Block 38 Lexington Park, stating that it is not deemed necessary that any land be taken therefor, setting out the exterior boundaries of the district of lands to be affected by 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 Kerrigan, adopted.

RESOLUTION NO. 111569, recorded on Microfilm Roll No. 62, 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 El Cajon Boulevard Lighting District No. 2, for a period of one year from and including March 5, 1953 to and including March 4, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111570, recorded on Microfilm Roll No. 62, 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 Talmadge Park Lighting District No. 3, for a period of one year from and including March 1, 1953, to and including February 28, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 111571, recorded on Microfilm Roll No. 62, for the paving and otherwise improving of the Alley in Block 52 Park Villas, within the limits and as particularly described in said Resolution - to the modify grade shown and indicated upon plans and profiles on file in the office of the City Clerk - was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111572, recorded on Microfilm Roll No. 62, ascertaining and declaring the wage schedule for the paving and otherwise improving of the Alley in Block 88 E. W. Morse's Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111573, recorded on Microfilm Roll No. 62, ascertaining and declaring the wage schedule for the paving and otherwise improving of Pacific Beach Drive, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111574, recorded on Microfilm Roll No. 62, 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, 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 Schneider, adopted.

RESOLUTION NO. 111575, recorded on Microfilm Roll No. 62, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Meade Avenue, within the limits and as particularly described in Resolution of Intention No. 107267, and to be assessed to pay the expenses; directing the City Clerk 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. 111576, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 466650 for the paving and otherwise improving of Poe Street; directing the City Engineer to furnish description of the assessment district, and plat showing the exterior boundaries of the district or lands 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. 110369 for improvement of Evergreen Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111577, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 466787 for paving and otherwise improving of Warrington Street; directing the City Engineer to furnish description of the assessment district, and plat showing the exterior boundaries of the district of lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the improvement; directing the City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 105932 for improvement of Dixon Place and other streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.



A proposed Resolution outlining and defining the principles to govern the use and development of all real property heretofore or hereafter dedicated or set aside for park purposes, and making additional statements and findings, was presented.

RESOLUTION NO. 111578, recorded on Microfilm Roll No. 62, referring the proposed Resolution outlining and defining the principles to govern use and development of property hereafter dedicated or set aside for park purposes, etc., to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111579, recorded on Microfilm Roll No. 62, amending Resolution No. 92208 adopted December 28, 1948, establishing schedule of rentals for use of buildings and facilities in Balboa Park, by adding section (d) to paragraph 4: "(d) For any activity which includes the serving of any dinner or other type of meal, the rental charge shall be \$200.00 per meal, or \$300.00 per day when more than one meal is served by the same organization in the same day, and in addition thereto the lessee shall be required to reimburse the City for all damage to the facility or equipment therein", was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111580, recorded on Microfilm Roll No. 62, establishing parking time limit of two hours, between the hours of 8:00 a.m. and 6:00 p.m. Sundays and holidays excepted:

Fourteenth Street between the north line of Island Avenue and the south line of Market Street;

Fourteenth Street between the north line of L Street and the South line of K Street;

A Street between the east line of India Street and the west line of Columbia Street;

Park Boulevard between the south line of El Cajon Boulevard and the north line of Howard Avenue;

establishing Parking Meter Zones upon said streets; directing that the City Manager shall cause parking meters to be installed and have parking meter spaces to be designated on said streets; authorizing and directing installation of the necessary signs and markings; repealing all resolutions or parts of resolutions in conflict, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111581, recorded on Microfilm Roll No. 62, authorizing the City Manager to employ Griffith Company to replace the southwest curb return at Thomas and Kendall Streets, the cost not to exceed \$99.05, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City has heretofore entered into contract with Griffith Company for improvement of Thomas Avenue between Jewell and Kendall Streets under a 1911 Street Improvement Act proceeding, that it has been found that the curb return at said location will have to be replaced; that Griffith Company has offered to do said work at the sum mentioned and that the City Manager has recommended that the offer be accepted and work done.

RESOLUTION NO. 111582, recorded on Microfilm Roll No. 62, authorizing the City Manager to employ T. B. Penick & Sons to replace curb returns and sidewalks at the intersections of Dwight Street with Nile Street and Boundary Street, cost not to exceed \$204.00, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City has heretofore entered into contract with T. B. Penick & Sons for paving the alleys in Blocks 1 and 2 City Heights and grading and installing curbs on portion of Dwight Street under a 1911 Street Improvement Act Proceeding, that it is found that returns and sidewalks will have to be replaced at said locations; that T. B. Penick & Sons has offered to do said work at the sum mentioned and that the City Manager has recommended that the offer be accepted and work done.

RESOLUTION NO. 111583, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to do all the work in connection with installation of 500 feet of 8-inch water main on Country Club Drive, from 8-inch gate valve located at approximately lot line between Lots 6 and 7 Block G Country Club Heights Unit No. 2 to 500 feet south, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the Director of the Water Department has recommended installation, 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. 111584, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to do all the work in connection with construction of extension to the existing 36-inch culvert at 43rd Street and Meade Avenue, across Lot 34 C. H. Tingey Subdivision, a distance of 104 feet, as shown on Engineer's Drawing No. 4857-E by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the Engineering Department has recommended said construction of extension, 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. 111585, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to do all the work in connection with replacement of sprinkling system, consisting of main and laterals, along the west side of Pershing Drive from Upas Street to Laurel Street cut-off, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has recommended replacement of the system, that he 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.

Proposed Resolution authorizing the City Manager to execute Sixth Amendment to Lease Agreement for Operation of Mission Beach Amusement Center, with Ray E. Matheson and Roy J. Hurd, a partnership, whereby previous amendments are consolidated into one document and additional amendments or additions made, in accordance with form thereof on file in the Office of the City Clerk, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said Resolution was continued to the meeting of Thursday, April 16, 1953.

(The changes and additions are not listed here, inasmuch as the Resolution was not adopted, and it is set for another consideration at the next meeting.)

RESOLUTION NO. 111586, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to execute for and on behalf of The City of San Diego agreement with J. R. Gregory authorizing placing 2 weigh scales in the Plaza Comfort Stations, in accordance with terms and conditions set forth in form of agreement on file in the Office of the City Clerk as Document No. 467165, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Proposed Resolution authorizing the City Manager to execute for and on behalf of The City of San Diego an agreement between the City and John C. Ray and James Mitchell, providing for employment as Consultants, for the purpose of furnishing a plan for improvement of the Mission Beach Amusement Center, services to total \$2000.00, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said proposed Resolution was continued to the meeting of Thursday, April 16, 1953.

RESOLUTION NO. 111587, recorded on Microfilm Roll No. 62, approving Change Order No. 2 dated March 31, 1953, heretofore filed with the City Clerk as Document No. 467041, issued in connection with contract between The City of San Diego and Griffith Company for improvement of Roswell, Hanover, and other streets, contract contained in Document No. 459172 on file in the Office of the City Clerk; changes amounting to increase in contract price of approximately \$1,756.00; repealing Resolution No. 110860 adopted March 3, 1953, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111588, recorded on Microfilm Roll No. 62, approving Change Order No. 1 dated March 24, 1953, heretofore filed with the City Clerk as Document No. 467043, issued in connection with contract between The City of San Diego and Johnson-Western Constructors for construction of a pump station in Drucker's Subdivision, contained in Document No. 464814 on file in the office of the City Clerk; changes amounting to increase in the contract price of approximately \$896.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111589, recorded on Microfilm Roll No. 62, approving Change Order No. 1 for extension of 30 days to and including May 3, 1953, heretofore filed with the City Clerk as Document No. 467045, in which to complete contract for moving keeper's residence at University Heights North Reservoir, contract contained in Document No. 465119 on file in the office of the City Clerk; completion time of contract extended to May 3, 1953, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Contract and extension is with W. B. Melhorn.

RESOLUTION NO. 111590, recorded on Microfilm Roll No. 62, granting application of United Portuguese S.E.S., Inc., for permission to conduct public display of fireworks on Point Loma between Byron and Addison Streets, May 23, 1953, 8:30 P.M. to 9:15 P.M., on conditions set forth in said Resolution, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111591, recorded on Microfilm Roll No. 62, granting H. C. Thorp and Jack E. Brown, 2305 Van Ness, National City, permission to connect two 4-unit houses on a 6" Sewer Line installed 3 feet inside the property line paralleling Logan Avenue on the north side; to serve houses numbered 811 to 817 and 825 to 831 - 47th Street, because public sewer is distant 400 feet - easement across adjoining property has been filed - subject to the various conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111592, recorded on Microfilm Roll No. 62, opposing passage of Senate Bill No. 1100 now pending before the Legislature of the State of California which provides for redistribution of receipts of the Municipal Courts of the State of California, which if enacted into law will work to disadvantage of The City of San Diego in that the City will receive less money out of the proceeds distributed from said Courts than it does now, and that as a result the City will be compelled to either increase taxes to pay the costs of government now cared for by the present money received from distribution of Municipal Court proceeds or secure such funds from some other source, and that the Council is of the opinion that the best interests of The City will be served by opposition; authorizing and directing the City Clerk to send to the representatives of San Diego in the Legislature certified copies of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111593, recorded on Microfilm Roll No. 62, 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:

Imperial Avenue, west of Merlin Drive;  
Front Street at Maple Street;  
Tibbett Street at Lisbon Street;  
Jamacha Road at Lisbon Street;  
Pons Street at Lisbon Street;  
Porter Street at Jamacha Road;  
Porter Street at Lisbon Street;  
Cadman Street at Jamacha Road;  
Cadman Street at Lisbon Street

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

RESOLUTION NO. 111594, recorded on Microfilm Roll No. 62, approving claim of Walter F. Durfee and Mrs. W. F. Durfee, on file in the office of the City Clerk under Document No. 465978 in the amount of \$25.00; directing the City Auditor to draw his warrant in favor of Walter F. Durfee and Mrs. S. F. Durfee in said sum in full payment of the claim, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111595, recorded on Microfilm Roll No. 62, authorizing the City Attorney to settle for \$397.85 the claim of George A. Morales, filed by Clifford Duke, Jr., his attorney, in the office of the City Clerk under Document No. 461013, claiming the amount of \$667.85; directing the City Auditor to draw his warrant in favor of George A. Morales and Clifford Duke, Jr., in the amount of \$397.85 in full payment of the claim; rescinding Resolution No. 110100, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111596, recorded on Microfilm Roll No. 62, denying claim of Mrs. Lila M. Gilbert on file in the office of the City Clerk under Document No. 466610, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111597, recorded on Microfilm Roll No. 62, authorizing Harvey M. Cole of the City Engineer's Office to attend the 1953 California Sewage Works Association Convention, to be held at Santa Barbara, California, April 22 through April 25, 1953; authorizing the incurring of all expenses in connection with said trip, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111598, recorded on Microfilm Roll No. 62, authorizing Fire Chief George Courser, and one other person to be designated by the City Manager, to attend the Governor's Conference on Civil Defense, to be held in Sacramento, California, April 17, 1953; authorizing the incurring of all necessary expenses in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111599, recorded on Microfilm Roll No. 62, authorizing Frank Skalecky and Harry Masters, Medical Coordinator and Chief Warden, respectively, of the Civil Defense Department, to attend the Federal Civil Defense Training Course to be given at St. Mary's College, St. Mary's, California, April 27 to 30, inclusive, 1953, and to visit Civil Defense Office at San Francisco May 1, 1953; authorizing the incurring of all expenses in connection with said trip - meals while at the College to be paid for by the State, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

E. W. Blom, Acting City Manager, requested, and was granted, unanimous consent to present the next matter, not listed on the Agenda:

RESOLUTION NO. 111600, recorded on Microfilm Roll No. 62, authorizing the Harbor Department ~~Department~~ to perform certain extra work consisting of grading and excavation at the north end of Shelter Island under contract heretofore awarded to Cameron



Brothers Construction Company for rental of equipment, by Resolution No. 110946, at unit prices set forth in the bid of said Cameron Brothers Construction Company, which unit prices amount to a total estimated cost of approximately \$2000.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Councilman Schneider requested, and was granted unanimous consent to present the next matter, not listed on the Agenda:

Communication from San Diego Women's Civic Club, signed by Mary K. Bryant, Corres. Secy., dated April 11, 1953, and addressed to Councilman Schneider, was filed with the Clerk by Mr. Schneider.

Communication referred to states that at the last regular meeting of the Club held April 7 at the "Y" action was taken regarding the matter of hedges in the City. It stated that it was felt that hedges should be regulated as to height and location, as fences are, since they also can be a hazard to traffic, health and sanitation, and it requested that an ordinance be drafted.

RESOLUTION NO. 111601, recorded on Microfilm Roll No. 62, referring communication from San Diego Women's Civic Club relating to regulation of height and location of hedges to the City Planning Commission, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communications from Dee Smith, 3554 Sydney Place; San Diego County Farm Bureau by Edward C. Clark, Executive Secretary, Chamber of Commerce Building; and from Mrs. Joyce E. Beran, 6328 Tooley Street, San Diego 14 - all having to do with the matter of keeping of chickens and other poultry, were withdrawn from Council Conference.

A note from Council Secretary advised that the Council had taken cognizance of said letters, and had requested that they be filed with others.

Said letters were placed in the file with other letters on the subject.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said meeting was adjourned at the hour of 11:46 o'clock A.M.

Upon adjourning, the Mayor told the Council that a conference would be held at the hour of 2:00 o'clock P.M., this date.

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, April 16, 1953

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 Mayor Butler at the hour of 10:05 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, being the continued hearing on the appeal of J. D. and Hazel Taylor for variance to the provisions of Ordinance No. 12990 for permission to construct a single-family residence on portion of Lots 1 and 2 Block 7 Mission Hills - the first lot southerly of 4295 Witherby, in Zone R-1, the matter was brought up again at this time.

The matter was continued from the meeting of April 9, 1953, to permit members of the Council to look at the property. In addition, two members of the Council had to leave the meeting of the 9th before action could be taken.

Mayor Butler stated that members of the Council had viewed the property, as agreed. He said that at the former hearing the appellant had agreed to a duplex instead of another house on the property.

Councilman Wincote stated that the question which is before the Council is upon the present use as proposed, rather than addition to the building which would create a duplex. The latter matter, he stated, is something else.

When asked by the Mayor of the appellants/they would want a duplex, Mrs. Taylor replied that they would not.

Councilman Godfrey said that he opposes breaking down the zoning by variance, basically. He said that the law, however, has made provision for variance where unusual circumstances and hardship cases exist. He said that it all goes back to the cutting up of the property. A portion, Mr. Godfrey stated, stands in weeds, which portion faces another street. He said that it is a neighborhood situation that the weed patch does not improve the property appearance. He stated that he felt that it would not be detrimental to the neighborhood to grant the variance.

Councilman Swan stated that the Taylors could improve the area now in weeds by putting in a lawn.

Morey Levenson, attorney, appeared before the microphone, but was not heard at this time.

Councilman Godfrey answered Councilman Swan by pointing out that a second home is wanted for the owners' occupancy, and for sale of the other house on portion of the lot.

Mr. Levenson was heard at this time, representing the opponents to the variance. The important thing, he said, is the effect on the vacant property on each side. A small house, he said, would depreciate the neighborhood, and would not be in keeping with the present development of the neighborhood. There is not a single garage on the street now, he told the Council. Mr. Levenson referred to the existing estate homes on Sunset in the neighborhood, and named their occupants. He stated that variance would not provide an adequate rear yard, and was not sure about the side yard.

Councilman Wincote wondered about the side yard in connection with the house to the south.

Mr. Levenson replied that the predecessor to the Taylors, also the Taylors had taken out petitions to rezone the property, but that they had been withdrawn. He said that the Taylors purchased the property knowing what the condition is, and that it is in the R-1 Zone. He said that there is not the hardship involved provided for in the Ordinance. He reviewed, from the Ordinance, the hardships. He said that he had not been convinced, and stated that the Planning Department had not presented the matter to the Council.

Councilman Wincote disagreed with Mr. Levenson, and spoke of the lot facing on two streets.

Mr. Levenson read from the ordinance the matter of hardship, and re-read it at Councilman Wincote's request. He stated that no one else has asked for such a variance.

Councilman Wincote told about the attractive appearance on Ingleside Street. Mr. Levenson referred to effort to break down the zoning. He said that the Council will have to consider the injurious effect on adjoining property. He stated that the Court has held that the interests of other property owners must be protected.

There was discussion between Councilman Godfrey and Mr. Levenson regarding the recent Court case at 47th and Market Streets.

Mr. Levenson reviewed the Court's opinion relative to effect on neighborhood property. Where an attempt is made by Zone variance, Mr. Levenson said, in effect a zone change, and actually a subdivision of substandard conditions. He told about the area to be left, if the variance is granted. He agreed that across the street there are smaller lots - by subdivision - none by zone variance. Mr. Levenson stated that neighbors had offered to beautify the Taylor lot, and did beautify it until they had been prevented from entering the property on account of refusing to sign the petition requesting the zone variance. He read, then, from the ordinance about the powers of the Zoning Committee to grant variance. Those were the conditions the previous Council had in mind when they adopted the Zoning Ordinance, he said. The Council, Mr. Levenson said, does not have the power to cut up lots to provide substandard property. He declared that the Taylors would not be precluded from use of their property as it now exists. Dr. and Mrs. Taylor knew the entire picture, and the area, when they purchased the property, he told the Council.

Councilman Schneider asked about the small rear yard, and wondered if that would not be a detriment to the neighborhood.

Mr. Levenson replied that any type of variance, whether rear or side yards, affects the neighborhood.

Councilman Schneider stated that the neighborhood's interest is in the appearance, the setback and the sideyards.

Mr. Levenson declared that if the City breaks down the zoning it is difficult to deny similar requests.

Councilman Godfrey said that he is interested in Mr. Levenson's comments on the zoning law. He said that he wants an answer from the City Attorney.

Douglas Deaper, representing the City Attorney's office, said that if there is a question, the matter should be referred to the City Attorney for an opinion.

Mr. Levenson spoke again and said that Judge Higgins (Assistant City Attorney) has serious doubt regarding the Council's right to grant the request, and that the Judge would welcome a request for an opinion.

The Mayor said that the Council should hear the matter, and then close the case. He pointed out that a great deal of time had already been consumed on this one item.

Councilman Wincote asked about the back yard of the Dornheim property.

Mr. Dornheim, who did not give his first name or initials, replied 60 feet - 4 feet leading to the "L" - to the south of the Taylors' property. The Taylors, he said, may have little more area. His house, Mr. Dornheim said, has 900 square feet.

Councilman Wincote said that he had tried not to influence any Councilman. The house, he said, would finish up and improve the neighborhood. He said that he had looked at the property, and that he had dwelt on appearance only. Councilman Wincote said that he is not interested in a neighborhood squabble, and that the Taylor's house is in keeping with the Dornheim house. The Taylor lot on Witherby is the only sore thumb, he said. Councilman Wincote declared that the improvement under the requested variance denial reversal would be more attractive.

Mr. Levenson told the Council that granting of the variance would open the door for multiple units.

Councilman Wincote stated that he is inclined to believe that there are multiple dwellings. He referred, also, to garages on the alley on the Ingleside properties.

Mr. Dornheim spoke about the Taylors having bought the lot, and stated that the empty lot is the back yard. He said that his property is landscaped, and that he keeps it up. He said that the Case's property is landscaped.

Councilman Wincote declared that the Dornheim garage is not attractive to the Taylors.

Mr. Dornheim said that there is a hedge between his garage and the Taylor house.

Councilman Wincote said that the garages are not attractive.

Mr. Levenson said that all knew what they were buying, referring to the Dornheims, Cases and Taylors.

Councilman Wincote spoke about the property being botched up, and said that nevertheless, the Taylors can build just as attractively as the Dornheims; also that they cannot hurt Mr. Case. He said that there will be loss of use of land, if the variance to permit its use is not granted.

Mr. Levenson spoke about a rise in the property, and the contour of the land.

Mr. Dornheim stated that he had tried to buy from the Carsons, the previous owners (preceding the Taylors), and referred to the area having been kept in nice shape. He said that he had wanted to buy in order to improve. He told about the hedge having been cut down, and the appearance spoiled.

Mr. Case, who did not give his first name or initials, said that he believed that the Council should sustain the Zoning Committee's decision. Many people, Mr. Case declared, are coming into California who want good gardens, but that if Mr. Taylor does not want to beautify the property that is his business. He showed a map of the area.

Councilman Dail stated that a legal ruling is needed.

Mr. Case told of 6,000 square foot lots, and of 6,100 square feet on the Taylor property. Mr. Taylor, he said, wants one lot of 3,000 square feet, and one lot of 3,100 square feet. He said that it is not feasible to sell on account of the small back yard. There was discussion between Councilman Schneider and Mr. Case over a map. Mr. Case told of the various setbacks, and stated that the average is 25.25 feet.

There was discussion between Councilman Wincote and Mr. Case, next, regarding areas.

Mr. Case emphasized the fact that the condition existed when the Taylors bought.

Councilman Wincote told of a worse fire hazard "at the other corner."

Addressing a reply to Councilman Schneider, Mr. Case said that the previous owner had about 6 variances.

Councilman Wincote replied that if he had been on the Council at that time, he would have granted variance, because Mr. Case has an attractive residence.

Mr. Case spoke again, and said that the Taylors are requesting a privilege that is not granted to other others, and he reviewed them. He told about a Mrs. Brown being made at the Planning Department for denying her the privilege of erecting an apartment on a garage, so on that account she sides with the Taylor petition. Mr. Case told of the Planning Commission's denial of various requests. He spoke about improvements needed to utilize the property.

Councilman Dail was excused from the meeting at this time.

Mr. Case continued speaking, and related for the Council's benefit that there are many beautiful homes in the area. He showed photographs of nearby residences. He referred to them as lovely homes. Next, Mr. Case told about his previous maintenance of the lot in question, when the Carsons owned it. He said that it is a disgrace and insult the way the Taylors' property looks presently. He showed a floor plan of the



Taylor's proposed house. Also, he showed on the blue print the distances involved.

Councilman Dail returned to the meeting at this time.

Mr. Case, continuing with his presentation, said that it would be a war housing type of residence the Taylors propose to erect, and that it would not be comparable with the balance of the neighborhood.

Councilman Wincote stated that the contractor said that he would build an attractive house. He declared that Mr. Case had made a bad drawing.

Mr. Case declared that he had taken it from the blue print in the Planning Office.

Mrs Taylor was heard next. She said that after they had bought, within about 2 weeks Mr. and Mrs. Case wanted to know what was proposed to be done to improve the property. Mr. Case, she said, had offered to buy 5 feet, which would make a further substandard lot. Mr. Case, she said, had said that he would stop the Taylors if they tried build on the property. A house, she said, would improve the property. There is a water view, Mrs. Taylor said, and that they want to improve in order to have a new house to beautify the property, and provide a water view. They would build a good house, she said. Referring to the fire matter, also, Mrs. Taylor said that they have fire protection from a hydrant across the street.

Councilman Schneider said that he was impressed by the statement about the removal of the trees.

Mrs. Taylor said that they had remove the large, old trees, which were dangerous. They had been removed, she stated, on expert advice.

The Mayor pointed out that the Council was getting into what is not the merits of the case.

Councilman Wincote asked Mr. Case about the planting at the Case house, especially if it is in keeping with the neighborhood.

Mr. Case replied that the Taylors let the place go when they go away. He said that he does not know what could happen.

Councilman Wincote said that he would be disappointed if a new residence would not prove an improvement.

RESOLUTION NO. 111613, recorded on Microfilm Roll No. 62, continuing the hearing on the appeal of J. D. and Hazel Taylor from the decision of the Zoning Committee in denying the request for permission to construct a single family residence on portion of Lots 1 and 2 Block 7 Mission Hills - the first lot southerly of 4295 Witherby Street, in Zone R-1 - closing the hearing on appeal from such denial, and requesting the City Attorney to give to the Council an opinion on the legal powers in connection with a variance to erect a second residence, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111602, recorded on Microfilm Roll No. 62, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the resurfacing of various streets, bearing Document No. 467153; authorizing and directing the Purchasing Agent to publish notice calling for bids for said work in accordance with plans and specifications hereinabove referred to, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, stating that in the recent annexation of Lot 32 La Mesa Colony there are several streets that are in conflict with the present names in the remaining portion of San Diego. It recommended changing the name of Alice Street to 67th and San Diego Street to Mohawk Street, as shown on plat attached. It stated that a public hearing had been held in the matter.

RESOLUTION NO. 111603, recorded on Microfilm Roll No. 62, adopting recommendation of the Planning Commission for street name changes in Lot 32 La Mesa Colony; directing the City Attorney to prepare and present to the Council the necessary Ordinance changing the same, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition for closing the southeasterly 20 feet of Wright Street between San Diego Avenue and West California Street (adjacent to Lots 1 and 12 Block 205 Middletown), was presented. In addition to making a detailed report, the communication recommended that the southeasterly 20 feet of Wright Street adjacent to Lots 1 and 12 Block 205 Middletown be closed between the southwesterly line of California Street and the northeasterly line of San Diego Avenue.

There was discussion between the City Manager and Councilman Schneider, relative to the purpose of the closing.

RESOLUTION NO. 111604, recorded on Microfilm Roll No. 62, granting petition for the closing of the southeasterly 20 feet of Wright Street adjacent to Lots 1 and 12 Block 205 Middletown, 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, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Atherton & Atherton, 504 First National Bank Bldg., signed by Harvey H. Atherton, dated April 10, 1953, registering protest to the application that has been filed by the Padre Baseball Club to establish an amphitheatre and baseball field in Balboa Park, was presented. Among the other things, the communication states that the writer has for 28 years resided on 28th Street on the edge of Balboa Park.

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

Communication from Bayview Terrace Parent-Teacher Association, San Diego 9, Calif., dated April 9, 1953, signed by Mrs. E. R. Chandler, President, Harry H. Haw, Principal, Mrs. W. S. Knowles, Chairman (initialed m.c. below the signatures), was presented.

It states that it is felt that many children's lives are already in jeopardy because of the excess traffic on Balboa Avenue at the time they leave school, etc., and requests alleviation of traffic congestion and strongly urges that consideration be given to utilization of present gas tax funds to have roads improved before opening of Bayview Terrace Elementary School and Mission Bay High School in September.

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

Communication from Bureau of Franchises and Public Utilities, Long Beach, California, signed by Henry E. Jordan, Chief Engineer-Secretary. It states that it was authorized by motion unanimously passed by the Bureau of Franchises and Public Utilities of the City of Long Beach, California, in its meeting of April 6, 1953. The communication submitted "Presentation for the Support of the City of Long Beach to Assembly Bill No. 1789 before the Committee on Transportation and Commerce of the California Legislature. Among other things, it deals with the proposed use of Freeways for Public Transportation.

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

Communication from San Diego Unified School District, Education Center, Park Boulevard at El Cajon, San Diego 3, signed by William J. Lyons, Secretary to the Board, was presented. It states, among other things, that the Board of Education feels strongly that the Council should not approve any further subdivisions for incorporation into the City of San Diego unless and until adequate proper sidewalk construction is guaranteed, inasmuch as it is extremely hazardous when primary grade children are forced to walk in the streets to and from school.

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

Communication from Dorothy B. Smith, 828 Cordova Street, San Diego 7, dated 13 April 1953, being copy of communication addressed to the Editors, San Diego Tribune, was presented. It states, among other things that San Diego obviously does not welcome many enterprises, and tells about the restrictions imposed on manufacturing, license to manufacture and license to sell.

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

Communication from Swalm Sound Systems, signed by Calvin D. Swalm, 4138 Cass Street, San Diego 9, California, dated April 11, 1953, was presented. It refers to adoption of Ordinance No. 5545 New Series, April 7, 1953, by the Council amending previous ordinances without notice. It states that conditions in the amended ordinance should be aired at a public hearing, and requested such a hearing to present views as to effects of ordinance regarding operation of his sound equipment business.

The Mayor pointed out that there are various persons interested in the matter.

Councilman Godfrey asked about application.

The Manager said that he thought the matter might well go to Conference for discussion.

Councilman Kerrigan states that he has questions.

Councilman Schneider said that he did not remember the Ordinance, and thought that it must have been adopted the day he was absent. (The Clerk checked the ordinance and the Council minutes for said date. Councilman Schneider was not present at the meeting, so of course did not vote on the Ordinance.)

RESOLUTION NO. 111605, recorded on Microfilm Roll No. 62, referring communication from Charles D. Swalm requesting hearing on Ordinance 5545 N.S. regulating operation of sound equipment in the City to Conference, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Proposed Resolution approving Claim of Engineer of Work, J. R. Lester Boyle, in the matter of the Kearny Mesa Improvement District, in connection with Resolution No. 111021 adopted March 10, 1953, which award contract for construction of improvements under Resolution of Intention No. 109064, was presented.

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

Communication from the Port of San Diego, signed by Carl F. Reupsch, Business Manager, submitting form of lease for Council approval with J. B. Adams, was presented. It states the lease is for 5 years and covers premises in the old Harbor Department Administration Building at the foot of Broadway. It states that the premises are used for a barber shop and shoe shine stand, and supersedes a lease now in effect which would normally expire 31 May 1956.

Mr. Reupsch told the Council that the Resolution to do with space and change of rate.

RESOLUTION NO. 111606, recorded on Microfilm Roll No. 62, ratifying, confirming and approving lease with J. B. Adams, copy of which is on file in the office of

City Clerk as Document No. 467151, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Port of San Diego, signed by John Bate, Port Director, submitting lease with the United States Government covering portions of E and F Streets lying within the presently fenced area of the U.S. Naval Supply Depot compound, was presented. It states that the lease is for a term of one year with 4 1-year options to renew and rental established at \$1.00 per year, which document supersedes the lease which expires as of 30 June 1953.

Carl Reupsch, of the Harbor Department, explained the matter, and told the Council that it is a renewal. He referred to the loading docks which have been built into the street. A thoroughfare could be opened, Mr. Reupsch said, but that would increase the hazard.

RESOLUTION NO. 111607, recorded on Microfilm Roll No. 62, ratifying, confirming and approving lease with United States of America, as Lessee, a copy of which is on file in the office of the City Clerk as Document No. 466874, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Proposed Resolution, which had been before the Council on April 14, and continued to this date, authorizing the City Manager to execute sixth amendment to Lease Agreement for operation of Mission Beach Amusement Center, with Roy E. Matheson and Roy J. Hurd - whereby previous amendments are consolidated into one document and additional amendments or additions made - was presented again.

A question arose over the matter.

Councilman Swan moved to adopt the Resolution.

RESOLUTION NO. 111608, recorded on Microfilm Roll No. 62, referring proposed Resolution authorizing the City Manager to execute the sixth amendment to Lease Agreement for operation of Mission Beach Amusement Center, with Roy E. Matheson and Roy J. Hurd, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The next matter was before the Council on April 14, and continued by the Council to this date:

RESOLUTION NO. 111609, recorded on Microfilm Roll No. 62, 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, providing for employment as Consultants, for the purpose of furnishing the City with a plan for improvement of Mission Beach Amusement Center, services to total the sum of \$2000.00, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111610, recorded on Microfilm Roll No. 62, authorizing and directing the City Manager to enter into the necessary contractual relations on behalf of The City of San Diego, with Frank L. Kostlan, City Attorney of Pasadena, California, providing for participation of The City of San Diego with the County of San Diego in proceedings to be held before the Public Utilities Commission of the State of California in connection with the application of Pacific Telephone and Telegraph Company for authority to increase rates, Application No. 33935, to provide for association of The City of San Diego and the County of San Diego with other cities of Southern California at such hearing, and to result in employment of special counsel and engineers or consultants to present opposition to application for rate increase, upon understanding that the cost of participation by the City and County shall not exceed \$2,000.00, to be paid by both agencies in such proportionate sums as will be mutually satisfactory, was on motion of Councilman Kerrigan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111611, recorded on Microfilm Roll No. 62, approving Change Order No. 2, dated February 24, 1953, filed with the City Clerk as Document No. 467171 issued in connection with contract between The City of San Diego and the 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, amounting to increase of approximately \$469.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111612, recorded on Microfilm Roll No. 62, approving Change Order No. 1, dated April 2, 1953, heretofore filed with The City Clerk as Document No. 467173, issued in connection with contract between The City of San Diego and Rogers Construction Company for construction of the Chesterton Standpipe Foundation and appurtenant work, which contract is contained in Document No. 458707 on file in the office of the City Clerk, changes amounting to decrease in the contract price of \$1771.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111613 - will be found on Page 126 of these Minutes.



RESOLUTION NO. 111614, recorded on Microfilm Roll No. 62, authorizing the City Attorney on behalf of The City of San Diego in that certain action entitled "Cardiff Homes, Inc., a Corporation, Plaintiff, vs City of San Diego, a Municipal Corporation, Defendant", No. 180250 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 recordation of the final map of Lomita Village Unit No. 5 Subdivision, a decree may be entered quieting title against The City of San Diego to said real property as described in said Complaint, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The property involved is portion of Jamacha Road shown on Map No. 1041 of Narragansett Heights, and the Resolution 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 said City makes such stipulation.

In connection with the next 2 matters, Councilman Schneider asked if the properties referred to are leased, or the service stations are on the Standard Oil Company of California's own property.

Councilman Wincote said that at any rate the stations are not on property leased from the City.

The City Manager said that the driveways provided for in both Resolutions meet the City's standards for service stations.

RESOLUTION NO. 111615, recorded on Microfilm Roll No. 62, granting to Standard Oil Company of California, Bank of America Building, San Diego, permission to install four 33-1/2 foot driveways, at site of Standard Oil Company station, northeast corner of La Jolla Shores Drive and Torrey Pines Road, adjacent to portion of Pueblo Lot 1286, subject to all the rules, regulations and ordinances of The City of San Diego governing the same, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111616, recorded on Microfilm Roll No. 62, granting permission to Trepte Construction Company, Inc., 2001 Kettner Boulevard, San Diego 12, to install a 76-foot driveway, as measured at the top of the top of the full-height curb, on the south side of Beech Street between points 4 and 80 feet west of the west line of Front Street, adjacent to the northerly 100 feet of Block 196-1/2 Horton's Addition, and to Lots 11 and 12 Block 22 Middletown, on condition that if at any time the area to be served is not used for parking of motor vehicles the permit granted shall be null and void, subject to all the rules, regulations and ordinances of the City governing the same, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111617, recorded on Microfilm Roll No. 62, granting permission to Rose Marie Wyman, 2060 Sunset Cliffs, San Diego, to install a 4-inch cast iron sewer line between the property line and the sidewalk, to be placed one foot outside the property line and run in a northeasterly direction, parallel to the southeasterly line of Lot 24 Block 56 Ocean Beach Subdivision, to point of intersection with public sewers; to serve property at 4804 Cape May Avenue; subject to approval of the Health Department, sewer inspection department, properties department, and upon conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111618, recorded on Microfilm Roll No. 62, authorizing the City Attorney to file petition with the Board of Supervisors of the County of San Diego, requesting that all taxes of record against Lot 19 Block 10 Electric Line Addition, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to the State for delinquent taxes be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds; repealing portion of Resolution No. 102768 adopted June 21, 1951, referring to Parcel No. 818A, Lot 19 Block 10 Electric Line Addition, acquired 7/13/48 and recorded in Book 2898 page 391, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111619, recorded on Microfilm Roll No. 62, authorizing the Property Supervisor to file a petition with the Board of Supervisors of the County of San Diego, requesting that all taxes against portions of Lot 54 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 be cancelled; authorizing and 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 Wincote, adopted.

RESOLUTION NO. 111620, recorded on Microfilm Roll No. 62, authorizing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, requesting that all taxes against property in Wadsworth's Olive Grove Addition, Horton's Purchase of the Ex-Mission Lands of San Diego, portion of Pueblo Lot 1347, portions of Marilou Park, portions of Section 33 Township 16 South Range 2 West San Bernardino Meridian, portions are as more particularly described in said Resolution, together with all penalties and other expense in connection therewith, be cancelled; that all deeds to The State of California for delinquent taxes be cancelled; authorizing and 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 Schneider, adopted.

RESOLUTION NO. 111621, recorded on Microfilm Roll No. 62, approving claim of Arnold P. Azevedo on file in the office of the City Clerk under Document No. 465413, in the amount of \$102.85; directing the City Auditor to draw his warrant in favor of Arnold P. Azevedo in said sum in full payment of the aforesaid claim, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111622, recorded on Microfilm Roll No. 62, approving claim of Sue Denkman and Wallace Hoisington, filed by Wallace W. Hoisington in the office of the City Clerk under Document No. 466992, in the amount of \$107.24; directing the City Auditor to draw his warrant in favor of Wallace W. Hoisington and Sue Denkman in said sum in full payment of the aforesaid claim, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111623, recorded on Microfilm Roll No. 62, denying claim of A. D. Lyles, on file in the office of the City Clerk under Document No. 465987, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111624, recorded on Microfilm Roll No. 62, denying claim of Ronal Kayser, on file in the office of the City Clerk under Document No. 466369, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111625, recorded on Microfilm Roll No. 62, denying claim of William W. Fields, on file in the office of the City Clerk under Document No. 466329, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111626, recorded on Microfilm Roll No. 62, authorizing A. George Fish, of the Training and Safety Division of The City of San Diego, to attend the Western Safety Conference, to be held in Phoenix, Arizona, April 26 to 29, inclusive, 1953; 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. 111627, recorded on Microfilm Roll No. 62, allowing the bill of San Diego-California Club, bearing date April 13, 1953, in the sum of \$9,279.28 for expenses incurred; authorizing requisition to be drawn on the Advertising and Publicity Fund of The City of San Diego for the fiscal year 1952-1953 for said sum, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111628, recorded on Microfilm Roll No. 62, accepting subordination agreement, executed by Bank of America, as Mortgagee, bearing date March 26, 1953, wherein said party subordinates all its right, title and interest in and to portions of Lots 138, 139, 140, 147, 146, 145, 152, 154, 155, 160, 161 and 162, and Lot 141 if any, of Valle de los Amigos, to the right of way and easement for water pipe line purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement 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 Dail, adopted.

RESOLUTION NO. 111629, recorded on Microfilm Roll No. 62, accepting subordination agreement, executed by Lutheran Hospital Society of Southern California, beneficiary, and First National Trust and Savings Bank of San Diego, Trustee, all their right, title and interest in and to portion of Pueblo Lot 1202, 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 Dail, adopted.

RESOLUTION NO. 111630, recorded on Microfilm Roll No. 62, accepting subordination agreement, executed by Mutual Life Insurance Company of New York, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date March 3, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 12 Block 3 Bay Park Vista Unit #2, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement 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 Dail, adopted.

RESOLUTION NO. 111631, recorded on Microfilm Roll No. 62, accepting deed of The San Diego Hospital Association, bearing date March 30, 1953, conveying easement and right of way for street purposes in portion of Pueblo Lot 1202, setting aside and dedicating the same to the public use as and for a public street, and naming the same Frost 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 Dail, adopted.

RESOLUTION NO. 111632, recorded on Microfilm Roll No. 62, accepting deed of the Christian & Missionary Alliance, a corporation, bearing date March 20, 1953, conveying easement and right of way for alley purposes in portion of Lot 21 Block 2 Alhambra Park, 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 Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111633, recorded on Microfilm Roll No. 62, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, bearing date March 25, 1953, conveying Lot 13 Block H and Lot M Block 295 Arlington; Portions of Lots 11 to 18 incl. and portions Lots 35 to 43 incl. Block 338 Choate's Addition; Lots 11, 12, 37, 38 Block 4, Frac'l Lot W of Lot 12 and Frac'l Lot West of Lot 37 Block 4 S. W. Haines Sub. of Acre Lots 17, 18, 19, 20 H. C. Skinner's Addition; Lots 31 & 32 Block 404 Subdivision of E 1/2 of S 1/4 of W 1/2 of P.L. 1122; 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 Dail, adopted.

RESOLUTION NO. 111634, recorded on Microfilm Roll No. 62, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, bearing date March 25, 1953, conveying Lot 10 Block A Kensington Heights Unit No. 1; Lots A, B, 8-Z Block 16 Kensington Manor Unit No. 2; All W of Nly prolong. of E line Lot 15 Block 16 in Resubdivision of Block 10 Kensington Park; portion of Lot A lying NWly of NE prolong. of SEly line of Lot 24 Block Kensington Manor No. 1 in Lot "A" as described therein, in Kensington Point; Lots 15, 22, 23 Block A, Lots 26, 27, 28 Block B, Lot 13 Block C, portion of Tract K, portion of Tract A all in Normal 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 Dail, adopted.

RESOLUTION NO. 111635, recorded on Microfilm Roll No. 62, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, executed in favor of The City of San Diego, bearing date April 1, 1953, conveying portions of Lots 3 & 4 Block 34 and Villa Lot 39; Villa Lot 138 all in Normal 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 Councilman Dail, adopted.

RESOLUTION NO. 111636, recorded on Microfilm Roll No. 62, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, in portion of P.L. 1110; 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 Dail, adopted.

RESOLUTION NO. 111637, recorded on Microfilm Roll No. 62, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, bearing date April 1, 1953, conveying portion of Tract 1353 and portion of Normal Hts Resub Villa Lots Tract 1353 in Lot 6; 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 Dail, adopted.

RESOLUTION NO. 111638, recorded on Microfilm Roll No. 62, accepting deed of Celia C. Cosgrove and Chris A. Cosgrove, bearing date March 12, 1953, conveying easement and right of way for storm drain purposes in portion of the Northwest quarter of Section 34 Township 16 South, Range 2 West, San Bernardino Meridian in the 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 Dail, adopted.

RESOLUTION NO. 111639, recorded on Microfilm Roll No. 62, accepting deed of Ira R. Garner, Jr. and Wilma E. Garner, bearing date January 19, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 12 Block 3 Bay Park Vista #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 Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111640, recorded on Microfilm Roll No. 62, accepting deed of Robert H. Patterson and Dorothy E. Patterson, bearing date April 2, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 40 Block 139 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 Dail, adopted.

RESOLUTION NO. 111641, recorded on Microfilm Roll No. 62, accepting deed of Beryl Phelps and Devereaux Phelps, bearing date March 12, 1953, conveying easement and right of way for storm drain purposes in portion of the Northwest Quarter of Section 34 Township 16 South, Range 2 West, San Bernardino Meridian and Radio Section 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 Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111642, recorded on Microfilm Roll No. 62, accepting deed of Marguerite I. Taylor and Charles T. R. Taylor, bearing date April 1, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 8 Block 139 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 Dail, adopted.

RESOLUTION NO. 111643, recorded on Microfilm Roll No. 62, accepting deed of Verdi Thayer Searles, formerly Verdi Thayer Converse, bearing date March 11, 1953, conveying easement and right of way for water pipe line through, along and across portions of Lots 87, 138, 139, 140, 147, 146, 145, 152, 154, 155, 160, 161 and 162 and Lot 141, if any, of Valle de los Amigos; 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 Dail, adopted.

RESOLUTION NO. 111644, recorded on Microfilm Roll No. 62, accepting deed of L. B. Spaulding, Pauline Spaulding, Benj. F. Stokes and Vera Stokes, bearing date March 17, 1953, quitclaiming easement and right of way for water pipe line purposes in portions of Lots 87, 138, 139, 140, 147, 146, 145, 152, 154, 155, 160, 161, 162 and Lot 141, if any, of Valle de los Amigos; 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 Dail, adopted.

The Mayor acknowledged Thomas Hamilton, attorney, at this time, and the Council gave him unanimous consent to be heard.

Mr. Hamilton appeared at the microphone, accompanied by a Mr. Hawn, who did not give his first name or initials. A file in the Clerk's office gives the name W. R. Hawn, so it is assumed that it was he.

Mr. Hamilton told the Council that special consideration is needed by Hawn and Associates in Lomita Village #5. He told about a logical spot for a business area. Mr. Milton told about 75% to 80% of the property improvement having been completed. He told about requirements for streets, etc. He said that the subdivider rearranged the subdivision and gave up a number of lots for a projected freeway. Mr. Hamilton pointed out that it would mean taking a strip through the business district, which lots had to be given up. He stated that the subdividers had filed a tentative map. Mr. Hamilton stated that the Tentative Map had been filed. He declared that the subdivider had been asked to give to the City 160 feet in the district for the freeway. He told the Council that he cannot afford to stop and wait inasmuch as commitment will run out soon. The land is "reserved", the speaker said, but said that the subdivider does not want to give it.

Mr. Hawn was heard at this time. He stated that he does not want to hold up the City, but said that it is not fair to hold up the subdivision, either. Mr. Hawn stated that he is willing to keep the area vacant, and that it is reserved for street purposes. He said that he would like to be able to use it for parking, temporarily.

Councilman Godfrey said that the Council should hear about, and stated that the problem has merits. Then it should be referred to Conference for a fair answer.

The Mayor referred to advisability of considering in conference, also, prior to the Map coming in.

Councilman Winote stated that the City is not ready to put out the money now, and that he felt that the City Manager should talk to Mr. Hawn and Mr. Hamilton.

Councilman Godfrey said that the Council should confer with the interested departments, and with the City Manager. Also, he said, the Planning Commission should be asked to put the matter on the docket when minds are made up.

RESOLUTION NO. 111645, recorded on Microfilm Roll No. 62, referring to Council Conference the matter of the Tentative Map of Lomita Village Unit No. 5, having to do with a freeway and slope rights, to Council Conference, with the understanding that Thomas Hamilton, attorney, and Mr. Hawn, subdivider, be notified, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

(See also Resolution No. 111651)

A proposed Ordinance, which had been before the Council on April 9, 1953, and continued until this date. It was a requested amendment to sub-section "f" of Section 42.0207 of the San Diego Municipal Code seeking to lower the age limit for tattooing from 21 or minors without consent of parents. The original communication requesting such change was on communication from the law offices of Levenson, Levenson & Block, 835 Bank of America Building, 625 Broadway, San Diego 1, 1953, dated February 24, 1953, signed by Morey S. Levenson.

Mr. Levenson appeared before the Council and stated that he appreciated the opportunity to be heard, although he had read in the papers that the Council had decided in Conference against the request filed by him in behalf of Bowen Enterprises, Inc. who operate 6 establishments in the City. He said that to those involved in the business under the Ordinance it is a serious matter. Mr. Levenson said that there are 2 important reasons for the change: On the regulation standard put out on the age question, it is almost impossible to comply; also that the City of Long Beach has changed its regulations on the age limit also. He declared that most people who want to be tattooed are in the Service. He said that if individuals are under 21 years of age, they must have a letter of consent. Often, he declared, those seeking to be tattooed, bring in letters written by buddies as to their ages. For the operator, he stated, it is risky, should the person be under 21 years of age, although a letter is produced. He told about his discussions with the City Attorney and with the Health Department. There is no difference, he said between the effects whether the person is 18 or 21 years of age. Mr. Levenson said that from an economic standpoint, everything is being done to keep service men in San Diego. Every regulation, he declared, tends to drive service men away from this city. If turned down here, he stated, the men go to Long Beach for the same tattooing. He said that there is no objection, and no problem in connection with the age change in the Ordinance. It was both fair and progressive as suggested, he declared. Mr. Levenson said that this is one ordinance that should be changed; that it ought to be in line with other cities, and then it would be. He urged and recommended action as requested. There is no objection, the speaker said. Again he stated that he wants the amendment adopted.

The Mayor answered Mr. Levenson by saying that the Council had not treated the matter facetiously, and that it had given the subject much thought. The operator, he declared, can turn down any individual when he questions his age. He stated that the City does not want to drop the age limits. An individual's age could apparently be raised to 21 without difficulty. It is a policy question, the Mayor stated.

Councilman Godfrey said that the matter goes farther than has been stated. He declared that the regulation is designed for protection of minors. There is merit in the Ordinance, Councilman Godfrey stated. The City cannot lower the bars along the line of Mr. Bowen's suggestions and requests. He referred to a declaration which had been made by Mr. Levenson that 300,000 had been tattooed - 25,000 a year. He pointed out that it is possible to buy kits and "tattoo yourself". He told about the sanitation maintained and required in the establishments. It is a protection to individuals when they go into the establishments for tattooing, rather than doing the same with kits, he said.

There was discussion between Councilman Wincote and Mr. Levenson about the protection of minors, also about the number who do not come back for further attention, after they have failed to receive tattooing on account of being questioned about ages.

Mr. Bowen was heard, and said that the individuals may come back, but that they go to other places where they get the service when the needed letters are presented.

Councilman Godfrey said that if the ordinance drops the age limit, the City does not protect "any of those boys."

Councilman Wincote said that if the boys are old enough to fight they are old enough for the other decision.

Mr. Bowen said that he did not know what was against the law.

Councilman Dail asked if the tattoo can be erased.

Mr. Bowen replied that it can be removed, but that it is a little difficult.

Councilman Dail declared that a man should be 21 before he makes up his mind on the subject.

Mr. Levenson said that is true about the moral situations, as in liquor. He said that however the local operators are protecting the 18 year old boys by their methods, and said that they have gone into the health situation, and that the operation has been found to be the most rigid in the country. He said that they would rather be tattooed in regulated establishments. He said that whether there is legislation or not, there will be tattooing done anyway.

Mr. Bowen told the Council that he has 6 establishments.

Councilman Schneider said that he had been in the Navy, and said that 18-year olds will find a way of having the tattooing done. He said that he felt it is not sufficiently important to hold back the permission.

Councilman Wincote declared that it is a retarding influence to have the tattoos upon one's person.

RESOLUTION NO. 111646, recorded on Microfilm Roll No. 62, filing the proposed Ordinance amending the San Diego Municipal Code relating to the Tattooing of Minors, and continuing in force the regulations as they exist, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The City Manager spoke at this time and stated that the City Attorney advises that the City cannot waive the fee regarding the Police Ball at the Mission Beach Ballroom - in connection with the existing lease.

Councilman Wincote said that the City should try to take action, and that it should do something if the operator of the ballroom waives the fee. He said that he wants to fix the matter and waive in one week.

Douglas Deaper, of the City Attorney's office, said that it is permissive to waive the fee. He said that after consideration of this matter, the Council can determine a policy.

Councilman Godfrey stated that the City is trying to have an overall policy. He said that in the Stadium free permission was not given to the Fire Department for its "Safe and Sane Fourth", and that as a result the Firemen's celebration had been abandoned.

Mr. Deaper spoke again, and said that there is a distinction in this matter, in that if the fee is waived, the City will get its minimum anyway.

Councilman Wincote asked with rummage sale fees waived, why not this?

Councilman Kerrigan was excused from the meeting at this time, and explained that he was scheduled to attend another meeting. He and Councilman Schneider talking about the situation, and Councilman Schneider asked Councilman Kerrigan to explain that he was unable to attend inasmuch he at this meeting.

The City Manager made reference to the required number of dances, and said that this is a special situation, however.

Councilman Godfrey said that the City manager needs to look into the "pop" sale matter, for determination.

Councilman Schneider said that there is a different condition which exists within the Ballroom and outside.

RESOLUTION NO. 111647, recorded on Microfilm Roll No. 62, waiving \$50.00 rental for the Mission Beach Ball Room to be used by the Police Relief Association for holding the Policemen's Ball on April 18, 1953, pursuant to recommendation of the City Manager on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111648, recorded on Microfilm Roll No. 62, referring to Council Conference the matter of establishing a policy in connection with sale of "Pop" at Mission Beach, and in the Ballroom, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The matter of Charter Amendments to be submitted at the April 21, 1953, election was brought up by the Mayor.

During the discussion, Councilman Schneider moved to have the Mayor have a Resolution drawn up on the subject.

It was pointed out that the time is getting short, and the Mayor said that if the Council wished, he would be willing to issue a statement.

RESOLUTION NO. 111649, recorded on Microfilm Roll No. 62, requesting Mayor John D. Butler to issue a statement on the Charter Amendments to be voted upon April 21, 1953, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111650, recorded on Microfilm Roll No. 62, setting for hearing at the hour of 10:00 o'clock A.M., Tuesday, April 28, 1953, the proposed Trailer Park Ordinance, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111651, recorded on Microfilm Roll No. 62, referring the Lomita Village #5 matter (also considered in Resolution No. 111645 adopted this date), to the City Manager and requesting him to confer with the City Attorney after which he is to present his recommendation to the City Council for consideration at the Conference of Tuesday, April 21, 1953, 9:00 o'clock A.M., was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Wincote, at the hour of 12:08 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

  
Mayor of The City of San Diego, California



## REGULAR MEETING

Regular Meeting, Chamber of the Council of the City of  
San Diego, California, Tues-  
day, April 21,  
1953

Present--Councilmen Wincote, Schneider, Kerrigan, Dail, Mayor Butler.  
Absent---Councilmen Swan, Godfrey  
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 10:04 o'clock A.M.

The Minutes of the Regular Meetings of the Council for Tuesday, April 14, 1953 and Thursday, April 16, 1953, 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.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the paving and otherwise improving of the Alley in Block 7 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 110651, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

Said bids were on motion made and seconded opened and publicly declared.

The 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. 467707;

The bid of Leon A. Gilman and Donald I. McKillop dba Gilman Grading Company (a co-partnership), accompanied by bond written by Continental Casualty Company in the sum of six hundred dollars, which bid was given Document No. 467708;

Councilman Godfrey entered the meeting at this time -

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$1,000.00, which bid was given Document No. 467709;

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 \$700.00, which bid was given Document No. 467710;

Councilman Swan entered the meeting at this time -

The bid of Lawrence B. Callahan and Richard W. Callahan, doing business as Callahan Bros. a partnership, accompanied by bond written by Pacific Indemnity Company in sum of five hundred ninety-eight and 72/100 dollars, which bid was given Document No. 467711.

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 the Alley in Block 17 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 110652, the Clerk reported that 5 bids had been received, which bids were presented to the Council by the Clerk.

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 \$600.00, which bid was given Document No. 467712;

The bid of Leon A. Gilman and Donald I. McKillop dba Gilman Grading Company (a co-partnership), accompanied by bond written by Continental Casualty Company in the sum of six hundred and no/100 dollars, which bid was given Document No. 467713;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$1,000.00, which bid was given Document No. 467714;

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. 467715;

The bid of Lawrence B. Callahan and Richard W. Callahan, doing business as Callahan Bros. a partnership, accompanied by bond written by Pacific Indemnity Company in the sum of four hundred seventy four and 94/100 dollars, which bid was given Document No. 467716.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric 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 to and including December 31, 1953, the Clerk reported that 1 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 written by San Diego Trust & Savings Bank in the sum of \$4.08, which bid was given Document 467717.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Lighting District No. 3, for a period of one year from and including January 1, 1953 to and including December 31, 1953, the Clerk reported that 1 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 written by San Diego Trust & Savings Bank in the sum of \$226.02, which bid was given Document No. 467718.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Seventh Avenue Lighting District No. 1, for a period of one year from and including January 1, 1953 to and including December 31, 1953, the Clerk reported that 1 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 written by San Diego Trust & Savings Bank in the sum of \$5.10, which bid was given Document No. 467719.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids the improvement of Elm Street between Grove Street and 31st Street, specification No. 318, 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 Cameron Brothers Construction 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. 467733;

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% of the aggregate sum of the bid, which bid was given Document No. 467734;

The bid of Cox Bros. Construction Co., accompanied by bond written by American Indemnity Company in the sum of \$6,000.00, which bid was given Document No. 467735;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$3,500.00, which bid was given Document No. 467736;

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 grading and drainage of The East San Diego Park and Community Recreation Center, Specification No. 327, the Clerk reported that 6 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 Leon A. Gilman and Donald I. McKillop, a co-partnership, dba Gilman Grading Company, accompanied by bond written by Continental Casualty Company in the sum of \$3700.00, which bid was given Document No. 467737;

The bid of Cameron Brothers Construction Company, accompanied by bond written by Glens Falls Indemnity Company in the sum of 10% of the amount bid, which bid was given Document No. 467738;

The bid of Walter H. Barber, an individual, d.b.a. 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. 467739;

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. 467740;

The bid of Morris Van Meter, 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. 467741;

The bid of Ralph A. Bell, accompanied by bond written by United States Fidelity and Guaranty Company, in the sum of 10% of the amount bid, which bid was given Document No. 467742.

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 construction of Sewer Replacement in Arizona Canyon from Upas Street southwesterly of Arnold Avenue, Specification No. 314, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

Said bids were as follows:

The bid of Cameron Brothers Construction Company, accompanied by bond written by Blens Falls Indemnity Company in the sum of 10% of the amount bid, which bid was given Document No. 467743;

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. 467744;

The bid of A. O. Beason, accompanied by bond written by Great American Indemnity Company in the sum of \$6,000.00, which bid was given Document No. 467745;

The bid of Walter H. Barber, an individual, d.b.a. 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. 467746;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company of Baltimore, in the sum of 10% of amount bid, which bid was given Document No. 467747.

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, the time set for hearing on Resolution of Intention No. 111078, 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 written protest had been received from Edward K. Schultz and Mrs. Betti Schultz, which protest was presented.

The City Engineer reported verbally that it was a 3% protest, on an area basis.

The Mayor asked if any interested affected property owners were present who desired to be heard.

Mr. Schultz appeared, to be heard. He answered the Mayor by saying that he was not familiar with the method used. (The Engineer reported an 80% & 20% spread.)

The Engineer, speaking about the amount of assessment said that in the case of Mr. and Mrs. Schultz, it would be about \$40.00.

Mr. Schultz replied that the amount stated is not bad.

RESOLUTION NO. 111651A, recorded on Microfilm Roll No. 62, overruling and denying the protest of Edward K. and Betti Schultz against 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, as provided in Resolution of Intention No. 111078; overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

On motion of Councilman Dail, 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 time set for hearing on Resolution of Intention No. 111079, 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 Mayor inquired if any interested affected property owners were present who desired to be heard.

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

The City Engineer volunteered the information that because of the steepness of the street, concrete is specified.

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 time set for hearing on Resolution of Intention No. 111080, for the paving and otherwise improving of Tonopah Avenue, Asher Street, Lieta Street, Littlefield Street and Morrenci 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 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 time set for hearing on the Street Superintendent's Assessment No. 2123 made to cover the costs and expenses of the work of installation of ornamental lighting system in Montezuma Road, Mary Land Drive, Dorothy Drive, Rockford Drive and 63rd Street, within the limits and as particularly described in Resolution of Intention No. 105804, the Clerk reported that a



written appeal had been received from J. R. Schunert, which appeal was presented to the Council.

The City Engineer reported verbally a 1.4% appeal.

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

Mr. Schunert, whose appeal had been presented, appeared to be heard.

Prior to the appellant's speaking, the Mayor stated to him that the Council had accepted the lowest bid.

Mr. Schunert stated that he was protesting on the area basis assessment. He stated that he has a large lot.

At request of members of the Council, the appeal was read by the Clerk. The appeal stated that on Lot 173 Collwood II the assessment is excessive and not in proportion to the benefit received by the property. It stated in detail the theory involved having to do with the diminishing light received at a given distance from the source. The lot referred to is trapizoidal in shape and the appeal states that it contains a disproportionately large share of area that is so remote from the street lights that it receives practically no illumination therefrom.

Councilman Schneider spoke about the area assessment involved.

Councilman Wincote asked if there are standards in front of the Schunert lot.

Mr. Schunert replied that there are. He declared that there should be a straight area basis assessment proportionate with benefit received. He told the Council that he has the largest lot, that it is not rectangular, and that it does not receive large benefit from the lights.

There was a conference over figures produced by the City Engineer, including the City Engineer and members of the Council.

Mr. Schunert spoke in relation to comparison. He referred to an area benefit.

The City Engineer told the Council that districts vary, and that it is not possible to set down a standard procedure, in that they are not all alike.

The Mayor stated that the only legal basis involved is if the system used by the City Engineer in the assessment is inequitable.

Councilman Dail pointed out that it is up to the Council to determine if the assessment is equitable.

Mr. Schunert stated that he was not protesting on the basis of amount, but on the distribution system. He spoke about the various distances from the light source.

There was a conference between Councilman Dail and the City Engineer over a map.

Councilman Schneider moved to overrule the appeal.

The City Engineer stated that there is no set formula established for the assessment.

Councilman Dail seconded the motion to overrule the appeal.

There was further discussion between Councilmen and Mr. Schunert.

The roll was called on the motion to overrule - including the confirmation of the assessment, resulting in

RESOLUTION NO. 111652, recorded on Microfilm Roll No. 62, overruling and denying the appeal of J. R. Schunert, from the Street Superintendent's Assessment No. 2123 made to cover the costs and expenses of the work of 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; overruling and denying all other appeals thereon; confirming and approving the Street Superintendent's Assessment No. 2123; 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 Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 1, for a period of one year from and including March 1, 1953, to and including February 28, 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. 111653, recorded on Microfilm Roll No. 62, confirming the proposed assessment of the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of the ornamental Street Lights located in Talmadge Park Lighting District No. 1, filed by the City Engineer in the office of the City Clerk March 13, 1953; adopting as a whole the City Engineer's report, 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. 111211 of Preliminary Determination for the improvement of the Alley in Block 80 City Heights, and Dwight 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. 111654, recorded on Microfilm Roll No. 62, determining that the proposed improvement of the Alley in Block 80 City Heights and Dwight Street, within the limits and as particularly described in Resolution No. 111211 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 the hearing - continued from the Council Meeting of April 14, 1953, at which time 6 members of the Council were not present - on Resolution No. 111086 of Preliminary Determination for the improvement of Jennings Street, Albion Street and Silvergate Avenue, a petition was presented by Juanita Steiger, 1056 Albion Street. Said petition, bearing 6 signatures, requested that the matter be deleted from the calendar and carried over to the first Council meeting to be held on or after May 19th, 1953. It said that it was not to be considered a protest at this time, but only a request for extension for property owners to further study the paving of Albion and Jennings Streets. It was read to the Council by the Clerk.

The Mayor mentioned the small number of signatures.

Mrs. Steiger stated that more time is needed, and pointed out that the estimate is not same as that provided for in the pamphlet.

The Mayor pointed out that the price depends upon what the bid amount is.

Councilman Godfrey commented on the few persons who were requesting the delay.

Councilman Wincote stated that the figure appears to be greater than when the petition was signed.

Mrs. Steiger spoke again. She said that her property is on Albion Street, and that she cannot answer Councilman Wincote's question regarding the percentage for and against.

Councilman Godfrey said that a majority request the improvement; a minority asks for the delay.

Councilman Wincote wondered if there were separate petitions or if they were combined.

The file was checked, and in answer to Councilman Wincote's question, it showed that they were in one petition, and not combined petitions.

R. M. Lieberman, 880 Albion Street, referred to 2 petitions on the same subject. He said that he does not want to wait.

The Mayor said, also, that there were not separated petitions, but all are in one.

Mr. Holland, who lives on Albion, objected to a continuance.

The Mayor pointed out that there are other hearings provided for which will be held, when property owners may express themselves further.

Asked by members of the Council about the stage of the improvements, the City Engineer stated that the specifications have been drawn, and that the proceedings were based on a 60% petition.

RESOLUTION NO. 111655, recorded on Microfilm Roll No. 62, determining that the proposed improvement of Jennings Street, et al, provided for in Resolution No. 111086 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 No. 111087 of Preliminary Determination for the improvement of Monte Vista Avenue within the limits and as particularly described therein, having arrived, 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.

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

RESOLUTION NO. 111656, recorded on Microfilm Roll No. 62, determining that the proposed improvement of Monte Vista Avenue, within the limits and as particularly described in Resolution No. 111087 of Preliminary Determination is feasible and that the lands proposed 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 Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 110844 of Preliminary Determination for the paving and otherwise improving of the Alley in Block 109 Central Park - continued from the meeting of April 14, 1953 - the City Engineer was heard verbally when he made a brief report on the cards returned in connection with his questionnaire on type of paving desired. It was similar in substance to the report he had made at the first hearing.

RESOLUTION NO. 111657, recorded on Microfilm Roll No. 62, overruling and denying the written protests of Mrs. Helena Reed, Mrs. E. T. Behn, Louis Musacco, verbal protests of Charles McGuffie and James T. Brown against the paving and otherwise improving of the Alley in Block 109 Central Park, as provided in Resolution of Preliminary Determination No. 110844; overruling and denying all other protests thereon, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111658, recorded on Microfilm Roll No. 62, determining that the proposed improvement of the Alley in Block 109 Central Park, within the limits and as particularly described in Resolution No. 110844 of Preliminary Determination is feasible and that 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed amendment to the San Diego Municipal Code in connection with the Uniform Building Code Adoption, the Clerk reported that no written protests had been received.

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

Ronald S. Brock, 4935 Lorraine Drive, appeared. He said that he had no protest, and stated that the contractors of San Diego feel the same way. Everything seems to be in perfect harmony. Mr. Brock spoke about method used in cooperation, on the part of Mr. Dorland, the Acting Building Inspector. He said that the Ordinance needs some working out, however, the same as the wording in 1949.

Councilman Wincote moved to continue the hearing on the proposed Ordinance, and that the same be revised.

The City Manager stated that the points under question are presumably being worked out.

A question was raised as to the reason for the Ordinance being on the docket if it had not been worked out. The Clerk answered by saying that the Council had set the hearing for this date.

Councilman Godfrey seconded the motion for continuance, adding to it the matter off 2 weeks.

Mr. Lovett, whose first name or initials were not given, stated that he approves the 1949 Code, including this one with amendment.

Mr. Dorland, the Acting Inspector, was heard at this time on request of the Council. He said that it appears that more exceptions are going to be asked. He stated that they will be included in the final form. They had just been received, Mr. Dorland said.

The roll was called on the motion, resulting in

RESOLUTION NO. 111659, recorded on Microfilm Roll No. 62, continuing the hearing on the proposed Ordinance amending the San Diego Municipal Code by amending Sections 91.01 and 92.02; by renumbering Section 91.02.02; and by repealing Sections 91.02.01 and 91.03 relative to a Uniform Building Code, until the hour of 10:00 o'clock A.M., Tuesday, May 5, 1953; directing the City Manager to make a progress report to Council Conference on the final draft of the proposed Ordinance in one week, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing was continued on the proposed Ordinance incorporating a portion of Lot 13 Horton's Purchase Ex Mission Lands into "R-2" Zone and repealing Ordinance No. 35 (New Series) - which hearing had been closed by the Council when the matter was before it on April 14, 1953 - Glenn A. Rick, the Planning Director, spoke. He told the Council that there is a new petition out on the property. This proposal, he said, should be killed.

RESOLUTION NO. 111660, recorded on Microfilm Roll No. 62, filing the proposed Ordinance incorporating portion of Lot 31 Horton's Purchase, Ex Mission Lands into R-2 Zone, as defined by the Municipal Code; repealing Ordinance No. 35 New Series insofar as it conflicts, on which a hearing was held and closed on April 14, 1953, 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 petitions of Foster and Kleiser Company appealing from the Zoning Committee decisions denying building permits for advertising structures at 4250 Midway Drive, 4226 Rosecrans Avenue and 2937 Chestnut Street, Glenn A. Rick, Planning Director, was heard.

One of the 2 Foster & Kleiser letters was read at this time.

Robert E. Tuohy, representing said Company, was heard at this time. He said that the company was not represented at the Planning Commission's "hearing" on the subject.

The Mayor stated that the Planning Commission's report is needed in order to proceed.

Another Foster and Kleiser letter was read, covering other locations.

Councilman Kerrigan said that there is a difference between the 2 letters; one coming as a result of a recent decision, and one based on an action of several months ago.

Mr. Rick pointed out that in the matter of hearing, etc., this matter does not follow the zone variance procedure.

The Mayor stated that the Company had not appealed in time.

Councilman Godfrey said that on one letter, it is in time. He asked why split hairs as to when the appeal gets in.

Councilman Dail said that the Council should make a finding on the proper findings, and that it can hold a hearing on the appeal.

Councilman Godfrey asked that the matter be continued to permit Mr. Rick bring up the files from the Planning Department's office.

(Mr. Rick left the meeting - the hearing came up again).

See also page 149 of These Minutes.)

Petition of Kesling Modern Structures, Inc., and Loma Valley, Inc., dated April 15, 1953, signed by William F. Reed, attorney, was presented. The petition, in the form of a communication, which had been before the Council earlier, requested extension of time to file the final map of Loma Valley Subdivision.

RESOLUTION NO. 111661, recorded on Microfilm Roll No. 62, granting extension of time to and including June 12, 1953, to Kesling Modern Structures, Inc., and Loma Valley, Inc., in which to file the final map of Loma Valley Subdivision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that Resolution No. 105439 adopted February 13, 1952, approved the Tentative Map of Loma Valley Subdivision; that Resolution No. 110335 adopted January 27, 1953, granted 90-day extension within which to file the final map; that



written request for an additional 30-day extension has been filed.

Petition requesting the razing of the building located on the west side of 51st Street, between the residences numbered 4078 and 4092, for the reasons that it is dilapidated, is a fire hazard, an eyesore, and a hazard to children, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, 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 March 25, 1953, for installation of Lining in Chemical Storage Tank at the Sewage Treatment Plant, was presented. The report states that Amercoat Corporation of South Gate, California, was the sole bidder, and price was \$3,564.84. It stated that the bid submitted is considered excessive, and recommended that it be rejected. The report states that the Sewage Treatment Division now contemplates making repairs with its own forces.

RESOLUTION NO. 111662, recorded on Microfilm Roll No. 62, rejecting bids received March 25, 1953, for installation of lining in Chemical Storage Tank at the Sewage Treatment Plant, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for installation of Traffic Signals and Safety Lighting at the intersection of Laurel Street at Fourth Avenue and Fifth Avenue, and the interconnecting of traffic signals on Laurel Street at Fourth, Fifth and Sixth Avenues, received April 15, from 2 bidders, was presented. Said report recommends award to California Electric Works, the low bidder, at \$14,900.70 - 8.0% above the estimate of the City Engineer.

RESOLUTION NO. 111663, recorded on Microfilm Roll No. 62, accepting bid of California Electric Works for installation of Traffic Signals and Safety Lighting at the intersection of Laurel Street at Fourth Avenue and Fifth Avenue, and the interconnecting of traffic signals on Laurel Street at Fourth, Fifth and Sixth Avenue; authorizing and instructing the City Manager to enter into and execute contract pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Winco te, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received April 15, 1953, for construction of storm drain, at the southerly end of Cushman Place, from 5 bidders, was presented. Said report recommended award to Pace Construction Company, low bidder, at \$3374.00 - 3.6% below the estimate of the City Engineer.

RESOLUTION NO. 111664, recorded on Microfilm Roll No. 62, accepting bid of Pace Construction Company for construction of storm drain at the southerly end of Cushman Place; awarding contract, authorizing and instructing the City Manager to enter into and execute contract with said Pace Construction Company pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Winco te, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for 7 Compound Water Meters, Fire Service Type, size 6"x3"x3/4" for the Storeroom - as per specifications on file in the office of the City Clerk bearing Document No. 467586, was presented.

RESOLUTION NO. 111665, recorded on Microfilm Roll No. 62, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 7 Compound Water Meters, in accordance with Document No. 467586, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111666, recorded on Microfilm Roll No. 62, approving plans, and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of sanitary sewers in the alley in Block "I" Plumosa Park, and Nipoma Street, filed in the office of the City Clerk and bearing official Document No. 467587; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids in accordance with plans and specifications referred to, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111667, recorded on Microfilm Roll No. 62, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for repairs to Fish Market Pier located near the foot of Pacific Highway, filed in the office of the City Clerk under Document No. 467588; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids in accordance with said plans and specifications, was on motion of Councilman Kerrigan, seconded by Councilman Winco te, adopted.

Communication from Freeland, Peterson & Evenson, 602 Spreckels Building, San Diego 1, dated March 9, signed by Bill K. Bramble, submitting the matter of opening the proposed street (July Street) in Clairemont Unit #4, was presented.

Accompanying the matter was a communication from the Planning Department, signed by Harry C. Haelsig, recommending acceptance of offer of dedication subject to

improvement in accordance with Drawings 8858 to 8872-L on file in the office of the City Engineer, was presented.

RESOLUTION NO. 111668, recorded on Microfilm Roll No. 62, adopting recommendation of the City Planning Commission regarding acceptance of offer of Burgener-Tavares Corporation (contained in communication from Freeland, Peterson & Evenson), to dedicate portion of July Street adjacent to Lot 303 of Clairemont Unit No. 2, subject to improvement in accordance with Drawings 8858 to 8872-L, 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, reporting on petition of Earl R. Severin to close lot or parcel marked "reserved for future street" adjacent to Lots 23 and 24 Whitefield Subdivision, according to Map 2923 filed in the office of the County Recorder, was presented. Said communication states that the area was reserved for possible future street extension to serve property adjacent and easterly from Lots 18 through 23, being part of a tract approx. 230 feet deep on the westerly side of 69th Street. It makes further detailed reports on the petition, and recommends that it be denied.

RESOLUTION NO. 111669, recorded on Microfilm Roll No. 62, denying petition of Earl R. Severin, filed in the office of the City Clerk February 20, 1953, under Document No. 464297, to close lot or parcel marked "reserved for future street" adjacent to Lots 23 and 24 Whitefield Subdivision, in accordance with the Street Superintendent's recommendation, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

The next matter, being a communication from Mrs. Willis E. Dougherty, relative to application for refund on fees paid for zone variance requests and setback suspension in Nettleship Tye Tract No. 1, was held temporarily, awaiting return to the Council meeting of Glenn A. Rick, City Planning Director.

It will be found again, on page 150 of These Minutes.

Communication from W. G. Gerow, 2328 El Cajon Boulevard, San Diego 4, dated April 14, 1953, relative to the recently amended sound truck ordinance, was presented. Accompanying the communication, was copy of letter submitted to the Council at the time the present ordinance was under consideration in 1949. It states that the classification for sound trucks, after 26 years of service, has been eliminated from the telephone directory. Constructive legislation is a must or free enterprise will cease, the communication says.

RESOLUTION NO. 111670, recorded on Microfilm Roll No. 62, referring to Council Conference the communication from W. G. Gerow, bearing Document No. 467241, relative to the recently amended sound truck ordinance, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

(A communication from Calvin D. Swalm, on the same subject, was also referred to Conference on April 16, 1953.)

Communication from Mrs. J. Huszka, 3737 Yosemite St., San Diego 9, relative to the consideration being given to use of gas tax funds for the 4-laning of Morena Boulevard, was presented. It states that the situation regarding traffic at Balboa Avenue and Grand Avenue is more pressing, and that immediate steps must be taken to have roads opened and improved at the earliest possible moment. It says, also, that consideration is asked by all members of the Pacific Beach Garden Club.

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

Communication from Mission Beach Civic Council, signed by Bert Lembeck, president, dated 14 April 1953, urging early recognition of the problem having to do with Balboa Avenue as the main approach to the Beaches from the north, which in addition is carrying a local heavy traffic load, was presented.

RESOLUTION NO. 111671, recorded on Microfilm Roll No. 62, referring to Council Conference communication from Mission Beach Civic Council, Document No. 467561, relative to need for improving Balboa Avenue, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from Mrs. Ethel H. Stillman favoring adoption of an ordinance to allow multiple dwellings in R-1 and R-2 Zones, was presented.

RESOLUTION NO. 111672, recorded on Microfilm Roll No. 62, referring to Council Conference for consideration this date, communication from Mrs. Ethel H. Stillman, filed under Document No. 467550, favoring an ordinance to allow multiple dwellings in R-1 and R-2 Zones, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from A. Harry Beran, 6328 Tooley Street, San Diego 14, expressing dissatisfaction with the manner in which the Council is fumbling with the proposed chicken (fowl) Ordinance, and expressing many other views, was presented.

Councilman Dail said that Mr. Beran is getting to be a prolific letter writer on the subject.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was ordered filed with the "Chicken Ordinance file".

RESOLUTION NO. 111673, recorded on Microfilm Roll No. 62, directing notice of filing the Street Superintendent's Assessment No. 2129 made to cover the costs and expenses of the paving and otherwise improving of portion of Alley Block 12-1/2 Subdivision of Blocks 3, 6, 9, 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 of the time and place of hearing thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, reporting on bids for construction and installation of lighting in Kingsley Street, James Street, et al, recommending award to Ets-Hokin & Galvin, was presented. It states that the low bid is 3.7% below the estimate.

RESOLUTION OF AWARD NO. 111674, recorded on Microfilm Roll No. 62, accepting bid of Ets-Hokin & Galvan for installation of an ornamental lighting system in Kingsley Street, James Street, Oleander Drive, Poinsettia Drive, Oleander Place, Hyacinth Drive and Wisteria Drive, and awarding contract, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111675, recorded on Microfilm Roll No. 62, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Island Avenue; approving Plat No. 2427 showing the exterior boundaries of the district to be included in the assessment therefor; directing the City Clerk upon passage of the Resolution of Intention for said improvement, to file said plat in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111676, recorded on Microfilm Roll No. 62, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Crown Point Lighting District No. 1, for a period of one year from and including February 15, 1953 to and including February 14, 1954, in accordance with Engineer's Report and Assessment filed March 2, 1953, in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111677, recorded on Microfilm Roll No. 62, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Garnet Street Lighting District No. 1, for a period of one year from and including January 30, 1953 to and including January 29, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111678, recorded on Microfilm Roll No. 62, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Presidio Hills Lighting District No. 1, for a period of one year from and including February 1, 1953 to and including January 31, 1954, in accordance with Engineer's report and assessment filed March 2, 1953, in the office of the City Clerk, was Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 111679, recorded on Microfilm Roll No. 62, 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 111680, recorded on Microfilm Roll No. 62, 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 111681, recorded on Microfilm Roll No. 62, for the furnishing of electric current for the lighting of the ornamental street lights located in Kensington Manor Lighting District Number One, for a period of one year, from and including May 1, 1953, to and including April 30, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 111682, recorded on Microfilm Roll No. 62, for the furnishing of electric current for the lighting of the ornamental street lights in Hermosa Lighting District Number One, for a period of one year from and including May 1, 1953 to and including April 30, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.



RESOLUTION OF INTENTION NO. 111683, recorded on Microfilm Roll No. 62, for the furnishing of electric current for the lighting of street lamps on mast arms attached to poles, together with maintenance of the arms, wires and lamps, in Mission Beach Lighting District Number One, for a period of one year from and including May 15, 1953 to and including May 14, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 111684, recorded on Microfilm Roll No. 62, for the paving and otherwise improving of portion of Island Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111685, recorded on Microfilm Roll No. 62, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 2, for a period of one year from and including March 16, 1953, to and including March 15, 1954, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111686, recorded on Microfilm Roll No. 62, approving diagram of the property affected or benefited by the work or improvement to be done 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; 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. 111687, recorded on Microfilm Roll No. 62, approving diagram of the property affected or benefited by the work of improvement to be done on the paving 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; 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.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending that proceedings - heretofore granted by Resolution No. 107493 - to include drainage structures as required, and that the job consist of improving the Alley in Block 22 City Heights and Block M Montclair and a portion of Tamarack Street, was presented.

RESOLUTION NO. 111688, recorded on Microfilm Roll No. 62, adopting recommendation of the City Engineer filed in the office of the City Clerk April 15, 1953, under Document No. 467155; authorizing the City Engineer to amend proceedings for improvement of the Alley westerly of Block M Montclair, in accordance with said recommendation, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending that proceedings - heretofore granted by Resolution No. 99519 - to include replacing portion of sewers in Alley in Block 139 University Heights, and portion of Tyler Street, was presented.

RESOLUTION NO. 111689, recorded on Microfilm Roll No. 62, adopting recommendation of the City Engineer filed in the office of the City Clerk April 15, 1953, under Document No. 467154; authorizing the City Engineer to amend proceedings for improvement of the Alley in Block 139 University Heights, in accordance with said recommendation, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending granting petition for paving and otherwise improving portion of 53rd Street south of Imperial Avenue to Santa Margarita Street - signed by owners of 100% of the property frontage; recommending that it be combined with that ordered by Resolution No. 111292 for improvement of San Jacinto Drive and Santa Margarita Street, and addition of sidewalks on San Jacinto and Santa Margarita Street, was presented.

RESOLUTION NO. 111690, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 465964 for the paving and otherwise improving of portion of 53rd Street; directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the paving and otherwise improving of street; directing the City Engineer to consolidate said assessment with the assessment district heretofore ordered by Resolution No. 111292 for improvement of San Jacinto Drive and Santa Margarita Street, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending granting petition for paving and otherwise improving of the Alleys in Block 45 W. P. Herbert's Subdivision - signed by 68.7% of the property frontage - and that sewer laterals be installed if required, was presented.

RESOLUTION NO. 111691, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 466282 for the paving and otherwise improving of the Alleys in Block 45 W. P. Herbert's Subdivision; 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 the said Alleys, including sewer laterals installation if required, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending granting petition contained in Document No. 465967 for the paving and otherwise improving of the Alley in Block 89 Point Loma Heights - signed by the owners of 66.7% of the property frontage - and additional work be included as required, was presented.

RESOLUTION NO. 111692, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 465967 for the paving and otherwise improving of the Alley in Block 89 Point Loma 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 thereof, to include portion of Santa Barbara Street in and adjacent to the termination of said Alley in said Street, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending granting petition for paving and otherwise improving Ellison Place in Tract 1353 - Document No. 465965 signed by owners of 81.9% of the property frontage - was presented.

RESOLUTION NO. 111693, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 465965 for the paving and otherwise improving of Ellison Place in Tract 1353; 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 Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending granting petition contained in Document No. 466784, for the paving and otherwise improving of Ibis Street from Sassafras Street to Upas Street - signed by owners of 67.8% of the property frontage - was presented.

RESOLUTION NO. 111694, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 466784 for paving and otherwise improving of Ibis 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, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending granting petition for improving the westerly half of Linda Rosa Avenue between Forward Street and the center line of La Jolla Mesa Drive - signed by 86.2% of the property frontage - was presented.

RESOLUTION NO. 111695, recorded on Microfilm Roll No. 62, granting petition contained in Document No. 465966 for the paving and otherwise improving of the westerly half of Rosa Avenue; directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district to be affected and benefited by and to be assessed to pay the costs, damages and expenses, including portions of Forward Street, La Jolla Mesa Drive and Colima Street if necessary to properly connect up with the existing improvements, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending granting petition contained in Document No. 466617 for the paving and otherwise improving of Olvera Avenue between Bonita Drive and 58th Street and the southerly half of Bonita Drive between Olvera Avenue and a line approximately 200 feet southwesterly - signed by owners of 80.0% of the property frontage - was presented.

RESOLUTION NO. 111696, recorded on Microfilm Roll No. 62, granting petition for the paving and otherwise improving of portions of Olvera Avenue and Bonita 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, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Street Superintendent reporting on request of V. R. Dennis Construction Company for a 15-day extension of time on contract for paving and otherwise improving of the Alley in Block 67 Point Loma Heights, as more particularly described in Resolution of Intent No. 104943 - additional time required to cover collection time on the assessment roll - and recommending granting, was presented.

RESOLUTION NO. 111697, recorded on Microfilm Roll No. 62, granting request of V. R. Dennis, doing business as V. R. Dennis Construction Co. for extension of 15 days from

and after April 24, 1953, in which to complete contract for paving and otherwise improving of the Alley in Block 67 Point Loma Heights, described in Resolution of Intention No. 104943, in accordance with recommendation of the Street Superintendent on file in the office of the City Clerk, and extending said completion time for 15 days from and after April 24, 1953, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111698, recorded on Microfilm Roll No. 62, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of The City of San Diego a quitclaim deed quitclaiming to Shelton W. Cass and W. Lucille Cass, husband and wife, as joint tenants, Lots 17 and 18 Block C Alta Vista Suburb; authorizing and directing the Property Supervisor to place said deed in escrow with directions that the same be delivered to the successful bidder when all escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Said Resolution states that Shelton W. Cass bid for purchase of said lots at public auction conducted by the Property Supervisor of the City at 10:00 o'clock A.M., April 14, 1953; that said bid was the highest bid submitted, which sum of \$1650.00 bid is above the minimum amount fixed by the Council for the sale; that said Shelton W. Cass is the highest, responsible and reliable bidder.

RESOLUTION NO. 111699, recorded on Microfilm Roll No. 62, authorizing and directing the Property Supervisor to advertise in the official newspaper the sale at public auction of Lots 13, 14, 15, 16, 18, 20, 22 Block 4 DePuy's Subdivision of the West Half of the Northwest Quarter of Pueblo Lot 206, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that T. N. Faulconer has petitioned the Council to put said property up for sale, and has deposited with the Property Supervisor \$100.00 to cover all costs pertaining to the sale including cost of title report, and as a guarantee that the depositor will bid the minimum amount fixed by the Council; that the City Manager has recommended said sale; that the reason for selling is that the same is no longer needed for City purposes; that the value as disclosed by an appraisal made by a qualified real estate appraiser is \$3,000.00; that the minimum amount which the Council will consider is \$3,000.00; that the Council reserve the right to reject any and all bids; that all expenses in connection with the sale are to be deducted from the proceeds, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111700, recorded on Microfilm Roll No. 62, prohibiting the parking of automobiles at all times on the southerly side of Playa Del Norte Street between Neptune Place and La Jolla Boulevard; authorizing and directing installation of the necessary signs and markings; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111701, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to do all the work necessary in connection with transfer of aerial signal and communications circuits required by widening of El Cajon Boulevard, by appropriate City forces, in accordance with said recommendation, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has recommended performance of said 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. 111702, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to do all the work in connection with the relocation of two 16-inch discharge lines conveying fertilizer dust at the Sewage Treatment Plant, 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 relocation of lines, 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. 111703, recorded on Microfilm Roll No. 62, authorizing the City Manager to provide for service of water for domestic use to Edgemoor Farm, upon the various conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Said Resolution recites that the Acting Superintendent of Edgemoor Farm has requested that The City of San Diego supply water for domestic use for said Farm, for the reason that the water supply consists of underground source, and is now infested with iron bacteria and not suitable, that it is a public institution maintained by the County of San Diego and that the City Manager recommends and the Council believes that it will be in the direct interest of The City to grant the petition, provided water service is made upon conditions to fully protect the City. Said Resolution states that the County shall install the necessary chlorination facilities at its own expense; that the City not be held responsible in any way for quality of water supplied; that the service be available only so long as El Capitan pipeline remains in service at said location without requirement on the part of the City to spend any money for maintenance; that the water be supplied at outside city rates; that all costs in connection with facilities installation or maintenance of service be at the expense of the County.



RESOLUTION NO. 111704, recorded on Microfilm Roll No. 62, authorizing the City Manager to supply water for domestic purposes to the San Diego Unified School District for use of the Grantville Elementary School, upon terms and conditions as apply to other water users served with water in that area outside the City boundaries, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Said Resolution recites that said Unified School District has requested the City to furnish domestic water supply; that the City Manager has advised, and the Council is of the opinion that such service is in the interest of The City of San Diego because of the relationship between said District and the City, and that the request should be granted.

RESOLUTION NO. 111705, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to execute for and on behalf of The City of San Diego an agreement between the Division of Forestry of the California Department of Natural Resources and the City, wherein and whereby the Division of Forestry grants the City permission to occupy space for the City's radio equipment and power generator in a vault built by said Division on Lyons Peak and to use Forestry facilities such as roads, to accomplish the purpose intended by said agreement, that the City agrees to make annual payments in advance to said Division for rental of equipment space, use of Forestry maintained road and other privileges, in the sum of \$125.00, first due and payable February 1, 1953, and on the 1st day of February of each year thereafter during the term of said agreement, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111706, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego Utilities Agreements Nos. 4911 and 4911-B,d, between the State of California acting by and through the Department of Public Works, Division of Highways, and the City, providing for relocation of certain City-owned facilities affected by the proposed highway construction on Road XI-SD-12-SD LMSa, between Esther Street and La Mesa Boulevard, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111707, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to execute for and on behalf of the City a lease with McClain Bros., a partnership consisting of Douglas McClain and George McClain, of portion Lots 124 to 129 Lakeside Farms; portion Lot 1 Riverview Farms and Lot 59 El Cajon Land Company's lands, for a term of 10 years at a rental of \$900.00 per year, payable yearly in advance; more particularly described and terms and conditions set forth in form of lease filed in the office of the City Clerk under Document No. 467772, real property value \$43,200.00 as disclosed by report of the last appraisal made by the Auditor and Comptroller, and leased for the reason that the City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 111708, recorded on Microfilm Roll No. 62, authorizing and empowering the City Manager to execute for and on behalf of the City a lease with Hans Starr of portion of Rancho San Bernardo, for 10 years at an annual rental of \$3,825.00, payable yearly in advance; more particularly described and terms and conditions set forth in form of lease filed in the office of the City Clerk under Document No. 467773, real property value \$130,000.00 as disclosed by report of the last appraisal made by the Auditor and Comptroller, leased for the reason that the City will derive revenue not otherwise not obtainable, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111709, recorded on Microfilm Roll No. 62, granting request of Ets-Hokin & Galvan contained in Change Order No. 2 for extension of 30 days to and including April 25, 1953, heretofore filed with the City Clerk as Document No. 467663, in which to complete contract for installation of Traffic Lights on Pacific Highway, between Cedar Street and Broadway, contract contained in Document No. 453412 on file in the office of the City Clerk; extending completion time under contract to April 25, 1953, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111710, recorded on Microfilm Roll No. 62, determining that the appearance of the U.S. Army Field Band in Balboa Park Bowl on May 27, 1953, at 7:30 P.M. shall be under sponsorship of The City of San Diego, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111711, recorded on Microfilm Roll No. 62, granting permission to United Spanish War Veterans, Captain Jacob H. Culver Auxiliary No. 94, to conduct fourth annual Carnation Sale on the streets of the City May 8 and 9, 1953, for the purpose of raising funds for their welfare work, which includes a Clara Barton Scholarship (nurses training course), volunteer hospital service, aid to veterans and widows in need, and donations to charitable organizations, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111712, recorded on Microfilm Roll No. 62, granting permission to The Scripps Metabolic Clinic to install chrome-plated brass pipe instead of cast iron pipe, where a 2" kitchen sink vent line is exposed in the new kitchen of the addition to the Scripps Metabolic Clinic, for a distance of approximately seven feet - subject to conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111713, recorded on Microfilm Roll No. 62, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:  
 38th Street at Newton Avenue;  
 50th Street and Orange Avenue;  
 Coast Boulevard, North of Ravina Street;  
 Merlin Drive at Kenwood Street;  
 was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111714, recorded on Microfilm Roll No. 62, authorizing the Chief of Police, A. E. Jansen, to attend the annual convention of the Peace Officers' Association of the State of California, to be held in San Jose, California, May 12, 13, 14, 1953; authorizing the incurring of all expenses in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111715, recorded on Microfilm Roll No. 62, accepting quitclaim deed executed on the 3rd day of April, 1953, by Cletus L. Kathol and Regina A. Kathol, and Charles M. Beall and Theresa M. Beall, 5510 Division Street, National City, California, 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 National Vista Development as located on Division Street, between the Bonita Pipe Line and Harbison Street; also on Harbison Street between Division Street and Arroyo 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111716, recorded on Microfilm Roll No. 62, accepting quitclaim deed executed on the 3rd day of April, 1953, by Steelcrete Industrial Buildings, Inc., 3652 Courts Street, San Diego 1, California, 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 Bay Park Vista Unit No. 3, being a subdivision of Lots 13, 15, 16 Eureka Lemon Tract; 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.

The following Proposed Ordinances - with the exception of the one Ordinance which was passed - were introduced at this meeting and were held over until six calendar days will have elapsed between this date of introduction and the date of their final passage; prior to which Douglas Deaper, representing the City Attorney reviewed the matter of reading Ordinances, as a result of the March Charter Amendment:

Proposed Ordinance appropriating the sum of \$16,400.00 from the Capital Outlay Fund for the purpose of providing funds for installation of Traffic Signals and Safety Lighting at the intersections of Laurel Street with Fourth Avenue and Fifth Avenue, and the interconnecting of Traffic Signals on Laurel Street, at Fourth Avenue, Fifth Avenue and Sixth Avenue, was introduced.

Proposed Ordinance appropriating the sum of \$7,600.00 from the Unappropriated Balance Fund of The City of San Diego, and transferring the same to the City and County Administration Building Department Fund, was introduced.

Proposed Ordinance appropriating the sum of \$2,500.00 from the Unappropriated Balance Fund of The City of San Diego, for the purpose of providing funds to cover the cost of certain statistical data to be furnished the City pursuant to agreement between The City of San Diego and the San Diego Chamber of Commerce, was introduced.

Proposed Ordinance appropriating the sum of \$1,200.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing additional funds for the improvement of Roswell Street, et al., was introduced.

Proposed Ordinance appropriating the sum of \$600.00 from the Unappropriated Balance Fund of The City of San Diego, for the purpose of providing funds to cover the cost

of Change of Grade Proceedings on Anna Avenue, between its termination at Sherman Street and the southwesterly line of Pacific Highway, was introduced.

Proposed Ordinance authorizing the City Manager to execute a Partial Termination of Lease with the Public Housing Administration, United States of America, was introduced.

Proposed Ordinance authorizing lease of Pueblo Lot 1315 with the Civil Aeronautics Administration of the United States of America, was introduced.

Proposed Ordinance incorporating portion of Pueblo Lot 1339 into M1-A Zone as defined by Section 101.0412.1 of The San Diego Municipal Code and repealing Ordinance No. 13455, approved February 15, 1932, insofar as the same conflicts - adjoining A.T.&S.F. Ry., vicinity of Highway 101 and Sorrento Slough - was introduced.

On motion of Councilman Godfrey, seconded by Councilman Wincote, a hearing was set for the hour of 10:00 o'clock A.M., Tuesday, May 7, 1953.

Proposed Ordinance establishing grade of the Alley in Block 22 City Heights, according to Map No. 1007, between the southerly line of Quince Street and a line parallel to and distant 460.00 feet southerly from the southerly line of Quince Street, was introduced.

Proposed Ordinance establishing grade of Azul Street, between the easterly line of La Jolla Shores Drive and the easterly boundary line of La Jolla Cliffs Subdivision, was introduced.

Proposed Ordinance establishing the grade of Banks Street, between the southeasterly line of Sherman Street and a line parallel to and distant 360.00 feet southeasterly from the southeasterly line of Sherman Street, was introduced.

Proposed Ordinance establishing the grade of Custer Street, between the southeasterly line of Sherman Street and the northwesterly line of Greenwood Street, was introduced.

Proposed Ordinance establishing the grade of Grant Street, between the southeasterly line of Sherman Street and the northeasterly prolongation of the southeasterly line of the Northeasterly and Southwesterly Alley in Block 3 Vernon Park, was introduced.

Proposed Ordinance establishing the grade of La Jolla Shores Drive, between the northerly boundary line of La Jolla Cliffs Subdivision and the southerly boundary line of said Subdivision, was introduced.

Proposed Ordinance establishing the grade of Landon Street, between the northwesterly line of Sherman Street and the easterly line of the Atchison, Topeka and Santa Fe Railroad Right-of-way, was introduced.

Proposed Ordinance establishing the grade of Poole Street, between the easterly line of La Jolla Shores Drive and the northerly line of Azul Street, was introduced.

Councilman Dail was excused from the meeting at this time.

The Communications from Foster and Kleiser Company, 2260 Columbia Street, which was shown earlier in these Minutes on Page 142 for this meeting, was brought up at this point, inasmuch as Glenn A. Rick, City Planning Director, had returned to the meeting with the Planning Commission's records. Mr. Rick reviewed the matter from said minutes.

Councilman Dail returned to the meeting.

Douglas Deaper, of the City Attorney's Office, read to the Council from the Ordinance in connection with the matter of signs obstructing the view in connection with traffic.

Mr. Rick said that the applications for signs at the 3 locations had been turned down for the reason of their obstruction of the view.

Councilman Wincote referred to the Ordinance. He said that it was his understanding that the matter of provisions is for the purpose of persuasion only, and referred to the Ordinance still being on the books.



Foster & Kleiser - cont:

Mr. Rick said that he was not sure what is in the Commission members' minds, answering Councilman Wincote in connection with reasons they might have had in opposing the signs. He said that he wondered Councilman Wincote's proposed Resolution, expressing the Council's opinion on the subject, including architectural control, could take effect in view of the existing ordinances on the books.

Councilman Wincote said that Mr. Deaper advises that the architectural control ordinance is illegal. He said he thought that it had been agreed by the Planning Commission (at a luncheon with members of the Council at the University Club) that the Ordinance could be persuasive, but not binding.

Mr. Rick told the Council that he does not know how the Planning Commission members can be only rubber stamps - but that they have a job to do which they feel they are doing.

Councilman Godfrey stated that it required time to coordinate the situation. There are certain areas, he said, where the City can and cannot exercise its judgment. Some of the area, he stated, are out of the jurisdiction of the Commission. He said that the Council can act, in light of the Attorney's opinion. He said that he could see no legal basis to deny the requests contained in the 2 communications. He said that he wants to determine the right thing, and then to persuade property owners to abide.

Councilman Schneider said that he felt that the Ordinance should be repealed - then try to persuade, inasmuch as the Ordinances are now in effect.

Councilman Wincote referred to the meeting with the Planning Commission again. He said he thought there had been a "meeting of the minds".

Councilman Godfrey pointed out that no procedure covering this case had been set up. He said that he wanted to move to consider it in Conference this afternoon.

Councilman Wincote moved to overrule the decisions of the Zoning Committee denying building permits for 3 advertising structures, and grant requests for the same.

Before the roll was called, Mr. Rick told about inspections having been made. He stated, as he had at other times, that he did not want the bill boards at the clover lead and at the overpass.

Mr. Tuohy, Public Relations Representative for the company, told the Council that the advertising panels are used a great deal for promotion of traffic safety, for which their use is contributed. He said that the owners of the boards would be fools if they permitted the structures to interfere with traffic. They are set back properly, he declared.

Councilman Schneider seconded the motion, resulting in

RESOLUTION NO. 111717, recorded on Microfilm Roll No. 62, granting the appeal of Foster and Kleiser Company, 2260 Columbia Street, from the decision of the Zoning Committee in denying building permits for construction of standard outdoor advertising structures at 4250 Midway, 4226 Rosecrans Avenue and 2937 Chestnut Street, all in areas designated as "architecturally controlled", and overruling said Zoning Committee's decision, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

(The earlier consideration of this matter is shown on Page 140 of these Minutes for this meeting.)

The matter of the request of W. E. Dougherty - listed on the agenda as communication from Mrs. Willis E. Dougherty - for refund on fees paid in connection with requests for zone variance and setback suspension was brought up again at this time, inasmuch as the Planning Director was present. The matter was referred to earlier in these Minutes on Page 142.

W. E. Dougherty, USN, spoke about the lot coverage and the setback. He mentioned the property as being a corner lot. He declared that the petitions for the zone variance and setback suspension were out of order and that they were unnecessary, but that he had been required to pay the prescribed fee for their consideration. He wanted a decision from the Council if the property is a corner or not.

Douglas Deaper, representing the City Attorney, said that he did not wish to give an oral opinion, but felt that the matter should be referred to the City Attorney.

Mr. Dougherty spoke again, and referred to the property as a corner.

Councilman Schneider moved to refer the matter to the City Attorney for opinion - as soon as possible - which motion was seconded by Councilman Dail.

Prior to the roll being called, Mrs. Dougherty was heard. She spoke about the plans and the refund of the money which she believed should be made. The neighbors approved the proposed development, she declared.

RESOLUTION NO. 111718, recorded on Microfilm Roll No. 62, referring to the City Attorney communication from Mrs. Willis E. Dougherty, 5240 La Jolla Mesa Drive, San Diego 9, filed in the office of the City Clerk on April 17, 1953, under Document No. 467560, relative to application for refund on fees paid in connection with requests for zone variance and setback suspension on Lot 1 Block 5 Nettlehip Tye Tract No. 1; requesting the City Attorney to give an opinion as soon as possible, was on motion of Councilman Schneider seconded by Councilman Dail, adopted.

Mr. Deaper said that the Attorney's Office can rule on the refund, that the matter may not need a written opinion to come before the Council again.

Councilman Schneider then moved to make the refund.

The Planning Director was heard again. He showed a map to the Council and explained the situation. The "setback should carry around", he said. He presented a written report in the matter, which was not read here.

Mr. Dougherty showed a map to the Council, over which a conference was held including Mr. and Mrs. Dougherty, members of the Council and Mr. Rick.

Mr. Deaper said that the Attorney's office will send a copy of the opinion to the Doughertys. (The Attorney's office reports that the opinion was mailed).

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

RESOLUTION NO. 111719, recorded on Microfilm Roll No. 62, authorizing Mayor John D. Butler to go to Washington, D.C., for conferences in connection with business

affecting The City of San Diego; authorizing the incurring of all expenses in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Councilman Dail requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda - and on which no communication was filed.

Russell Segel made a verbal presentation, in which he spoke about the Mayfair Market located at 47th & Market Streets. He showed a map to the Council. He stated that he had tried to get all the property into C Zone. He said that he would grant the 10 feet provided for around the property. In connection with the matter, Mr. Segel spoke about Chester Square addition, also. He said that he wants more C Zone so as not to shut off the Mayfair Market. He told the Council that he does not want to subdivide, inasmuch as all the improvements are in, and that he does not want to sell off the property. He stated that the Mayfair Market had been stopped from adding a lath house for plants. He referred, also, to the C-P Zone having been set up for parking. Mr. Segel said that the Demers property, nearby, differs from his.

Councilman Dail said that he had not realized what the presentation by Mr. Segel would be. He declared that Mr. Segel should file an appeal. Also, he said, the Council would have to hear the matter again, in any event. Mr. Dail said that Mr. Segel does not mean to, and a subdivision does not mean he shall, go into the subdivision business.

Glenn A. Rick, City Planning Director, said that when the property is taken out of the single-family zone it needs to be subdivided. Things are needed when the property is cut up, he declared. He told the Council that the Planning Commission had asked for Federal Boulevard and 47th Street property dedication, but that it had been refused.

The Mayor stated that the matter will be heard on appeal, if filed, and that it should not be brought up now.

Councilman Dail asked "why grant the thing on one corner, but not on this piece?"

The question was not answered.

Councilman Godfrey pointed out that a procedure has been set for appeal, which may be used.

The Mayor said, again, that the question will be settled at the appeal hearing.

Councilman Kerrigan was excused during discussion of the Russell Segel matter. He returned to the meeting while it was being discussed.

The matter, being a proposed Ordinance, was introduced by the City Manager under unanimous consent granted by the Council, and was read in full.

ORDINANCE NO. 5560 (New Series), recorded on Microfilm Roll No. 62, amending Chapter III Article 3 Division 27 of The San Diego Municipal Code by adding thereto sections regulating the sale or distribution of coupons or tickets entitling the holder thereof to receive Goods, Wares, Merchandise or Services, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Swan and Dail.

The following matters, which had been referred by the Council to Conference, were withdrawn, and ordered filed:

Communication from the City Attorney on the legality of locating a baseball park in Balboa Park;

(The opinion states that the City does have the power to lease portion of Balboa Park to a private corporation for the purpose of maintaining exhibitions of professional baseball, and that the fact that the public could not use the park during such times without paying an admission price would not affect the legality of the lease.)

Communication from Robert J. McPherson, 2664 Teresita Street, of the Seawater Conversion Co., re supplying dependable supply of fresh water for San Diego, and conversion of sea water into fresh water - which he advocated.

There being no further business to come before the Council at this time, the meeting was adjourned at the hour of 12:14 o'clock Noon, on motion of Councilman Schneider, seconded by Councilman Wincote.

Upon adjourning, the Mayor announced that the Council would meet in 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, April 23, 1953

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:04 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,  
Mayor Butler.  
Absent---Councilmen None  
Clerk----Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 7302 adopted by the Zoning Committee April 1, 1953, granting permission to Dr. Burnett W. and Esther W. Wright to erect a 6-foot high fence on top of existing retaining wall along property line on setback area, being portion of Pueblo Lot 1285, per legal description on file in the Planning Office, at 7821 Hillside Drive, in Zone R-1 - which Resolution also granted variance to the provisions of Municipal Code Section 101.062, said appeal was brought up for consideration.

A report from the Planning Department, signed by D. E. South, was presented and read to the Council by the Clerk. It states that the appeal comes before the Council because the Zoning Committee approved a 6-foot high fence on top of a 2-foot, 6-inch existing retaining wall, instead of an 8-foot high fence, which was requested. It reports that the Committee visited the property and found that a 6-foot high fence would come to the eaves of the adjoining property, and felt that the added two feet would be a detriment, not only to Dr. Wright's property but also ~~next~~ to Mr. Grieberson's. (Mr. Grieberson had signed the Wright petition favoring the request.) The report points out that from visiting the property, the Zoning Committee granted the 6-foot high fence on top of the existing retaining wall by a vote of 3 to 0.

Harry C. Haelsig, Assistant City Planning Director, showed to the Council photographs of the Council. An abnormally high fence is proposed, he stated. He answered Councilman Schneider's questions about the height limit of fences, and spoke about the need for the lower fence than requested on account of fire fighting, air and light situations.

John Lloyd Wright, architect, who told the Council that he is not related to the appellant, spoke in behalf of Dr. Wright. He stated that it is entirely a matter between the two adjoining properties, and that the owner who is next to Dr. Wright's property - Mr. Grieberson - approves. Mr. Wright declared that the structure sought is really a trellis, and stated that nothing exists to separate the properties when the Griebersons have parties. He said that the feeling of privacy for both property owners is desired. The speaker said that a 14-foot fence had existed, which was taken down when the new construction was begun. He said that the Zoning Committee is thinking more about the precedent than the actual situation involved.

It was moved by Councilman Dail, seconded by Councilman Godfrey to sustain the appeal, and overrule the decision of the Zoning Committee.

Before the roll was called, Council Godfrey wondered about conditions which might be attached.

Mr. Haelsig said that the existing condition can change with new owners of the property.

Mr. Wright, who spoke again, told about open redwood slats to be used. It could be called an open lattice, or a trellis.

Mr. Haelsig spoke again, and said that a trellis which becomes covered with vines will become solid.

The roll was called on the motion to which was added for the 8 feet "open slat trellis, with 50% open work, resulting in

RESOLUTION NO. 111720, recorded on Microfilm Roll No. 63, overruling and denying the Zoning Committee's Decision contained in Resolution # 7302, and granting the appeal of Dr. and Mrs. Burnett W. Wright, 7821 Hillside Drive, La Jolla, by John Lloyd Wright, 420 Serpentine Drive, Del Mar; for permission to erect an 8-foot fence, to be in the form of an open slat trellis with 50% open work, on a portion of Pueblo Lot 1285 as per legal description on file in the Planning Office, at 7821 Hillside Drive, in Zone R-1; also granting variance to the provisions of Municipal Code Section 101.0624 for said trellis, insofar as it relates to the property set forth above, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time to which the closed hearing had been continued on the appeal of J. D. and Hazel Taylor from the decision of the Zoning Committee in denying request for permission to construct a single family residence on a portion of Lots 1 and 2 Block 7 Mission Hills - the first lot southerly of 4295 Witherby Street - in Zone 1, which had been before the Council on April 9, 1953, April 16, 1953, and this date, the matter was brought up at this time.

A communication from the City Attorney, signed by Douglas D. Deaper, Deputy City Attorney, approved by Shelley J. Higgins, giving opinion on the question, was presented. It referred to an opinion from the City Attorney in another matter covering the "unnecessary hardship" cases which had been alleged in this hearing.

Among other things, it said that the property was purchased with full knowledge that but one residence was permitted; that the property has been put to the



permitted use; that there has been no change in character of the neighborhood or of the property such that a continuance of use precludes "the preservation and enjoyment of substantial property rights of the petitioner" or works an "unnecessary hardship"; that there exist no conditions applicable to the property which are special or unique and do not apply generally to other property in the same block or district. For the view stated, the communication declares that it is the opinion of the City Attorney's office that it is extremely doubtful that the variance, if granted, would be safe from a declaration of invalidity by the Court, as having been beyond the power of the Council to grant.

A portion of the City Attorney's opinion was read to the Council, having to do with the power to grant.

Douglas Deaper, Deputy City Attorney, reviewed the situation from the opinion. He told about findings required to be made by the Council, as is true with the Zoning Committee. He spoke relative to the hardship situation. The Taylor property, Mr. Deaper said, is not different from other properties in the neighborhood. He said that four things must be found in order to grant (they are listed above). The Council is concerned with only 2 of them in the opinion, which 2 he read. He referred to Mr. DuPaul's letter of a year ago, and stated that the property had been purchased with knowledge of the situation.

Councilman Wincote referred to the zone variance requested as a hardship situation. There is not another lot like the Taylors' in San Diego, he declared. He said that he wanted the Council to find that a variance should be allowed. Some say that it complies, Councilman Wincote said; some do not.

Councilman Dail said that the Council had asked for the opinion which had been furnished. He stated that the arguments relative to hardship are hard to define. He said that there is no variance in the neighborhood.

Councilman Wincote said that there is a peculiar piece of property involved. He referred to the basic argument on the size of lots. He said that the house next door, to the South, has almost the same area.

Councilman Dail said that the houses are single-family residences, however. Councilman Wincote said that granting the Taylor appeal would improve the Case property. Some sections, he said, would require the granting.

There was discussion between Councilmen Dail and Wincote on the question. At the conclusion of said discussion, Councilman Dail declared that there is not a hardship case involved.

Councilman Wincote spoke about the teat of land sticking out, and told about the property facing on 2 streets. He declared that it is a matter of improving the neighborhood which would result from granting. He said that the Taylors would not want to go to the expense of putting in the lawn all the way to the back, as suggested by Councilman Swan.

There was discussion between Councilmen Wincote and Schneider relative to the improvements.

RESOLUTION NO. 111721, recorded on Microfilm Roll No. 63, overruling and denying the appeal of J. D. and Hazel Taylor from the decision of the Zoning Committee in denying by its Resolution No. 7237 variance to the provisions of Ordinance No. 12990 to permit construction of a single-family residence on portion of Lot 1 and Lot 2 Block 7 Mission Hills - being the first lot southerly of 4295 Witherby Street - in Zone R-1; sustaining said Zoning Committee decision, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilman Wincote. Absent--Councilmen None.

Communications from The Bird Rock Merchants Association, 5518 La Jolla Boulevard, dated April 17, 1953, and from La Hermosa Improvement Association, P.O. Box 323, dated April 18, requesting the widening of La Jolla Boulevard from Colima Street to Camino de la Costa, and making various statements in support of the requests, were presented. Accompanying the file were various other papers being communications addressed to the Improvement Association from Captain W. P. Thien, Police Department, and copy of letter from the Chief of Police to the La Jolla Town Council, Inc. Attached was also copy of letter from the City Engineer addressed to the City Manager stating that it is a badly congested area and the widening is badly needed. Said letter also stated that it is recommended that the work be approved for inclusion in the 1953-54 Gas Tax budget, if final estimates of work to be done under Section B of Wabash Blvd. leave sufficient balance.

On motion of Councilman Schneider, seconded by Councilman Swan, said communications and petitions were referred to the City Manager.

Communication from California National Guard, Headquarters, 114th AAA Brigade, 638 Kettner Boulevard, San Diego, dated 8 April 1953, signed by George A. Fisher, Brigadier General, AUS ret.; General Chairman, was presented. Said communication recited in detail that said association will hold its Diamond Jubilee Convention in San Diego on October 18 to 22, 1953, and requested an appropriation of \$2,000.00 from the City to help defray the expenses, and mentioned that a similar request is being made to the County of San Diego.

RESOLUTION NO. 111722, recorded on Microfilm Roll No. 63, referring communication from California National Guard, by George W. Fisher, requesting \$2,000.00 from the City of San Diego to help defray expenses of Convention in San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, bearing the signature of Harry C. Haelsig, recommending suspension of 4 sections of the San Diego Municipal Code, in connection with the Tentative Map of Sycamore Valley Ranchos, was presented.

RESOLUTION NO. 111723, recorded on Microfilm Roll No. 63, suspending Sections 102.11-2, 102.12-7, 102.16, 102.17-c of the San Diego Municipal Code in connection with the Tentative Map of Sycamore Valley Ranchos, insofar as they relate to the Tentative and Final Maps, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, submitting Tentative Map of Sycamore Valley Ranchos for a 48-lot subdivision of portion of Lot 67 Rancho Mission of San Diego - located on the southerly side of Alvarado Canyon Road, west of 70th Street and north of and below Dennstedt Pt., Units 1, 2, 2, was presented. It states that it is proposed to rezone the property from R-1 to R-1A, and to serve it by a street running through the center of the property, having one tier of lots backing onto Alvarado Freeway and a tier backing the hillside. The report says that the block length is very long, but due to terrain to the south and Alvarado Freeway to the north where access rights are required, the excessive length is recommended. It states that as shown on the map, corner cut offs, adjacent to Lots 1 and 2 should be dedicated and all access rights as shown. Also, it points out, Sycamore Valley Road, adjacent to Lot 4 should be changed in alignment as shown to make a smoother traffic flow into the future street. It states that it was felt that the Tentative Map could not be disapproved because of the remote possibility of the failure of the Murray Dam; and it was pointed out by the City Engineer and Water Director that there is a drainage channel inasmuch as it is directly below the Dam and that the overflow or failure may or would disastrously damage improvements installed.

Mr. Haelsig spoke in connection with the report. He said that the property is in the drainage area below the Dam. He told the Council that overflow or failure could destroy improvements, as stated in the written report. Design of the area and drainage will have to take care of overflow and normal drainage. He read from the proposed Resolution, based on the above-mentioned communication. The matter he said, had been called to the attention of Mr. Freeland, engineer for the developers.

Mr. Boaz, whose first name or initials were not given, was heard in behalf of the engineers on the project. He spoke about the design for the drainage which has been provided. He said that the City Engineer is aware of the situation. He pointed out that the Resolution provides for adequate drainage, and that the City Engineer will determine that point.

Mr. Haelsig read from the proposed Resolution approving the tentative map - Item 7 - which said "That suitable provisions, as required by the City Engineer, be made to take care of storm drainage. It does not, he said, provide for the overflow drain from Murray Dam. He felt that the Council could add to the requirement that point.

Councilman Kerrigan said that the Council can include in the proposed Resolution, that in addition drains there be provided "provision for drainage to cover water which comes from the Murray Reservoir flow"

RESOLUTION NO. 111724, recorded on Microfilm Roll No. 63, approving the Tentative map of Sycamore Valley Ranchos, a subdivision of a portion of Lot 67 Rancho Mission, subject to 11 conditions, including the added condition "That provision be provided to take care of the drainage from the Murray Reservoir flow", was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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 Talmadge Park Estates, was presented.

RESOLUTION NO. 111725, recorded on Microfilm Roll No. 63, suspending Sections 102.11-2, 102.07-2, 102.12-8, 102.16-8 and 102.16-18, 102.17-C of the Municipal Code in connection with the Tentative Map of Talmadge Park Estates Unit #6, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Asst. Planning Director, submitting Tentative Map of Talmadge Park Estates Unit #6, for a 21-lot subdivision northerly end of Lucille Drive, the northerly end of Talmadge Park Estates Unit #4, was presented. It states that the property is located on a narrow ridge above Montezuma Road and that street widths and setbacks are below normal minimums, to provide sites without excessive fill. It recommends approval, subject to 10 conditions.

RESOLUTION NO. 111726, recorded on Microfilm Roll No. 63, approving the Tentative Map of Talmadge Park Estates Unit #6, subject to the conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by D. E. South, enclosing a letter from Mrs. Laura Mitchell, requesting a second extension of time to Council Resolution No. 109157 which extended 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 states that the request was denied by the Zoning Committee and overruled by the Council. It stated that therefore the Zoning Committee unanimously recommended that the matter be referred to the City Council with the recommendation that this be the final extension granted.

RESOLUTION NO. 111727, recorded on Microfilm Roll No. 63, granting request of Mrs. Laura Mitchell, 3617 Myrtle Avenue, San Diego 4, for extension under Resolution No. 109157 adopted November 13, 1952, which granted an extension of 6 months from the expiration of permit granted under Resolution No. 106358 for construction of a single-

family residence with 25-foot setback on Brooklyn Avenue on the east 70 feet of the south 150 feet of Block 4 Larchmont ~~Street~~, at 5958 Brooklyn Avenue, in Zone R-4, with a 15-foot setback on 60th Street - this extension to be the final extension, in accordance with recommendation of the City Planning Commission - for an additional period of six months, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the City Auditor and Comptroller, signed by John McQuilken, dated April 17, 1953, stating that in accordance with the City Charter an investigation of the accounts of Mr. George E. Bauer, who recently resigned as Chief Inspector, was presented. It states that since the Office maintains a continuous audit of financial transactions no special audit was deemed necessary.. It points out that in January of this year, the Audit Division completed investigation of permit issue and payment procedure. It states that in the same month, the City's independent auditing firm, Crandall and Reuter, made a special investigation of the department with emphasis on computation of fees and establishment of valuations on which fees are based. The report submitted by the Auditor's Office, it says, cited numerous instances in which numbered permit forms were issued, the ultimate disposition of which has not been cleared up. The defects were of a procedural nature, the report states, and involved no implications against the Chief Inspector except perhaps failure to enforced the prescribed procedures or to follow up on departures from an administrative standpoint. The communication declares that there was some laxity on the part of the Chief Inspector in processing refunds as the result of duplicate payments and other similar reasons. It states, also, that procedures instituted about a year ago for issuance of building permits indicate that some revision is necessary in order to more effectively control the accountability of such documents, and that studies are under way together with the Budget Office staff to achieve revisions essential to effect sound accounting and procedural controls. The report points out that conferences have been held with the Acting Chief Inspector concerning some of the problems and steps have been taken which will result in more rigid regulations.

Mr. McQuilken told the Council that the report made is required.

The City Manager, asked by Councilman Schneider, about the leave period granted, the Manager replied. The City Manager said that he gave a period for Mr. Bauer a period to find other employment, and as a result Mr. Bauer "got a little break".

The report referred to at the beginning of this matter, was read to the Council by the Clerk.

Councilman Dail spoke about the regulation on the valuations attached to permits, which have been questioned. He wondered if an affidavit as to valuation of improvements might be required.

The City Manager said that the only discrepancies found by the Auditor were in what had been determined by various builders. He is not, he said, a serious thing.

Councilman Schneider pointed out that it may be a difference between the cost of material and the actual building cost.

The City Manager said that the individual might own the material, or that he might be constructing the building by himself - which would provide a difference in the ultimate cost.

Councilman Dail declared that there can be a great difference.

The City Manager said that is why he had asked for an independent audit. The auditors could not find evidence of differences, he declared. He said that the City will not accept the wrong figure. The national building cost report is received, he said, so it is known what the correct figure should be.

Councilman Schneider moved to file the City Auditor and Comptroller's report, which motion was seconded by Councilman Kerrigan.

Councilman Schneider said that if there is evidence of a different figure, the permit could not be revoked.

The City Manager said that if there is a sworn affidavit provided in application for permit, there would be a criminal act, instead of a civil one; should there be a difference.

Councilman Wincote pointed out that there might be differences in values depending upon whether the building was done by the owner "for fun", or if he hired it done.

Councilman Kerrigan said that he thinks the matter cannot be accomplished by law.

The roll was called, and the Auditor and Comptroller's report was ordered filed.

RESOLUTION NO. 111728, recorded on Microfilm Roll No. 63, referring to the City Manager the matter of building and permits therefor, including the subjects of values declared under the regular construction and by "back yard construction", for investigation and report, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Copy of application of The Atchison, Topeka and Santa Fe Railway Company, before the Public Utilities Commission of The State of California, for authority to construct a spur track in First Avenue across Island Avenue, was presented.

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

Communication from North Shore Council PTA, 7535 Cabrillo Avenue, La Jolla, dated April 20, 1953, and signed by Mrs. H. A. Heink, secretary, was presented. Said communication states that said PTA voted unanimously to endorse the letter written to the Council by Bayview Terrace Parent Teacher Association, and urged that steps be taken to alleviate the danger to children from traffic hazards around Balboa Avenue and Highway 101.

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



Communication from San Diego No. 108 Native Sons of the Golden West, dated April 18, 1953, signed by Dan E. Shaffer, Recording Secretary, was presented. It states that some time ago members wrote to the Council calling attention to the condition of the old Mission Hills Cemetery and asking that if possible action be taken to remedy the condition. It says that the Parlor is grateful for the splended work done restoring the adobe wall, and cleaning up considerable of the debris. Also, is asks that occasionally some City employees be assigned to clean up any additional litter that might accumulate.

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

Communication from Shoreline Planning Association of California, incorporated, 506 Santa Monica Boulevard, Santa Monica, California, dated April 21, 1953, signed by Carl P. Staal, President, was presented. Among other things, it requests inclusion of \$200.00 in the next City budget to cover membership dues in the Association.

RESOLUTION NO. 111729, recorded on Microfilm Roll No. 63, referring communication from Shoreline Planning Association of California, Inc., regarding membership dues, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted and referring the request to Budget Conference.

Communication from East San Diego Coordinating Council, dated April 21, 1953, signed by Irvin L. McClure, Secretary, presented. It states that the Park Committee of the North East San Diego Coordinating Council reviewed, with pleasure, the preparation of plans and the \$34,000.00 appropriation for development and grading of the Fifty-Fourth Street Recreation Area, and offered support in stimulating and coordinating community participation in the development and subsequent request that it be advised as soon as possible of phases of the park development best suited for community action.

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

RESOLUTION NO. 111730, recorded on Microfilm Roll No. 63, directing the City Clerk, in compliance with Section 10 of the Charter, to make the canvass of the votes cast at the Municipal General Election held on the 21st day of April, 1953, and to certify the results to the Council, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111731, recorded on Microfilm Roll No. 63, approving the claim of Engineer of Work, J. R. Lester Boyle, for engineering services rendered and certain incidental expenses advances by said engineer in the matter of the Kearny Mesa Improvement District - as particularly described in Resolution of Intention No. 109064 - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111732, recorded on Microfilm Roll No. 63, approving Change Orders Nos. 9, 10, 11, 12, 13, 14, heretofore filed with the City Clerk as Documents Nos. 467791 thru 467796, issued in connection with contract between The City of San Diego and F. E. Young Construction Company for construction of the new San Diego Public Library, contract contained in Document No. 451108 on file in the office of the City Clerk, amounting to increase in contract price of approximately \$764.76, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111733, recorded on Microfilm Roll No. 63, granting revocable permit to Howard E. Fuller, 6765 El Cajon Boulevard, San Diego, to install and maintain an electrical underground service in El Cajon Boulevard, to serve apartments and stores at 6765 El Cajon Boulevard, subject to the various conditions set forth in said Resolution; directing the City Clerk to transmit a certified copy of said Resolution to Howard E. Fuller, Fuller Floor Co., 6765 El Cajon Boulevard, San Diego, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111734, recorded on Microfilm Roll No. 63, expressing for the City and on behalf of his fellow-firemen and the citizens of San Diego, most sincere sympathy to the surviving family of Fire Lieutenant Willard H. Tomkins, Jr., who died while in the performance of his duty during the course of a fire on Sunday, April 19, 1953, and directing the City Clerk to transmit to Mrs. Zelda Tomkins, 3415 Ibis Street, San Diego, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

Councilman Swan questioned the spelling in the Resolution. The matter was checked and he was found to be correct. As a result, the spelling was corrected.

RESOLUTION NO. 111735, recorded on Microfilm Roll No. 63, authorizing Eddie Simon, Radio Engineer in the Electrical Division, Department of Public Works, to attend the joint meeting of the California Police Radio Association and the Northern California

Chapter of the Associated Police Communications Officers, to be held in Santa Cruz, California, on May 1 and 2, 1953; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111736, recorded on Microfilm Roll No. 63, 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 William Ben Harris, Lot 5 Block 54 Campo del Dios Unit No. 3; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions that the same be delivered to William Bevan Harris, when the Property Supervisor shall have received \$50.00 together with a grant deed from said Harris conveying to the City Lot 7 Block 54 Campo del Dios, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Said Resolution recites That the City of San Diego is desirous of acquiring Lot 7 for public purposes in connection with Super Hodges Reservoir development, that said Harris is the owner of Lot 7 and is desirous of acquiring Lot 5 in exchange for a quitclaim deed from the City for Lot 5, paying to the City \$50.00 in connection with the exchange - the value of Lot 7 being \$400.00, Lot 5 being \$450.00. It states that the City Manager has recommended that said exchange be made.

RESOLUTION NO. 111737, recorded on Microfilm Roll No. 63, 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 W. H. and Geneva M. Nichols, husband and wife, portion of Lot 22 The Highlands - more particularly described in said Resolution - directing the City Clerk to deliver said deed to the Property Supervisor with instructions that the same be delivered to W. H. and Geneva M. Nichols upon receipt by the City of deed of portion of Lot 21 The Highlands as required by the City, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Said Resolution recites that the City of San Diego is desirous of acquiring portion of Lot 21 for public purpose in connection with widening of State Highway 395; that W. H. and Geneva M. Nichols, owners of Lot 21 are willing to deed said land to The City of San Diego in exchange for a quitclaim deed from the City for portion of Lot 22 The Highlands. It states that the value of each of the Lots is \$800.00, and that the City is no longer needs said Lot 22.

RESOLUTION NO. 111738, recorded on Microfilm Roll No. 63, accepting Quitclaim Deed executed on the 13th day of April, 1953, by Guy C. Lichty and Fern G. Lichty, husband and wife, and Leopold Fellner and Clara M. Fellner, husband wife, 5319 La Jolla Boulevard, La Jolla, California, 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 Campus Heights Subdivision, being subdivision of portion of Lot 9 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111739, recorded on Microfilm Roll No. 63, accepting Quitclaim Deed bearing date January 27, 1953, from State of California, quitclaiming all real property situate, lying and being in The City of San Diego, County of San Diego, described as all of Lots 9 and 10 and portions of Lots 8 and 11, Block 10 Municipal Tideland Subdivision Tract No. 1; authorizing and directing the City Clerk to file said quitclaim deed of record in the office of the County 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. 111740, recorded on Microfilm Roll No. 63, accepting subordination agreement, executed by Home Federal Savings and Loan Association, beneficiary, and Land Title Insurance Company, trustee, bearing date April 8, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot A Block 1 Las Alturas No. 2, 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111741, recorded on Microfilm Roll No. 63, accepting subordination agreement, executed by Betty Jane Mikesell, beneficiary, and Security Title Insurance Company, trustee, bearing date February 2, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 12 Block 3 Bay Park Vista Unit No. 2, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said 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. 111742, recorded on Microfilm Roll No. 63, accepting subordination agreement, executed by Vina McKinney Vickery, beneficiary, and Southern Title and Trust Company, trustee, bearing date April 9, 1953, wherein said parties subordinate all of their right, title and interest in and to portion of Lot 4 Pueblo Lot 1215, 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111743, recorded on Microfilm Roll No. 63, accepting deed of Alan R. Essery and Hannah E. Essery, bearing date March 20, 1953, conveying portions of Lots 24, 25, 28 Block 52 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111744, recorded on Microfilm Roll No. 63, accepting deed of Alan R. Essery and Hannah E. Essery, bearing date March 20, 1953, conveying easement and right of way for street purposes in portion of Lot 28 Block 52 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111745, recorded on Microfilm Roll No. 63, accepting deed of Floyd Mack Dorn and Beatrice Butler, bearing date January 10, 1953, conveying portion of Lot 24 Block 1 Gaston and Dehm Tract, 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 Dail, adopted.

RESOLUTION NO. 111746, recorded on Microfilm Roll No. 63, accepting deed of the Republic Development Co., bearing date February 11, 1953, conveying for playground purposes portion of Lomita Village 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111747, recorded on Microfilm Roll No. 63, accepting deed of Albert J. Hanna, bearing date April 10, 1953, conveying easement and right of way for sewer purposes in portion of Lot 4 J. P. Christensen'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 Dail, adopted.

RESOLUTION NO. 111748, recorded on Microfilm Roll No. 63, accepting deed of Otis F. Humphreys and Florence I. Humphreys, bearing date April 3, 1953, conveying easement and right of way for sewer purposes in portion of Lot A Block 1 Las Alturas 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111749, recorded on Microfilm Roll No. 63, accepting deed of Alan R. Essery and Hannah E. Essery, bearing date March 20, 1953, conveying easement and right of way for slope purposes, in portion of Lot 28 Block 52 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111750, recorded on Microfilm Roll No. 63, accepting deed of Albert J. Hanna, bearing date April 10, 1953, conveying easement and right of way for slope purposes in portion of Lot 4 J. P. Christensen'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 Dail, seconded by Councilman Godfrey, adopted.



RESOLUTION NO. 111751, recorded on Microfilm Roll No. 63, accepting deed of Mary R. Barry and Mary Jelliffe, bearing date March 11, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 65 Block 3 First Addition to Pacific Beach Vista 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111752, recorded on Microfilm Roll No. 63, accepting deed of Albert J. Hanna, bearing date April 10, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 4 J. P. Christensen'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 Dail, adopted.

RESOLUTION NO. 111753, recorded on Microfilm Roll No. 63, accepting deed of Marilyn Rolan and Gene T. Rolan, bearing date April 14, 1953, conveying easement and right of way for storm drain purposes in portion of Lots 31 and 32 Block 1 Walker'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 Dail, adopted.

RESOLUTION NO. 111754, recorded on Microfilm Roll No. 63, accepting deed of Ruth Templeman and Margaret Templeman, bearing date January 13, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 66 Block 3 First Addition to Pacific Beach Vista 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111755, recorded on Microfilm Roll No. 63, accepting deed of Lawrence E. McCaw and Margaret I. McCaw, bearing date April 6, 1953, conveying easement and right of way for water main purposes in portion of Pueblo Lot 1215; 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. 111756, recorded on Microfilm Roll No. 63, accepting deed of Jack L. Schock and Jacqueline Schock, bearing date April 8, 1953, conveying easement and right of way for water main purposes in portion of Lot 4 Pueblo Lot 1215; 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. 111757, recorded on Microfilm Roll No. 63, accepting deed of Herman Sedig, who acquired title as Herman Sedic, bearing date April 3, 1953, conveying easement and right of way for water main purposes in portion of Pueblo Lot 1215; 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.

Proposed Ordinance amending The San Diego Municipal Code by amending Section 44.0322; to provide a conclusive presumption that impounded licensed dogs are theretofore required to be licensed, was introduced.

The City Manager stated that the matter had been discussed in Conference, and said that it comes before the Council to take care of a phrase which had been left out of the adopted ordinance.

Proposed Ordinance amending San Diego Municipal Code by Amending Sections 55.06, 55.06.1 and 55.06.2; and adding new sections to be known as and numbered Sections 55.06.3, 55.06.4, 55.06.5, 55.06.6, 55.06.7, 55.06.8, 55.06.9, 55.06.10 and 55.06.11 - all having to do with the subject of Liquid Petroleum Gas - was introduced.

A hearing was set on said proposed Ordinance, on motion of Councilman Godfrey, seconded by Councilman Schneider, for the hour of 10:00 o'clock A.M., May 7, 1953.

Proposed Ordinance adopting the "Development Plan of La Jolla Community Center" as part of the Park and Recreation Plan of the Master Plan of The City of San Diego, particularly affecting the area lying on the south side of Prospect Street between Cuvier Street and Draper Avenue, was introduced.

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., May 14, 1953.

Proposed Ordinance incorporating portions of Blocks 38, 39, 52, 53 C. L. Carr's Subdivision & Vicinity, Blocks 22 and 23 L. W. Kimball's Addition, into "C" Zone, as defined by Section 101.0411 of the San Diego Municipal Code and repealing Ordinance No. 12942 approved September 4, 1930 insofar as the same conflicts, was introduced.

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., May 14, 1953.

(The Council had already set a hearing on May 19, 1953, in the matter at the time the Planning Commission's recommendation had appeared before the Council. That hearing, having been set first, and notice published, was allowed to stand.)

Proposed Ordinance incorporating portions of Lots 141 & 142 Morena into "C" Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 100 (New Series) adopted December 12, 1932, insofar as it conflicts, was introduced.

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., May 14, 1953.

Mayor Butler announced that members of the Council will make a trip in the early afternoon of this date, for the purpose of making an inspection of paving.

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

A communication from F. R. Malone, 4403 Thirty Third Street, San Diego 16, dated 21 May, 1953, addressed to Councilman Charles Dail, was read to the Council by the Clerk at Mr. Dail's request.

Said communication submitted a clipping relative to the raising of poultry within the city limits or at least restricting them to 50 feet of dwellings. The writer states that he has reason to believe that the scope of the proposed Ordinance should be widened to include rabbits, sunks and other domesticated or wild fur bearing animals. Mr. Malone states that at the present time there is in his immediate neighborhood a skunk raising project by whose appearance and odor is only a detriment. The communication points out that a report had been made to the City Health Department some weeks ago and after investigation by one of the representatives of that department, the writer was informed that there was no legal way of enjoining the activity.

(Although no motion was made, the document was referred to the "Chicken file" and sent to the Council Secretary, by the Clerk).

On motion of Councilman Schneider, seconded by Councilman Wincote, said meeting was adjourned, inasmuch as there was no further business to come before the Council at this time - at the hour of 11:09 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Hadstrom*  
Deputy

*Franklin F. Swan*

VICE Mayor of The City of San Diego, California

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, April 28, 1953

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

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

The Mayor was in Washington, D.C. on official business.

Claire Burgener, Councilman-elect from the First Councilmanic District - who is to take office on May 4, 1953, was present at the Council meeting.

Under unanimous consent granted to the Vice Mayor by the Council, he introduced Councilman-elect Burgener, and made brief mention of his election, and welcomed him as he sat in with the Council.

The Minutes of the Council meetings of April 21, 1953 and of April 23, 1953 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 Vice Mayor.

Councilman Godfrey entered the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed improvement of Keats Street and Scott Street, within the limits and as particularly described in Resolution of Intention No. 111209, the Clerk reported that written protests had been received from Mr. & Mrs. N. L. Macdonald, Mrs. Mary Robinson, and from Mrs. Maude MacArthur Gibbons, which protests were presented to the Council.

The City Engineer reported that a protest of 17.6% had been filed. He reviewed them, and told the Council about the location of the work.

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

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

RESOLUTION NO. 111758, recorded on Microfilm Roll No. 63, overruling and denying the protests of Mr. & Mrs. N. L. Macdonald, Mrs. Mary Robinson, and Mrs. Maude MacArthur Gibbons, against the proposed paving and otherwise improving of Scott Street and Keats Street, within the limits and as particularly described in Resolution of Intention No. 111209; overruling and denying all other protests thereon, was on motion of Councilman Winote, seconded by Councilman Kerrigan, 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 the Street Superintendent's Assessment No. 2124 made to cover the costs and expenses of the paving and otherwise improving of the paving and otherwise improving of Olivet Street and Cabrillo Avenue, within the limits and as particularly described in Resolution of Intention No. 105802, the Clerk reported that written appeals had been received from Donald C. Smith, Hilda C. Barringer under Power of Attorney for Colonel John P. Jones, Jr., Walter E. Bartlett, Wilbur R. Clover, which appeals were presented to the Council.

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

Before they were heard, the City Engineer reported verbally, that a 10.6% protest had been received.

Councilman Dail entered the meeting at this time.

The City Engineer continued speaking. He reported that his office had taken great pains with the project before the engineering plans had been filed, through work on engineering. As a result, the streets to be improved had been staked prior to the work. No protests had been made earlier, he stated.

Joe Berthelet, Miramar Avenue, said that he has no contact with the street inasmuch as his property is in the next street. He told the Council that he fails to see any gain to him or for others at the end of his lot. He stated that he owns the easterly half and Mr. Weaver owns the other half of the lots, which he did not give by number - although the Council identified the property on a map.

The City Engineer told the Council that there is a double frontage involved in the Berthelet property. He reviewed the area and assessment with members of the Council over a map.



Mr. Berthelet said that he fails to see any benefit to his property, which the City Engineer answered.

Hilda C. Barringer, real estate broker, was heard next. She stated that she represented Colonel John P. Jones, had the file showed a statement to that effect. She stated that the owner is glad to have the paving, but told the Council that the driveway is 5 feet above the street. It would cost \$480.00, she said, to rebuild the drive.

The City Engineer told the Council that the grade had been established for this job.

Mrs. Barringer said that she had not dreamed that the situation would be as it is.

Councilman Wincote said that owners have to expect something of the kind on side hill property. The protest, he said, should have been made earlier inasmuch as the work has been completed and the assessment levied.

Councilman Schneider stated that the job had been done according to the best engineering.

Councilman Dail states that grades have been changed in some instances, but that this is not the time to determine that point.

A notice addressed to Colonel Jones, which had been returned by the post office department, was found in the file by the Clerk. It was located there after Mrs. Barringer had stated that although she was receiving Colonel Jones' mail, she had not seen the notice referred to. At the request of Councilman Wincote, the notice was given to Mrs. Barringer at her request so that she could show it to Colonel Jones and let him know that she had not neglected keeping him informed.

Donald C. Smith, 1259 Olivet Street, was heard. He said that the street grade had been lowered so much that the driveway is impossible. The work, he said, had been done at a grade other than where the stake had been set.

The Engineer said that there is a difficult condition under the situation which exists on the ground. He told the Council again about the staking which had been done. He reiterated that there had been no protests earlier, and that it is too late to protest the grade now.

Mr. Smith spoke again and said that in his opinion it is not too late to make a satisfactory arrangement.

The City Engineer said that there had been no deviation from the plans.

Councilman Dail stated that Mr. Smith was bringing up a condition which arises invariably under such situations. He said that he lives on a street where owners are going to be confronted with the same situation.

Mr. Smith told the Council that where damage is done to an individual, the cost should be borne by the whole district; not by the individual.

Councilman Schneider said that individuals often construct their buildings at an existing level, instead of at a proper grade. He said that it might be necessary to rebuild the garage.

Wilbur R. Clover, Olivet Street, said that he has the same problem as that presented by Mr. Smith. He said that he had constructed driveway in accordance with an earlier grade.

Willard Olson, of the City Engineer's Office, went out to check to see if an earlier grade had been established.

Douglas Deaper, Deputy City Attorney, said that if an earlier grade had been established, then changed, it would have been done by ordinance after a hearing provided.

Councilman Wincote said that the City has a moral responsibility.

The City Manager agreed with Councilman Wincote's statement.

Mr. Clover said that he had replaced his driveway, which his contractor said was needed. Answering Councilman Wincote, he stated that the home was built in 1949, and that his builder was named Lessig.

Councilman Wincote asked the City Manager about the permit showing the grade.

The City Manager answered "no", but said that it would be on some record.

Councilman Dail stated that where grades have been established before the 1911 Act proceedings are begun, and the grades are changed, there should be a notice given. He said that the City should try to rectify the situation through a Resolution.

The City Engineer pointed out that where there is a grade change it says so in the notice of intention.

There was a discussion between several members of the Council, the Engineer and Attorney over the notice sent.

Upon request, the Clerk showed a copy of the notice to Councilman Schneider - which notice had been posted and mailed to each property owner in the district.

Councilman Dail maintained that the City should even mail registered letters to the individuals affected.

Councilman Schneider read from the notice, and stated that there was no change of grade.

Walter E. Bartlett, 8788 Madison Avenue, La Mesa, protested the location of a fire plug. He said that he is planning on building a garage and a driveway, and spoke about an easement. As a result, he said, there would not be room for a visitor to park a car. He declared that there had been a slip up when the water service had been taken up and the fire plug moved. He wanted the plug moved from its present location.

RESOLUTION NO. 111769, recorded on Microfilm Roll No. 63, referring to the City Manager the matter of the fire plug location, located in front of the Walter E. & Charlotte W. Bartlett, 8788 Madison Ave., La Mesa, property - which is Lot 2 Weston Terrace, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Councilman Wincote read to the Council portion of notice mailed to Mr. Clover.

Mr. Clover agreed with Councilman Wincote that he had not objected at the previous hearings.

RESOLUTION NO. 111759, recorded on Microfilm Roll No. 63, overruling and denying the appeals of Donald C. Smith, Hilda C. Barringer for Colonel John P. Jones Jr., Wilbur R. Clover, Walter E. Bartlett from the Street Superintendent's Assessment No.

2124 made to cover the costs and expenses of the work of paving and otherwise improving of Olivet Street and Cabrillo Avenue, within the limits and as particularly described in Resolution of Intention No. 105802; overruling and denying all other appeals thereon; confirming and approving the Street Superintendent's Assessment No. 2124, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing the Street Superintendent to record in his office said warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Councilman Godfrey told the Council that although the City has complied with the State law and ordinances in connection with grades, the Council should refer to Conference the matter of covering the grade situation more effectively in connection with street improvements.

RESOLUTION NO. 111760, referring to Council Conference the matter of grades, in connection with the making of street improvements, 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. 2125 made to cover the costs and expenses of 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, the Clerk reported that written appeals had been received from L. W. Shell, R. O. Millar and G. E. & Lena Deal, which appeals were presented to the Council.

The City Engineer reported a 7.5% protest - based on cost and delay of the job. There had been extra work ordered on the difficult job, which had necessitated the additional time and the extra work.

The City Manager told the Council that a large area had to be cleared of debris dumped in as a fill, before the work of improvement could be started.

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

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

RESOLUTION NO. 111761, recorded on Microfilm Roll No. 63, overruling and denying the appeals of L. W. Shell, R. O. Millar, G. E. & Lena Deal, from the Street Superintendent's Assessment made to cover the costs and expenses of 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, 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 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 Resolution No. 111368 of Preliminary Determination for the paving and otherwise improving of the Alley in Block 58 H. M. Higgins' Addition, within the limits and as 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.

In answering Councilman Schneider, the City Engineer told of the location of the improvement, and the reason for prescribing concrete. He told of the steep grade on a portion of the alley, proposed to be paved under a 58.3% petition.

RESOLUTION NO. 111762, ~~xxxxxxx~~ recorded on Microfilm Roll No. 63, determining that the proposed improvement of the Alley in Block 58 H. M. Higgins' Addition, within the limits and as particularly described in Resolution No. 111368 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 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 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. 111369 of Preliminary Determination for the paving and otherwise improving of El Paseo Grande, Calle Clara, Vallecitos, Calle Frescota, Camino Del Oro, Alley in Block 9 La Jolla Shores Unit No. 1; Alley in Block 12 La Jolla Shores Unit No. 1; southerly Alley in Block 34 La Jolla Shores Unit No. 6; La Verada and public land being portion of Kellogg Park, 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. 111763, recorded on Microfilm Roll No. 63, determining that the proposed improvement of El Paseo Grande, Calle Clara, Vallecitos, Calle Frescota, Camino Del Oro, Alley in Block 9 La Jolla Shores Unit No. 1; Alley Block 12 La Jolla Shores Unit No. 1; Southerly Alley Block 34 La Jolla Shores Unit No. 6; La Verada and Public Land being a portion of Kellogg Park, within the limits and as particularly described in Resolution No. 111369 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 Dail adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 111370 of Preliminary Determination for the paving and otherwise improving of Franklin Avenue and Commercial 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. 111764, recorded on Microfilm Roll No. 63, determining that the proposed improvement of Franklin Avenue and Commercial Street, within the limits and as particularly described in Resolution No. 111764 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 No. 111371 of Preliminary Determination for the paving and otherwise improving of Reed 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 had been presented.

RESOLUTION NO. 111765, recorded on Microfilm Roll No. 63, determining that the proposed improvement of Reed Avenue, within the limits and as particularly described in Resolution No. 111371 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 Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 111372 of Preliminary Determination for the paving and otherwise improving of 37th Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received - which improvement includes Jewell Drive.-

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

Before any others were heard, the City Engineer answered Councilman Schneider relative to the grade of the streets. He showed to Mr. Schneider the plans. The Engineer stated that soil samples were poor and fairly good. He reviewed the average costs of two paving types.

Councilman Schneider showed a letter to the Engineer regarding costs.

The Manager looked at the letter.

Councilman Schneider said that when property values are low, the City should consider the paving type.

Lawrence V. Perry, 627 South 37th Street, spoke. He said that on South 37th Street, between Ocean View Boulevard and National Avenue there are single family residences - no apartments. He stated that only people who live there use the street. Mr. Perry told the Council that heavy paving is not needed. The petition, he said, was started in 1950. He stated, also, that it had been signed by people without knowing what it was, and he referred to a 1938 pamphlet issued by the City Engineer regarding costs. Mr. Perry expressed the belief that people may have signed the petition under pressure. He spoke about one man who had signed, not knowing that he was signing for "T" Street also. He spoke about pipe leaks on South 37th Street. Rain causes no trouble, Mr. Perry stated, and said that water is from seepage instead. He said that Mr. Dail stated that 4" asphalt is sufficient, based on statement made in 1950, and that he had spoken about the \$350.00 cost.

Councilman Dail referred to Mr. Perry's list of questions, and stated that Mr. Perry had opposed the paving earlier. Making reference to questions, Councilman Dail said that many had been submitted by Mr. Perry.

Mr. Perry said that improvements to a super-highway standards are not needed.

Councilman Dail said that he had not seen Mr. Perry, or talked to him since 1950.

Mr. Perry told the Council that he is not willing to have the high cost paving. Many people, he said, can't pay for the debts already contracted.

Councilman Wincote spoke about other hearings, and stated that if a majority of the owners are opposed to the improvement, they can protest.

Mr. Perry said that some are in favor through fear and coercion. In protesting, again, he said this is not the time for the improvement.

Councilman Wincote said that if a majority protest, the job will probably not go through. He referred to Mr. Perry's questionnaire addressed to Councilman Dail.

Councilman Wincote said that the figures can be obtained from the Engineer. He said that if the street breaks down on account of inferior paving, Mr. Perry would be the first to protest.

Councilman Dail said that he does not want to be put into the group having made a decision on the paving type. He objected to Councilman Wincote's including him in a decision relative to determination on type of permanent paving.

Councilman Schneider said that the Council needs to consider the types on the job.

Councilman Wincote said that as a result of the inspection trip, it had been the opinion that a majority of the Council is opposed to asphalt paving on poor streets.

Councilman Dail said that is the inference that had been drawn and that it amounts to a conclusion, which he said is not correct.



Councilman Wincote said then that he wants other members of the Council to express their own opinions relative to the paving types usage.

Councilman Godfrey said that members of the Council have not arrived at a decision as a body. He stated that 4" a.c. might not be good.

Councilman Schneider said that the debate on types in connection with the inspection is premature, and that the Council should go on with the docket.

There was considerable discussion between Councilmen Wincote and Dail regarding the types, due to the inspection trip.

Councilman Swan said that the requested paving, and the types involved were being gone into under discussion of the question under the Resolution of Preliminary Determination hearing. The point being discussed, he said, he wanted settled in Conference.

Councilman Wincote told Mr. Perry, who had been heard earlier, that he can get the probable cost from the City Engineer.

It was moved by Councilman Wincote, seconded by Councilman Kerrigan, to overrule and deny the protest of Lawrence V. Perry, upon which the roll was called, but the proposed Resolution not numbered inasmuch as the matter was reconsidered.

Councilman Schneider stated that he will vote "no" on the 6-vote Resolution of Feasibility.

Councilman Wincote stated that the 6 votes are needed, and that Councilmen Schneider and Dail are against the resolution (also, Mayor Butler was not in attendance at the meeting.)

Douglas Deaper, Deputy City Attorney, stated that the question is if the proceedings will go through.

Councilman Schneider asked to have the matter continued for one week, for further study.

It was moved by Councilman Schneider, seconded by Councilman Dail, that the City Engineer report to the Council relative to materials provided being essential, and included the matter of the protest. (This proposed Resolution was not numbered, either, in view of the subsequent reconsideration of the matter.)

Mabel Howard, 3748 T Street, told the Council that she wanted to protest. The paving, she said, would be too expensive. Mrs. Howard contended that the residents do not need the improvement, now. She said that she spoke for her father, too, whom she did not identify.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the last motion was reconsidered.

Mrs. Howard then continued speaking. She stated that her father cannot afford to pay. That includes others, she told the Council. She said that some of the signers were thinking in terms of \$250.00 for the improvement, which she said that she knows will cost more. Asked by the Chairman, at the Clerk's request, Mrs. Howard said that her father, for whom she was speaking, is Dave Morsbaugh.

I. M. Ames, who resides on T Street, protested. He said that he does not have the money now, and did not know if he ever would have it. Reminded by Councilman Schneider that he could pay the improvement assessment in bonds, Mr. Ames told the Council that he would prefer cash.

Joe Ryan, 37th and T Streets, told the Council that he cannot stand the cost of the improvement, and for that reason he was protesting. He stated that he had not signed the petition, and heard about the matter yesterday for the first time.

George Shafer, who did not give his residence, said that he cannot afford the improvement. He, too, said that he had not signed for it. He stated that he knew nothing of the proposal until he had found a notice on a post.

The City Engineer, answering a question put by Councilman Wincote, said the job consists of combined petitions.

Mr. Childs, who did not give his first name, initials, or residence, spoke next. He stated that the petition being considered for this improvement is the third one circulated. Some of the property owners resent the matter, he said, since they feel that the cost is over their heads. He lives there, he said, and at the request of one of the Councilmen, he told the Council that he has 4 apartments. He said that he would have to pay, like the rest of the property owners, on whatever type of pavement the Engineer determines.

Asked by members of the Council about the petition, the City Engineer stated that the petition in favor of the work shows that 73% of the property owners have requested the improvement.

Councilman Dail stated that there is a "qualified protest" made by Mr. Perry.

RESOLUTION NO. 111766, recorded on Microfilm Roll No. 63, continuing to the hour of 10:00 o'clock A.M., Tuesday, May 5, 1953, the hearing on Resolution of Preliminary Determination No. 111372 for the paving and otherwise improving of 37th Street and T Street; directing the City Engineer to evaluate the protests and to make a report to the Council as to whether the indicated surfacing is essential, 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 ordinance approving and adopting proposed Amendment to Section 3 Rule XI of the Rules of the Civil Service Commission of The City of San Diego, adding a new sub-section relative to outside employment or enterprises by City employees, Mary ~~Harvey~~ E. Harvey, executive secretary of San Diego Municipal Employees' Association, Inc., was recognized by the Vice Mayor.

Miss Harvey was heard, at this time and she read from a prepared statement in opposition to the suggested amendment. She referred to the previous letter of suggestions on the same subject. The speaker requested rejection of the proposed amendment, and the issuance instead of an administrative regulation. Miss Harvey opposed the proposed amendment because it is believed it is (1) unnecessary; (2) unworkable; and (3) an unwarranted infringement of employees' rights.

At this point Miss Harvey read from the rules being "Causes for removal" and suspensions", including investigations and charges. No action could be taken until matter had been investigated and determined, she stated after having quoted the rule. She questioned the legal phraseology of the proposal.

Stating that the rule is warranted, Miss Harvey stated that in conversations with employees in all types of jobs, from high supervisory positions to lower paid clerical and labor jobs, she has found extreme resentment on the part of all employees about the idea of the City regulating their free time and their private lives. She stated that the need exists for the City not attempting to regulate employees' lives, if they are giving a good day's work to the City. She said that employees had even said to her: "What is this anyway? Russia?"

After making the last statement, Councilman Schneider told Miss Harvey that she could tell the employees that this is not Russia.

Miss Harvey continued by saying that the furor is not created over Federal, State or County employees taking a part-time job or doing some other thing which is considered a privilege for a City employee, but that does include the City employees. There are many activities, she said, that can create inefficiency other than outside employment. How far can we carry the regulation? Miss Harvey asked. The speaker, telling about the various activities which can cause inefficiency, related drinking too much, overeating, or indulging in over strenuous sports, or severe financial worries, and domestic troubles. She asked if there is anything wrong, basically, or un-American in wanting to earn more money. Miss Harvey said that employees are glad that the City Councilmen are not restricted from augmenting their City salaries. Many employees would like to do the same, the speaker told the Council, without going through a lot of red tape of approval. She told the Council that without infringing on an employee's rights, the whole matter of outside employment should be controlled through sound supervision and administration. The letter from which Miss Harvey read, recommended that an outside job be judged only on the basis of the effect it has on an employee's performance on his City job; also for certain City jobs, such as law enforcement and public safety jobs, a list of incompatible types of outside jobs can be compiled if it is believed necessary. Disciplinary action for inefficiency or refusal to give up an incompatible job can be taken under existing rules and regulations, Miss Harvey said. In addition, Miss Harvey asked that the City Manager rescind his order on the subject. Miss Harvey asked rejection of the proposed amendment, so that prior approval and prejudgment of a job is not a condition in a City employee's deciding how he wishes to spend his free time. Concluding, Miss Harvey stated, that above all it was asked that consideration be given to the rights of the individual employee, and that sight not be lost of democratic methods.

Next, the Vice Mayor recognized Otto Hahn.

Mr. Hahn, representing Local 127 Municipal, County and State Employees, told the Council that Mary Harvey had made an excellent presentation. He told of the existing regulations, and reviewed the Civil Service breakdown. Mr. Hahn stated that for 166 who had made applications in connection with outside employment, only 2 had been denied. It is a minor problem, he said; as such, Mr. Hahn said the Council should "toss it out the window."

Councilman Godfrey said that as a result of the hearing, the Council has received a lot of information. Councilman Godfrey said that he wanted to study the Harvey report.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the matter was continued one week.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance amending the San Diego Municipal Code by amendment of various sections and the addition of several sections, having to do with the defining, licensing, regulating and zoning Trailer Parks and Trailers, the proposed Ordinance was presented in copy form.

The Vice Mayor said that the Council has had the matter in Conference, and stated that it appears to be premature to hear the proposed amendment at this time, although the Council had set the hearing date.

Morey Levenson, attorney, representing the trailer operators, was heard. He said that there is no objection on the part of the Association, for which he was speaking, to a continuance. He recommended reference back to the City Manager for conferences by interested departments with trailer owners.

It was suggested by Councilman Schneider that the hearing be continued for 30 days.

Councilman Schneider moved a 30-day continuance for conferences, after which the proposed Ordinance is to be brought before the Council again, which motion was seconded by Councilman Godfrey.

R. V. Gordon, whose connection was not given, but it was inferred that he spoke for Trailer Owners' Association, and Mr. Levenson O.K'd the proposed continuance.

The City Manager reported that the matter will be brought back to the Council for re-setting.

The roll was called on the motion, and the matter continued until May 28, 1953.

Councilman Wincote asked if there are any people present here they should be heard now, inasmuch as the Council might not finish the long agenda, and that they should not be asked to come back later. He said that the Council could not return for an afternoon session until 3:00 o'clock P.M., inasmuch as a 2:00 P.M. Conference had been set. There was no response, except from Carl Reupsch of the Harbor Department.

The next matter was taken out of order, to permit Carl Reupsch, representing the Harbor Department to be heard:

Communication from the Port of San Diego, signed by John Bate, Port Director, requesting authorization for the doing of general development work on Shelter Island by appropriate City forces, was presented. The communication states there is an estimated \$2000.00 for Labor, and that equipment would be \$1,000.00.

Mr. Reupsch, at the request of the Council outlined the work which had been done on Shelter Island, and reviewed the work yet to be done.

RESOLUTION NO. 111767, recorded on Microfilm Roll No. 63, authorizing and empowering the Port Director to do all the work in connection with the development of

Shelter Island, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the Harbor Department has recommended the general development of Shelter Island, 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.

Councilman Godfrey said that the Council ought to get the department heads in to be heard in connection with matters to be presented at the Regular Meeting, for appearance toward the end of the preceding conferences, around 9:30 A.M.

RESOLUTION NO. 111768, recorded on Microfilm Roll No. 63, determining to attempt to have department heads appear toward the end of conferences to be heard on matters to be considered by the Council at the regular meetings - around 9:30 o'clock A.M., was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111769 on Page 162 of these Minutes.

Petition of Wm. Chas. Johnston, 2954 Chesterton Dr., San Diego 11, Calif., requesting permission to use a small caliber rifle to kill predatory animals and small rodents which destroy his feed and endanger livestock, was presented. It stated that the petitioner had been referred to the Council by the Police Department.

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

Communication from S. W. Shepard, 871 Armada Terrace, San Diego 6; dated April 22, 1953, requesting that sewer easement across Lot 35 Block 5 Ironton Addition, for the benefit of Lots 13 and 14 Block 5 Ironton Addition, be returned. The communication states that the easement was granted to the City of San Diego instead of the owner of Lots 13 and 14 due to insistence of City officials following rulings made by a former City Attorney. Also, it states that Mr. Shepard has purchased said Lots and intends to build a home on the property, that because of the steep hillside nature it will be essential to use the easement across Lot 35 to the street below. It mentions, also, that the City has on occasion abandoned similar easements.

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 for furnishing 2 or more combination Pumping Engines, Hose Carriers and Water Tank Fire Apparatus received February 18, 1953, from 6 bidders, was presented. It states that the low bid received was that of Seagrave Corporation with price of \$22,770.00 each and trade-in allowance of \$300.00 each on the 1924 and 1928 City equipment. It recommends award to said Corporation, for furnishing 2 Model 900-B 1250 Combination Pumping Engines, Hose Carriers and Water Tank Apparatus at a unit price of \$22,770.00 each, plus State Sales Tax, less trade-in allowance of \$300.00 each on equipment #160 & 170, and recommends that the contract be prepared to include options offered the City which may be exercised at the discretion of the City.

RESOLUTION NO. 111770, recorded on Microfilm Roll No. 63, accepting bid of The Seagrave Corporation, for furnishing 2 Model 900-B 1250 Combination Pumping Engines, Hose Carriers and Water Tank Fire Apparatus, less trade-in allowance, including options offered The City which may be exercised at the discretion of The City; authorizing and instructing the City Manager to enter into and execute such contract, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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

It was his recommendation that appointment of Lucien K. Small by the Mayor to the Harbor Commission be confirmed.

RESOLUTION NO. 111771, recorded on Microfilm Roll No. 63, approving appointment by the Mayor of Lucien K. Small as a member of the Harbor Commission of The City of San Diego, to succeed Frank Frye, resigned, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111772, recorded on Microfilm Roll No. 63, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the improvement of Hawthorn Street from Pacific Highway to Harbor Drive (including excavation, paving and installation of curbs), bearing Document No. 468009; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111773, recorded on Microfilm Roll No. 63, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for erosion control on embankments of Sunset Cliffs Bridge, Midway Drive Bridge, Redwood Street fill at 32nd, Wabash at Federal Bridge and Morena Street Interchange, bearing Document No. 468010; 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. 111774, recorded on Microfilm Roll No. 63, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Wabash Boulevard, Section "B" Bridges located on Main Street; So. Chollas Creek; National Ave. Bridge Extension, Ocean View Blvd.; Imperial Avenue; San Diego and Arizona Eastern Railroad at Chollas Creek; J. St., Market St., Market St. South Lane and Las Chollas Creek, for The City of San Diego, filed in the office of the City Clerk bearing Document No. 467942; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111775, recorded on Microfilm Roll No. 63, authorizing and directing the Purchasing Agent to advertise for sale and sell equipment set forth in said Resolution, which is no longer desirable for use or retention by the City, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said Resolution states that the City Manager has given notice to the Purchasing Agent that certain equipment is no longer desirable for use or retention, and has recommended that it be sold. In addition, the Resolution states that all expenses in connection with the sale shall be deducted from the proceeds received.

Communication from the City Manager forwarding request of residents in Kensington Park for permission to circulate petition calling for election on the question of annexing to The City of San Diego, to recommendation of the Planning Commission - which approved such annexation - was presented. It states that the Manager's office concurs in the findings of the Planning Commission and recommends that Resolution authorizing the commencement of proceedings be adopted.

Accompanying said communication was one from the Planning Department, signed by Harry C. Haelsig, Assistant Planning Director. It states that the contemplated annexation consists of 15 blocks, totaling approximately 66 acres, that there are at the present time 377 residential units in the area and 39 business establishments. It says, also, that in general the roadway widths are slightly below present City standards, with exception of Madison and Adams Avenues, but roadway widths generally conform to street and roadway widths in Kensington and Talmadge Park areas which are now a portion of the City. The report says that the construction of buildings compares favorably with the type of construction that was used within the City at the time residences were built. It states that the subdivision design is comparable to the gridiron pattern that exists in said portion of the City of San Diego. The report points out that the Planning Commission has made the finding that the subdivision design, construction of residences, and street improvements are comparable to those in the City, and has recommended by a unanimous vote of 5-0 that the area be annexed.

RESOLUTION NO. 111776, granting permission and consenting to the starting of proceedings - to Darrell J. Smith, Mrs. Rose Fisher, Miss Nettie C. Lingle, John H. Briel, Corinne E. Nelson, Charles F. Mulgrew, Clara E. Dickinson and Mrs. Elizabeth R. Greer, owners of the property within the County of San Diego, who have petitioned The City of San Diego for permission to start annexation proceedings - to annex Kensington Park to The City of San Diego, subject to outstanding obligations of the City, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the City Attorney, signed by Alan M. Firestone, Deputy City Attorney, bearing the signature of approval of Shelley J. Higgins, Assistant City Attorney, dated April 22, 1953, was presented. Said communication is an opinion regarding the request of Mr. and Mrs. Willis E. Dougherty, owners of Lot 1 Block 5 Nettleship Tye Tract No. 1, for refund of fees paid for zone variance and setback variance. In addition to various statements, and findings, said communication states that Lot 1 Block 5 Nettleship Tye Tract No. 1, is a corner lot in accordance with definition contained in the Municipal Code; that Mr. and Mrs. Dougherty voluntarily paid money to the City; that such money was paid under a mistake of law or fact; that they have received no consideration for the payment; that the City has no moral right to retain such money and in good consciousness, equity and justice should be refunded to Mr. and Mrs. Dougherty in connection with the request for refund filed by them, was presented.

RESOLUTION NO. 111777, recorded on Microfilm Roll No. 63, adopting recommendation of the City Attorney that refund should be made to Mr. and Mrs. Willis. Dougherty, owners of Lot 1 Block 5 Nettleship Tye Tract No. 1, in connection with payment of fees for zone variance and setback variance on such property - declared in Document No. 467859 to be a corner lot on which money had been paid under a mistake of law or fact, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Gilbert Hopkins, 5229 North Thorn Street, San Diego, dated April 10, 1953, relative to the proposed regulation of poultry and rabbits, and bring the Council's attention to possible obstacles to the amendment as now proposed, and stating that it is hoped that they will lead the Council to a practical conclusion, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, said communication was referred to the "Chicken file".

Communication from Pacific Beach Elementary P.T.A., San Diego 9, signed by Alberta G. Kerns, secretary, dated April 21, 1953, was presented. Said communication refers to need for widening of Balboa Avenue and extending Grand Avenue to Highway 101, the already bad situation and the condition which will develop with the opening of the new Mission Bay High School this fall, was presented.

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

Communication from San Diego Unified School District, Education Center, Park Boulevard at El Cajon, San Diego, signed by William J. Lyons, dated April 23, 1953, was presented. Said communication refers to the traffic congestion which exists on Balboa Avenue from Crown Point to Highway 101 - Pacific Beach - and the further aggravated condition which will arise by opening of the Mission Bay High School in September 1953, and requests early consideration.

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

Communication from San Diego Municipal Employees' Assn., Inc., signed by Ellen M. Murray, President, Room 6 B Street Pier, San Diego 1, dated April 20, 1953, was presented. Said communication enclosed copy of notice sent to all department heads of the City and County regarding "Local Government on Display", and requested Council contribution of \$100.00 toward the \$400.00 which it is believed will meet promotion and advertising expenses and enable the Association to improve the program and attendance over last year. A strict accounting will be made, and any unexpended balance will be distributed equally among the four contributing groups. On motion of Councilman Wincote, seconded by Councilman Godfrey, said communication was ordered filed.

(The Council Conference minutes show that the Council has agreed to appropriate \$100.00 toward the project.)

Communication from San Diego Realty Board, Room 305, 524 B Street, San Diego 1, signed by Richard R. Reno, president, was presented. It states that members of the Board, at a regular meeting requested the Council to investigate carefully the feasibility and merit of the proposed Southwest Tunnel Project.

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

Semi-annual Report of San Diego Chamber of Commerce, for the period of July 1, 1952 through December 31, 1952 - dealing with the Commercial Department, Industrial Development, Research & Information Department, Events Department, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said report was ordered filed.

RESOLUTION OF AWARD NO. 111778, recorded on Microfilm Roll No. 63, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract for the paving and otherwise improving of the Alley in Block 7 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 110651, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

A written report from the City Engineer states that the low bid is 14.5% below the estimate.

RESOLUTION OF AWARD NO. 111779, recorded on Microfilm Roll No. 63, accepting bid of Callahan-Bros., a partnership, and awarding contract for the paving and otherwise improving of the Alley in Block 17 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 110652, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

A written report from the City Engineer states that the low bid is 11.6% below the estimate.

RESOLUTION OF AWARD NO. 111780, recorded on Microfilm Roll No. 63, 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 Eighth Avenue Lighting District No. 1, for a period of one year from and including January 1, 1953, to and including December 31, 1953, in strict accordance with plans and specifications contained in report of the City Engineer filed February 6, 1953, in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 111781, recorded on Microfilm Roll No. 63, accepting bid of San Diego Gas & Electric Company and awarding contract for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Lighting District No. 1, for a period of one year from and including January 1, 1953, to and including December 31, 1953, in strict accordance with plans and specifications contained in report of the City Engineer filed February 6, 1953, in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 111782, recorded on Microfilm Roll No. 63, 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 Seventh Avenue Lighting District No. 1, for a period of one year from and including January 1, 1953, to and including December 31, 1953, in strict accordance with plans and specifications

contained in report of the City Engineer filed February 6, 1953, in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111783, recorded on Microfilm Roll No. 63, approving and adopting plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 55 City Heights; approving Plat No. 2418 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 Kerrigan, adopted.

RESOLUTION NO. 111784, recorded on Microfilm Roll No. 63, approving and adopting plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alleys in Blocks 15 and 42 Ocean Beach; approving Plat No. 2431 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 Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 111785, recorded on Microfilm Roll No. 63, 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; Cable Street, within the limits and as particularly described in Resolution of Intention No. 111078, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 111786, recorded on Microfilm Roll No. 63, for the paving and otherwise improving of Newton Avenue, within the limits and as particularly described in Resolution of Intention No. 111079, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 111787, recorded on Microfilm Roll No. 63, 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 Resolution of Intention No. 111080, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 111788, recorded on Microfilm Roll No. 63, for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 1, for a period of one year from and including March 1, 1953, to and including March 1, 1953, to and including February 28, 1954, in accordance with Engineer's Report and Assessment filed March 13, 1953, in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 111789, recorded on Microfilm Roll No. 63, for the closing of the Alley in Block 264 Pacific Beach, within the limits as set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 111790, recorded on Microfilm Roll No. 63, for the closing of Baltic Street, within the limits as set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111791, recorded on Microfilm Roll No. 63, appointing time and place for the hearing of protests, and directing notice of hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 4, for a period of one year from and including April 1, 1953, to and including March 31, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 111792, recorded on Microfilm Roll No. 63, for the furnishing of electric current in Collwood Lighting District Number One, for a period of one year from and including June 1, 1953, to and including May 31, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 111793, recorded on Microfilm Roll No. 63, for the paving and otherwise improving of the Alley in Block 55 City Heights, as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.



RESOLUTION OF PRELIMINARY DETERMINATION NO. 111794, recorded on Microfilm Roll No. 63, for the paving and otherwise improving of the Alleys in Blocks 15 and 42 Ocean Beach, as more particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111795, recorded on Microfilm Roll No. 63, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 109 Central Park, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111796, recorded on Microfilm Roll No. 63, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 80 City Heights, and Dwight Street, was on motion of Councilman Kerrigan, seconded by Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111797, recorded on Microfilm Roll No. 63, ascertaining and declaring the wage scale for the paving and otherwise improving of Jennings Street, Albion Street and Silvergate Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111798, recorded on Microfilm Roll No. 63, ascertaining and declaring the wage scale for the paving and otherwise improving of Monte Vista Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111799, recorded on Microfilm Roll No. 63, 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 195 City Heights and portion of Lincoln Avenue, within the limits and as particularly described in Resolution of Intention No. 109805 and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111800, recorded on Microfilm Roll No. 63, 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 55th Street, within the limits and as particularly described in Resolution of Intention No. 110071 and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111801, recorded on Microfilm Roll No. 63, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improving of Kearny Mesa Improvement District, by installation of sewer and water mains, within the limits and as particularly described in Resolution No. 109064 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 Assistant City Manager's stamp of approval, recommending that proceedings be amended under Resolution No. 110195 granting petition and ordering district formed for improvement of the Alley in Block 43 Chas. Hensley's Subdivision, to include portion of 26th Street between the westerly prolongations of the northerly and southerly lines of the Alley, was presented.

RESOLUTION NO. 111802, recorded on Microfilm Roll No. 63, adopting recommendation of the City Engineer filed in the office of the City Clerk on April 21, 1953, under Document No. 467752; authorizing the City Engineer to amend proceedings for the improvement of the Alley in Block 43 Chas. Hensley's Subdivision in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111803, recorded on Microfilm Roll No. 63, requesting transfer of Temporary Housing pursuant to Title VI of the Lanham Act, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Among other things, the Resolution states that in the event that the temporary housing known as Villa Cal-V-4568 is relinquished to the City, the City will grant such easements or other rights of way through, over, along and across lands relinquished to the City as may be necessary for:

- (a) Providing access to the four buildings remaining in Federal ownership and known as Cal-4095-B that would be isolated as a result of the City's acquisition of Cal-V-4568;
- (b) Providing access to the Federal Public Housing Administration project in the vicinity of Fordham Street between Midway Drive and Frontier Streets;
- (c) Assuring continued utility service to all adjacent housing projects of the Federal Public Housing Administration.

The Resolution makes mention of those eligible for occupancy in dwellings of given sizes and at specified rents. It states that the City will manage and operate the property involved in accordance with sound business practices, including the establishment of adequate reserves.

The Resolution refers to the City not disposing of said temporary housing except as stated therein.

It recites that whenever the structures involved, or a substantial portion thereof are terminated for housing and are not used for specific nonhousing, they will be demolished and terminated for housing and the site cleared.

It says that the City will acquire the interest of the United States in and to the land upon which the housing is located upon terms and conditions prescribed; that the immediate purpose for which sought is to house veterans enrolled at San Diego State College and that such housing is eligible for transfer.

The Resolution states that the Mayor shall obtain the opinion of the City Attorney regarding legal authority to make said request, to accept transfer, and operate any property involved, and perform its obligations under Title VI of the Lanham Act.

It makes mention of the revenues or other proceeds, as well as taxes or payments in lieu of taxes.

Said Resolution directs the Mayor to take such other and further action as may be in order to effect a delinquishment and transfer, and immediately enter into negotiations for acquisition of interest in land as may be necessary to comply with the conditions of transfer.

In addition, the Resolution defines "Veteran" and "Servicemen".

RESOLUTION NO. 111804, recorded on Microfilm Roll No. 63, requesting transfer of Temporary Housing pursuant to Title VI of the Lanham Act, making various findings and making statements relative to the City's request, proposed use, by whom to be used, matter of not disposing of same except in prescribed instances, the City's acquisition of the interest of the United States, was adopted on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The immediate purpose for which the housing is sought is for management and operation of CAL-V-4568 as applied for and requested in Resolution No. 111803 (just preceding this Resolution), that the Mayor shall obtain opinion of the City Attorney regarding the legal authority of the applicant (The City) to make the request; that he shall forward certified copies of the Resolution, together with said opinion.

The Resolution refers to the net revenues, additional action to be taken by the Mayor to effect relinquishment and transfer.

Also, it defines the terms "Veteran" and "Servicemen".

It makes statements relative to the event that the temporary housing known as CAL-V-4568 is relinquished to the City pursuant to Resolution No. 111803, and that the portion of CAL. 4094 be relinquished to the City in connection with things that the City will do.

RESOLUTION NO. 111805, recorded on Microfilm Roll No. 63, authorizing and empowering the City Manager to execute an agreement between the United States of America, acting by and through the Public Housing Administration (formerly Federal Public Housing Authority), providing for termination of the exclusive use by the United States of America of Hancock Street, between Greenwood Street and State Highway, and also portion of Alley between Hancock Street and Kurtz Street in Block 340 Old San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111806, recorded on Microfilm Roll No. 63, authorizing and empowering the City Manager to do all the work in connection with the reconstruction of drainage facilities at 15th Street and Broadway, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Said Resolution recites that the Manager has recommended such reconstruction, 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. 111807, recorded on Microfilm Roll No. 63, approving Change Order No. 1, heretofore filed with the City Clerk as Document No. 467988, issued in connection with contract between The City of San Diego and Daley Corporation for construction of a parking lot at Police Headquarters, contract contained in Document No. 464768 on file in the office of the City Clerk; changes amounting to increase in the contract price of approximately \$28.95, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111808, recorded on Microfilm Roll No. 63, approving Change Order No. 1, heretofore filed with the City Clerk as Document No. 467990, issued in connection with contract between The City of San Diego and V. R. Dennis Construction Co. for construction of Access Roadway to Highway, on De Anza Point, contract contained in Document No. 461039; changes amounting to increase in contract price of \$550.00, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111809, recorded on Microfilm Roll No. 63, granting permission to San Diego Unified School District to connect the Grantville Elementary School with the sewage system of The City of San Diego upon terms and conditions set forth therein, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Said Resolution recites that the District has requested such permission,

that the City Manager has advised and the Council is of the opinion that such service is in the interest of The City of San Diego because of the relationship between said School District and said City.

RESOLUTION NO. 111810, recorded on Microfilm Roll No. 63, authorizing Richard Gallagher, Director of Public Works, to go to Sacramento for the purpose of attending a meeting to be held on the matter of vesicular exanthema on April 30, 1953; authorizing the incurring of all expenses in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111811, recorded on Microfilm Roll No. 63, authorizing Capt. K. D. Sprague, San Diego Police Communications Officer, to attend the combined North-South meeting of the California Police Radio Association, to be held in Santa Cruz, California, May 1 and 2, 1953; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111812, recorded on Microfilm Roll No. 63, approving claim of Donald F. Smith, on file in the office of the City Clerk under Document No. 467147, in the amount of \$150.23; directing the City Auditor to draw his warrant in favor of Donald F. Smith in the amount of \$150.23 in full payment of said claim, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111813, recorded on Microfilm Roll No. 63, authorizing the City Attorney to settle for \$10.00 the claim of Charlie Gaither, on file in the Office of the City Clerk under Document No. 466966, claiming the amount of \$13.55; directing the City Auditor to draw his warrant in favor of Charlie Gaither in the amount of \$10.00 in full payment of said claim, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111814, recorded on Microfilm Roll No. 63, denying claim of Roy H. Barber, on file in the Office of the City Clerk under Document No. 467097, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111815, recorded on Microfilm Roll No. 63, denying claim of Mrs. R. H. Durcan, on file in the Office of the City Clerk under Document No. 467234, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111816, recorded on Microfilm Roll No. 63, denying claim of Albert S. Falk, on file in the Office of the City Clerk under Document No. 463431, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111817, recorded on Microfilm Roll No. 63, denying claim of Edward P. Garrett, on file in the office of the City Clerk under Document No. 467076, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111818, recorded on Microfilm Roll No. 63, denying claim of Catherine A. Hersey, on file in the office of the City Clerk under Document No. 467239, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111819, recorded on Microfilm Roll No. 63, denying claim of Juanita Steiger, on file in the Office of the City Clerk under Document No. 467108, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111820, recorded on Microfilm Roll No. 63, denying claim of Mrs. Katherine E. Vaccari, on file in the office of the City Clerk under Document No. 465708, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Proposed Ordinance appropriating \$8,800.00 from the Unappropriated Balance Fund, and transferring the same to maintenance and support, Department 15.00, Police Department Fund, was introduced.

Proposed Ordinance appropriating \$5,200.00 from the Unappropriated Balance Fund, and transferring the same to Outlay, Department 16.00, Fire Department Fund, was introduced.



Proposed Ordinance appropriating \$100.00 from the Capital Outlay Fund, for widening the road to the Organ Pavilion (in addition to funds heretofore appropriated by Ordinance No. 5155 (New Series), was introduced.

Proposed Ordinance amending the San Diego Municipal Code by amending Section 102.20 regulating the recording of subdivision maps, was introduced.

Proposed Ordinance changing the name of portion of Martin Avenue to Wabash Boulevard, was introduced.

Proposed Ordinance incorporating portions of Lots 72 and 78 Rancho Mission, Lot 8 The Highlands, Lot 1 Block 1 Rosedale, into "R-2" Zone, and repealing Ordinance No. 5252 (New Series) insofar as the same conflicts, was introduced.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, a hearing was set for the hour of 10:00 o'clock, Tuesday, May 12, 1953.

ORDINANCE NO. 5561 (New Series), recorded on Microfilm Roll No. 63, appropriating \$16,400.00 from the Capital Outlay Fund, for the purpose of providing funds for installation of Traffic Signals and Safety Lighting at the intersections of Laurel Street with Fourth Avenue and Fifth Avenue, and the interconnecting of Traffic Signals on Laurel Street, at Fourth Avenue, Fifth Avenue and Sixth Avenue, was on motion of Councilman Godfrey, 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.

Said Ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, on the 21st day of April, 1953, and on the 28th day of April, 1953.

The reading in full prior to final passage was dispensed with by a vote of not less than four members of the Council, and there was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5562, (New Series), recorded on Microfilm Roll No. 63, appropriating the sum of \$7,600.00 from the Unappropriated Balance Fund, and transferring the same to the City and County Administration Department Fund, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Ordinance was not finally passed until six calendar days had elapsed between the date of its introduction and the day of its final passage, on the 21st day of April, 1953, and on the 28th day of April, 1953.

The reading in full prior to final passage was dispensed with by a vote of not less than four members of the Council, and there was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5563 (New Series), recorded on Microfilm Roll No. 63, appropriating \$2500.00 from the Unappropriated Balance Fund, for the purpose of providing funds to cover the cost of certain statistical data to be furnished the City pursuant to agreement between the City of San Diego and the San Diego Chamber of Commerce, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit:

Said Ordinance was not finally passed until six calendar days had elapsed between the date of its introduction and the day of its final passage, on the 21st day of April, 1953, and on the 28th day of April, 1953.

The reading in full prior to final passage was dispensed with by a vote of not less than four members of the Council, and there was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5564 (New Series), recorded on Microfilm Roll No. 63, appropriating \$1,200.00 from the Capital Outlay Fund, for the purpose of providing additional funds (in addition to funds heretofore appropriated by Ordinance No. 5365 (New Series), for the improvement of Roswell Street, et al., was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Ordinance was not finally passed until six days had elapsed between the date of its introduction and the day of its final passage, on the 21st day of April, 1953, and on the 28th day of April, 1953.

The reading in full prior to final passage was dispensed with by a vote of not less than four members of the Council, and there was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5565 (New Series), recorded on Microfilm Roll No. 63, appropriating \$600.00 from the Unappropriated Balance Fund, for the purpose of providing funds to cover the cost of change of grade proceedings on Anna Avenue, between its termination at Sherman Street and the southwesterly line of Pacific Highway, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Ordinance was not finally passed until six calendar days had elapsed between its introduction and its final passage, to-wit, on the 21st day of April, 1953, and on the 28th day of April, 1953. The reading of said ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council, and that there was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy of said Ordinance.

ORDINANCE NO. 5566 (New Series), recorded on Microfilm Roll No. 63, authorizing the City Manager to execute a partial termination of Lease with the Public Housing Administration - deleting from lease in portion of Pueblo Lot 1311, land occupied by a public school owned and operated by the San Diego Unified School District - reducing the annual rental to the sum of \$274.66, property more particularly described and terms and conditions to be set forth in the form of partial termination of lease filed in the office of the City Clerk under Document No. 468047, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Ordinance was not finally passed until six calendar days had elapsed between its introduction and its final passage, to-wit: on the 21st day of April, 1953, and on the 28th day of April, 1953. The reading of said ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council, and that there was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy of said Ordinance.

ORDINANCE NO. 5567 (New Series), recorded on Microfilm Roll No. 63, authorizing the City Manager to execute for and on behalf of The City of San Diego, a lease with the Civil Aeronautics Administration, United States of America, a portion of Lot 1315, for a period of one year commencing July 1, 1953 and terminating June 30, 1954, at an annual rental of \$1.00 per year, which lease may be renewed from year to year at the same rental at the option of the United States, the more particular description of property and terms and conditions are set forth in form of lease filed in the office of the City Clerk under Document No. 468168, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Ordinance states that there is a value of \$100.00 as disclosed by the report of the last appraisal made by the Auditor and Comptroller, property being leased as a part of public service to the United States and the citizens thereof.

Said Ordinance was not finally passed until six calendar days had elapsed between its introduction and its final passage, to-wit: on the 21st day of April, 1953, and on the 28th day of April, 1953. The reading of said ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council, and that there was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy of said Ordinance.

ORDINANCE NO. 5568 (New Series), recorded on Microfilm Roll No. 63, establishing the grade of the Alley in Block 22 City Heights, between the southerly line of Quince Street and a line parallel to and distant 460.00 feet southerly from the southerly line of Quince Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Ordinance was not finally passed until six calendar days had elapsed between its introduction and its final passage, to-wit: on the 21st day of April, 1953, and on the 28th day of April, 1953. The reading of said ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council, and that there was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy of said Ordinance.

ORDINANCE NO. 5569 (New Series), recorded on Microfilm Roll No. 63, establishing the grade of Azul Street, between the easterly line of La Jolla Shores Drive and the easterly boundary line of La Jolla Cliffs Subdivision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Ordinance was not finally passed until six calendar days had elapsed between its introduction and its final passage, to-wit: On the 21st day of April, 1953, and on the 28th day of April, 1953. The reading of said Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council, and there was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy of said Ordinance.

ORDINANCE NO. 5570 (New Series), recorded on Microfilm Roll No. 63, establishing the grade of Banks Street, between the southeasterly line of Sherman Street and a line parallel to and distant 360.00 feet southeasterly from the southeasterly line of Sherman Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Ordinance was not finally passed until six calendar days had elapsed between its introduction and its final passage, to-wit: On the 21st day of April, 1953, and on the 28th day of April, 1953. The reading of said Ordinance in full prior to its

final passage was dispensed with by a vote of not less than four members of the Council, and there was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy of said Ordinance.

ORDINANCE NO. 5571 (New Series), recorded on Microfilm Roll No. 63, establishing the grade of Custer Street, between the southeasterly line of Sherman Street and the northwesterly line of Greenwood Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said ordinance was not finally passed until six calendar days had elapsed between its introduction and its final passage, to-wit: on the 21st day of April, 1953, and on the 28th day of April, 1953. The reading of said ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council, and there was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy of said Ordinance.

ORDINANCE NO. 5572 (New Series), recorded on Microfilm Roll No. 63, establishing the grade of Grant Street, between the southeasterly line of Sherman Street and the northeasterly prolongation of the southeasterly line of the northeasterly and southwesterly Alley in Block 3 Vernon Park, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said ordinance was not finally passed until six calendar days had elapsed between its introduction and its final passage, to-wit: on the 21st day of April, 1953, and on the 28th day of April, 1953. The reading of said ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council, and there was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy of said Ordinance.

ORDINANCE NO. 5573 (New Series), recorded on Microfilm Roll No. 63, establishing the grade of La Jolla Shores Drive in the City of San Diego, between the northerly boundary line of La Jolla Cliffs Subdivision, and the southerly boundary line of La Jolla Cliffs Subdivision, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said ordinance was not finally passed until six calendar days had elapsed between its introduction and its final passage, to-wit: on the 21st day of April, 1953, and on the 28th day of April, 1953. The reading of said ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council, and there was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy of said Ordinance.

ORDINANCE NO. 5574 (New Series), recorded on Microfilm Roll No. 63, establishing the grade of Landon Street, between the northwesterly line of Sherman Street and the easterly line of The Atchison, Topeka and Santa Fe Railroad Right of Way, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Said Ordinance was not finally passed until six calendar days had elapsed between its introduction and its final passage, to-wit: on the 21st day of April, 1953, and on the 28th day of April, 1953. The reading of said ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council, and there was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy of said Ordinance.

ORDINANCE NO. 5575 (New Series), recorded on Microfilm Roll No. 63, establishing the grade of Poole Street, between the easterly line of La Jolla Shores Drive and the northerly line of Azul Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Ordinance was not finally passed until six calendar days had elapsed between its introduction and its final passage, to-wit: on the 21st day of April, 1953, and on the 28th day of April, 1953. The reading of said ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council, and there was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy of said Ordinance.

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

In connection with the Resolution presented, the Manager told the Council that the matter had been discussed, and again yesterday.

RESOLUTION NO. 111821, recorded on Microfilm Roll No. 63, finding that the best interests of the people of The City of San Diego and of the City will be subserved by adoption of a policy and recommending the same to the Board of Directors of the San Diego County Water Authority: That the Board of Directors of the Authority encourage annexation of additional areas of land by corporations in the County of San Diego to the County Water Authority for the purpose of securing a supply of water from the Colorado River from that amount available for distribution to this County by The Metropolitan Water District of Southern California, thus aiding and assisting in development of the County area, which will result in direct benefit to the people of the present member agencies of the Authority, including the City of San Diego; provided that in authorizing annexation of additional territory the Directors of the Authority permit such annexation only upon the condition that after such annexation the newly annexed agencies shall be entitled to purchase from



said County Water Authority such water as said newly annexed areas may need from the waters of the Colorado River, as long as there is a supply of water available for all member agencies, but that if at any time thereafter the waters available from said Colorado River for delivery to said County Water Authority by the Metropolitan Water District should be restricted, limited, curtailed or rationed, then and in that event said newly annexed areas shall be entitled to purchase water from the County Water Authority only if there exists during such period of restriction surplus waters over and above that necessary in amount to serve fully the water entitlements of the present member agencies of said San Diego County Water Authority, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

In addition to the section which becomes the Resolution, a great many statements and findings, all of which appear in the original of said Resolution, are made.

The City Manager requested, and was granted unanimous consent to present matter, which was explained by him to the Council.

RESOLUTION NO. 111822, recorded on Microfilm Roll No. 63, authorizing and directing the Auditor to draw a warrant refunding to The Southern Title & Trust Company of The City of San Diego (in connection with Resolution of Intention No. 109064 and the contract awarded to Taylor, Sloan & Solomon as a joint venture, under the Improvement Act of 1911), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution directs the City Clerk to deliver said warrant to the said title company upon receipt of such refund; directing him to certify and deliver a copy of said Resolution to said title company.

At the hour of 12:03 o'clock Noon, the Council took a recess on motion of Councilman Wincote, seconded by Councilman Godfrey, until the hour of 2:00 o'clock P.M. this date.

Upon reconvening, at the hour of 4:30 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

In the absence of the Mayor, Vice Mayor Franklin Swan presided.

Although not on the agenda, the Council came back into session to consider the Ordinance which would add to Chapter IV of the San Diego Municipal Code Sections 41.01.16 and 44.0370, Regulating the raising of Fowl and Rabbits.

Councilman Dail questioned the definition regarding pigeons.

Douglas Deaper, Deputy City Attorney, reviewed the terms of the Ordinance, and read the section covering pigeons.

Councilman Wincote asked to have "pigeon" eliminated from the proposed Ordinance.

There was discussion between Councilmen Dail and Wincote re cleaning up on account of pigeons.

Councilmen Dail, Wincote and Kerrigan held a discussion relative to the health condition.

Councilman Wincote said that the health angle is covered.

Councilman Wincote asked to take pigeons out.

Councilman Godfrey wanted to leave the pigeons in.

Councilman Wincote talked about the fancy bird fanciers, which matter had come up at a hearing set on the ordinance.

Councilman Wincote stated that he was willing to include fancy pigeons.

Councilman Dail stated that 12 fowl or rabbits is too small a number. He said that if they are 50 feet away, a sufficient number should be permitted to be kept. If the number is limited, he said, it is going to start neighborhood squabbles.

Councilman Godfrey said that 50 feet is good. There are two points of views, he stated: the chicken raisers, or their neighbors. There can be a potential trouble, he stated.

Councilman Dail declared that 20 feet limit is too close.

Councilman Godfrey declared that the word "chicken coop" has a stigma attached. If people must have chickens, he said, don't damage others. He said that he felt that the 50-foot and 12 chicken limitation is agreeable.

It was pointed out by Councilman Wincote that it has been found that when 12 hens are kept, 12 are not enough to supply the needed number of eggs. He said that 20 would be at least a figure to supply eggs for a family.

Councilman Godfrey pointed out that disadvantages could increase above the advantages.

Councilman Swan read from a letter received from a Mr. Hopkins. The 12 limit is too drastic, he stated.

Calls have been received from people concerning the cutting down of flocks to 12, Councilman Dail said. He told the Council that they don't want such a small figure.

Councilman Godfrey said that he did not see in the Ordinance the matter of the fanciers' compliance. He asked if a concession can be made.

Mr. Deaper told the Council that a health permit can be obtained for a number of fowl in excess of 12.

Why isn't 12 good, Councilman Godfrey asked. He said that the Council needs to put a lid on the thing. He wondered if a permit could be secured. Also, he stated that if more than 12 are wanted, a control can be provided.

Councilman Dail said that he thought Councilman Godfrey is right. Nothing need cause worry, he stated, if a health permit is approved.

Mr. Douglas Deaper said that after the Ordinance is introduced, it should be turned over to Mr. Hegland to see if the County would make a greater charge.

Councilman Dail read from the Ordinance about the matter of fowl not raised on the premises.

Councilman Wincote raised the question about nuisance or effects on the public health. A "nuisance" he said, could cause trouble. Why not leave that to the Health Department, he asked. He warned that the matter can become a neighborhood problem.

Mr. Deaper states that the Ordinance gives more control than under the present rule. He reviewed nuisances, beyond the Ordinance.

The City Manager spoke about there being just a violation of the Ordinance. Councilman Dail said, again, the the Health Department could grant a permit.

Councilman Wincote stated that he wants included in the Ordinance a prohibition against roosters.

Don't some commercial growers raise eggs for brooders, Councilman Wincote asked.

Roosters are not raised in the City Councilman Dail stated.

Is there any objection to including roosters, Councilman Schneider asked.

Councilman Kerrigan declared that there would be overlapping ordinances.

Mr. Deaper read suggested amendmen regarding roosters or 12 fowl.

Roosters are controlled now, Councilman Dail said.

Mr. Deaper told the Council that he is sure there is no ordinance controlling roosters in the City.

The growing of roosters is not done now, Councilman Dail stated, and he said that there is no crowing.

The word "nuisance" was questioned by Councilman Wincote.

Mr. Deaper spoke regarding the health situation and the nuisance.

The City Manager told the Council that roosters are covered under the noise ordinance. Any animal and bird causing loud and unusual noises is prohibited, he stated.

Mr. Deaper pointed out that the City had lost a case under the noise ordinance.

Councilman Schneider asked that there be inserted in the proposed ordinance a prohibition against the keeping of roosters.

Councilman Godfrey said that there could be a problem regarding noise from the keeping of fancy fowl.

Councilman Swan asked why not place the burden on the Health Officer.

Councilman Schneider told the Council that he was unable to stay longer, so he left the meeting during the discussion.

Councilman Wincote said that he does not want the "nuisance" provision in the ordinance.

Mr. Deaper stated that a standard for the Health Officer's ruling is needed.

Councilman Godfrey asked that the "nuisance" be cut out.

Councilman Wincote suggested the substitution of "unsanitary" for "nuisance".

Mr. Deaper referred to a permit required in the first instance, in connection with a Planning Department permit.

Councilman Godfrey declared that a permit fee should be \$1.00, if the County makes a charge.

Mr. Deaper expressed the opinion that the matter should be referred to the County first, to see if a charge is to be made for a permit.

Councilman Godfrey wanted the matter put back on the docket for Thursday.

Councilman Dail moved, and Councilman Godfrey seconded, that the proposed Ordinance be put back on the agenda for Tuesday (which is May 5, 1953), including a report from the City Manager about the County's making or not making a charge for permits.

(As a result, the matter is to be listed on the May 5, 1953 agenda again).

On motion of Councilman Wincote, seconded by Councilman Dail, the Council adjourned the meeting at the hour of 4:47 o'clock P.M.

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, April 30,  
1953

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 Franklin F. Swan presided.  
Mayor Butler was in Washington, D.C. on official business.

Application of Philip Dimaria, 5196 Imperial Avenue, for a Class C Dine and Dance License at Duffy's, 505 - 47th Street, was presented together with recommendations from City departments for approval.

RESOLUTION NO. 111823, recorded on Microfilm Roll No. 63, granting application of Phillip Dimaria for a Class "C" license to conduct public dance at Duffy's, 505 47th Street, 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.

Application of George Radovich and Bilu Radovich, for Class A Dine & Dance License at Arizona Cafe, 1925-27 Bacon Street, was presented together with recommendation from City departments for approval.

RESOLUTION NO. 111824, recorded on Microfilm Roll No. 63, granting application of George Radovich for a Class "A" license to conduct public dance at Arizona Cafe, 1925-27 Bacon 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 Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, recommending suspension of 8 sections of the Subdivision Ordinance in connection with the Tentative Map of Gates Terrace, was presented.

RESOLUTION NO. 111825, recorded on Microfilm Roll No. 63, suspending Sections 102.02-2, 102.04, 102.06-1, 102.12-3, 102.12-2, 102.16-8, 102.18, 102.17-c of the Municipal Code in connection with the tentative and final maps of Gates Terrace, a resubdivision of 12 lots Nicholson's Addition, into 4 parcels, 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 Tentative Map of Gates Terrace, subject to 10 conditions, was presented.

RESOLUTION NO. 111826, recorded on Microfilm Roll No. 63, approving the Tentative Map of Gates Terrace, a resubdivision of 12 lots, Nicholson's Addition, into 4 parcels, subject to 10 conditions, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Said Subdivision is located at the westerly terminus of Pearl Street at the intersection of Olivetas Avenue.

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 Subdivision of portion P.L. 1288 into 2 lots, was presented.

RESOLUTION NO. 111827, recorded on Microfilm Roll No. 63, suspending Sections 102.12-2, 102.16-8, 102.18, 102.17-c of the Municipal Code, in connection with the Tentative Map for subdivision of portion of P.L. 1288 into 2 lots, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Communication, signed by Harry C. Haelsig, Assistant Planning Director, recommending approval of the Tentative Map for subdivision of a portion of P.L. 1288 into 2 lots, consisting of a small parcel of land located on Ardath Road approximately 1200 ft. southerly of Torrey Pines Road, subject to 9 conditions, was presented.

RESOLUTION NO. 111828, recorded on Microfilm Roll No. 63, approving the Tentative Map for subdivision of portion of P.L. 1288 into 2 lots, subject to conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Councilman Dail entered the meeting at this time.



Communication from Glenn A. Rick, City Planning Director, attaching a copy of the City Attorney's opinion dated April 21, 1953, regarding fees charged for investigation on setback and front yard requirements. It quotes the City Attorney's suggestion: "If there is no difference in the cost of investigation of the various types of setback regulations as mentioned above, all fees charged for variances thereto should be consistent so there is no unfair discrimination. Section 101.0502 should be amended to correct this discrimination." It states that the reason for the opinion was that on April 10 Mr. Rick asked for a clarification of the section of the ordinance which reads:

Paragraph (b)

"For variance of or suspension of the front yard requirements, the sum of Ten Dollars (\$10)." and

Paragraph (d)

"For a zone variance or suspension or setback change, the sum of twenty-five (\$25) dollars".

The communication states that there has been some confusion in the terms "front yard" requirements, which generally has applied to front yards in residence areas, and the term "setback suspensions" which apply to ordinances established for future street widening.

Mr. Rick explained the existing conditions and the fees. He pointed out that the Planning Department has had objections regarding the various types of variances. He read from the City Attorney's recommendation.

RESOLUTION NO. 111829, recorded on Microfilm Roll No. 63, referring to Council conference the Planning Department communication on fees for variances or suspensions, etc., was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, submitting petition of Golden Construction Company offering to dedicate a 60-foot strip of land through P.L. 272 and 282, to provide access to an area now being developed with industrial structures. It states that said company proposes to pave the street with 6 inches of Portland cement concrete pavement, necessary sewer and water mains, and maintenance of 20-ft. easement adjacent to the street for automobile parking. Said communication recommends approval of the offer of dedication for a street and its acceptance. In addition, it states that the proposed street name of Landon is in conflict with other street names in the City, and the naming shall be subject to approval of the departments.

Mr. Rick outlined for the Council the location of the proposed street sought to be dedicated.

Councilman Schneider wondered if there was any stipulation providing for improvement by the City.

The City Manager reviewed the situation, and stated that the grantor of the proposed street easement is to make the improvement.

RESOLUTION NO. 111830, recorded on Microfilm Roll No. 63, adopting recommendation of the Planning Department, contained in Document No. 468082, recommending that the offer of Golden Construction Company to dedicate a 60-foot strip of land through P/L 272 and 282, to provide access to an area now being developed with industrial structures, which is to be improved by said company with 6-inches of Portland cement concrete pavement together with the necessary sewer and water mains, and maintenance of a 20-foot easement adjacent to the street for automobile parking - and referring to the interested City departments the proposed naming of said street in lieu of Landon Street which conflicts with other names in the City - was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, reporting on petition for acceptance by the City and dedication for street purposes portions of Lots 24 and 25 Beverly Heights, for the southeasterly extension of Melrose Place, was presented. Attached to the communication are recommendations of the various departments, and the Planning Commission's recommendation is made for approval of the petition, subject to various conditions having to do with the paving to grades to be approved by the City Engineer, extension of sewer and water mains as required by the City, installation of type "G" curb, drainage inlet and culvert as required by the City Engineer, requiring filing of improvement plans as approved by the City Engineer, was presented.

No verbal report was requested or made.

RESOLUTION NO. 111831, recorded on Microfilm Roll No. 63, adopting recommendation of the Planning Commission, signed by Harry C. Haelsig, bearing Document No. 468038 for approval of the petition of dedication of land in portions of Lots 24 and 25 Beverly Heights for the southeasterly extension of Melrose Place, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Dianna F. Hudnall, 1116 Front Street, San Diego 1, Calif., dated April 28 '53, suggesting that arrangement be made so that San Diego business people living in the County be permitted to vote on City elections, was presented. It states that the writer attends many of the Council meetings, yet when election time comes she feels so frustrated because she cannot vote or voice an opinion on City matters (since she lives outside the City).

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

Certificate of the City Clerk showing the results of the election held on Tuesday, April 21, 1953, was presented.

RESOLUTION NO. 111832, recorded on Microfilm Roll No. 63, declaring the result of the Municipal General Election held in The City of San Diego, California, on April 21, 1953, pursuant to provisions of Section 10 Article II of the Charter of The City of San Diego, and of the provisions of Ordinance No. 5510 (New Series), for the purpose of electing Members of the Council from Districts Nos. 1, 3, 4 and of the provisions of Ordinance No. 5511 (New Series) proposing and submitting propositions to amend the Charter of The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In addition to reciting the many required statements, said Resolution states that the total number of votes cast in the City at said Municipal General Election is 58,801.

For Member of the Council from District No. 1  
 Clair W. Burgener received 25,589 votes  
 C. Harry Burnaugh received 22,026 votes  
 Clair W. Burgener was declared elected to the office of the member of the Council from District No. 1;

For Member of the Council from District No. 3  
 Chester E. Schneider received 28,415 votes  
 William R. McKinley received 20,457 votes  
 Chester E. Schneider was declared elected to the office of member of the Council from District No. 3;

For Member of the Council from District No. 4  
 George Kerrigan received 28,353 votes  
 Harvey B. Tyndall received 22,487 votes  
 George Kerrigan was declared elected to the office of member of the Council from District No. 4

Proposition A to amend Section 107 of Article VII of the Charter to provide that the Council may purchase blanket surety bond and filing of the same -  
 For said proposition 33,309 votes  
 Against said proposition 16,969 votes

Proposition B to 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, and repeals Sections 47, 48, 49, 50, 51, 52 and 56 of the Charter - Section 56 relating to the Bureau of Safety -  
 For said proposition 29,867 votes  
 Against said proposition 18,747 votes

Proposition C to amend Section 55 of Article V of the Charter so as to eliminate requirement of separate Park and Recreation Commissions, and creating one commission to be known as the Park and Recreation Commission; and rewording the section in organization of the combined departments, also prohibiting change of use of any park, recreation or cemetery land formally dedicated without consent of two-thirds of the electors; authorizing the Council to open streets and highways through public parks, recreation and cemetery lands -  
 For said proposition 25,911 votes  
 Against said proposition 24,771 votes

Proposition D to amend Article VII of the Charter by adding a Section 70.1, which gives power to the Council to pay a part or all of the costs of public health insurance, including hospitalization and surgery, for members of classified and unclassified personnel and their wives and minor children -  
 For said proposition 17,444 votes  
 Against said proposition 32,982 votes

Proposition E to amend Section 24 of Article IV of the Charter to provide compensation of the Mayor of \$10,000 per year -  
 For said proposition 20,887 votes  
 Against said proposition 30,743 votes

Proposition F to amend Section 12 of Article III of the Charter to provide compensation of \$3,000 per year for Councilmen -  
 For said proposition 22,225 votes  
 Against said proposition 28,920 votes

Proposition G to amend Section 66 of Article VI of the Charter to provide compensation of \$1200 per year for members of the Board of Education -  
 For said proposition 24,403 votes  
 Against said proposition 24,347 votes

Proposition H to amend Article VII of the Charter by adding a new section to be numbered 90.1, which authorizes the City to issue revenue bonds for the purpose of financing construction of public improvements upon a majority vote of the people, and providing procedure for issuance and sale of such bonds -  
 For said proposition 21,073 votes  
 Against said proposition 27,671 votes

Proposition I to 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 there is competition of outside bidders -  
 For said proposition, 23,023 votes  
 Against said proposition, 24,274 votes

Proposition J to amend Section 61 of Article V of the Charter, to eliminate 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 with general duties having to do with investigation, recommendation and carrying out policies relative to social welfare of people of the City, improvement of ~~social~~ conditions which might lead to poverty, crime and disease, and recommendation or carrying out of constructive programs for prevention of juvenile delinquency -

For said proposition 31,908 votes

Against said proposition 16,794 votes

Proposition K to amend subdivisions (b) and (f) of Section 54 of Article V of the Charter by clarifying language describing the jurisdiction of the Harbor Commission, giving such commission control only of tidelands within the Bay of San Diego, and prohibiting the expenditure of revenues from tidelands and the Harbor Department for any purpose except the improvement of tidelands and the Harbor of San Diego, and redemption of harbor or harbor tideland bonds, and the payment of interest thereon -

For said proposition 20,525 votes

Against said proposition 28,695 votes

Proposition L to 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 -

For said proposition, 37,294 votes

Against said proposition, 11,721 votes

Proposition M, to amend Article IX of the Charter by adding a new section to be numbered 148.1, which empowers the Council, with approval of a majority vote of members of the City Employees' Retirement System, to contract with the State of California for the 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 -

For said proposition, 32,737 votes

Against said proposition, 16,219

Proposition N to amend Section 59 of Article V, and Section 117 of Article VIII of the Charter, 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 -

For said proposition, 33,019 votes

Against said proposition, 15,109 votes

Proposition O, asking if portion of Collier Park, described in Ordinance No. 5518 (New Series) be conveyed in trust to the Door of Hope Home of San Diego, a charitable corporation, for the purpose of maintaining a foundlings' home and institution for unfortunate and needy pregnant women, upon condition that failure to maintain the trust causes a reversion of title to the City, and upon further condition as may be deemed by the City Council to be in the interests of the City and the corporation -

For said proposition, 40,106 votes

Against said proposition, 11,464 votes

Proposition A has received the vote of a majority of the qualified voters voting thereon;

Proposition B has received the vote of a majority of the qualified voters voting thereon;

Proposition C has received the vote of a majority of the qualified voters voting thereon;

Proposition D has NOT received the vote of a majority of the qualified voters voting thereon;

Proposition E has NOT received the vote of a majority of the qualified voters voting thereon;

Proposition F has NOT received the vote of a majority of the qualified voters voting thereon;

Proposition G has received the vote of a majority of the qualified voters voting thereon;

Proposition H has NOT received the vote of a majority of the qualified voters voting thereon;

Proposition I has NOT received the vote of a majority of the qualified voters voting thereon;

Proposition J has received the vote of a majority of the qualified voters voting thereon;

Proposition K has NOT received the vote of a majority of the qualified voters voting thereon;

Proposition L has received the vote of a majority of the qualified voters voting thereon;

Proposition M has received the vote of a majority of the qualified voters voting thereon;

Proposition N has received the vote of a majority of the qualified voters voting thereon;

Proposition O has received the vote of two-thirds of the qualified voters voting thereon.



Said Resolution recites that the number of votes given in each precinct to each person, and for and against each measure or proposition is recorded in the election returns book, which book is part of the records of the Council; also, it authorizes and directs the City Clerk to enter in the minutes of the Council and also in the election returns book a statement showing in respect to said election the matters and things required by Section 10 of the Charter of The City of San Diego, and to make the results of the canvass of said election returns public immediately by publishing said returns in the Official newspaper, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111833, recorded on Microfilm Roll No. 63, authorizing and empowering the City Manager to execute, for and on behalf of the City, an agreement with Wieland H. Collins and Jennie Collins, whereby they will sell permits and tickets on behalf of the City at Morena Reservoir, under terms and conditions set forth in form of agreement filed in the office of the City Clerk as Document No. 468198, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111834, recorded on Microfilm Roll No. 63, authorizing and empowering the City Manager to execute for and on behalf of the City a lease with Wieland H. Collins and Jennie Collins of fishing and hunting concession at Morena Reservoir for a term of 5 years; the more particular description of the property, and the terms and conditions to be set forth in the form of lease filed in the office of the City Clerk under Document No. 468199, which real property has a value of \$100.00, leased for the reason that the City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111835, recorded on Microfilm Roll No. 63, approving request of Cox Brothers, contained in Change Order No. 11, for extension of 60 days, to and including June 15, 1953, heretofore filed with the City Clerk as Document No. 468090, in which to complete contract for construction of approaches to Morena Boulevard Bridge, contract contained in Document No. 450409 on file in the office of the City Clerk; extending said completion to June 15, 1953, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111836, recorded on Microfilm Roll No. 63, approving request of Cox Brothers, contained in Change Order No. 4, for extension of 45 days to and including June 9, 1953, heretofore filed with the City Clerk as Document No. 468092 in which to complete contract for construction of approaches to the Sunset Cliffs Boulevard Bridge, contract contained in Document No. 456298 on file in the office of the City Clerk; extending said completion to June 9, 1953, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111837, recorded on Microfilm Roll No. 63, approving Change Order No. 1, dated April 8, 1953, heretofore filed with the City Clerk as Document No. 467948, issued in connection with contract between The City of San Diego and Sim J. Harris Company, for construction of bituminous surface treatment for 10th Street Industrial Pier, contract contained in Document No. 464813 on file in the office of the City Clerk; changes amounting to increase in contract price of \$630.00, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111838, recorded on Microfilm Roll No. 63, waiving penalty imposed by the terms and provisions of the contract between The City of San Diego and Daley Corporation for improvement of Troman Avenue, as contained in Document No. 463647 on file in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that contract contains a provision that the contractor would complete said improvement within 45 days from the date of the execution thereof, and for failure to do so pay a penalty to the City in the amount of \$10.00 per day for each and every days said contract remained uncompleted; that the City Manager reports that said contractor was unable to complete said contract due to causes beyond its control, and that therefore failure to so complete the contract should not impose a penalty upon said contractor and that it will be in the interests of the City to waive the same.

RESOLUTION NO. 111839, recorded on Microfilm Roll No. 63, waiving penalty imposed by the terms and provisions of contract between The City of San Diego and Ets-Hokin & Galvan for installation of traffic signals and safety lighting on Midway Drive, Fordham Street, et al., as contained in Document No. 453424 on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City has heretofore entered into contract with Ets-Hokin & Galvan for installation of traffic signals and safety lighting on Midway Drive, Fordham Street, et al., in which contract provision was made that contractor would complete said improvement within 120 days from the execution date, and for failure to do so pay a penalty of \$25.00 per day for each day said contract remained uncompleted; that the City Manager reports that contractor was unable to complete contract due to causes beyond its control, and that its failure to complete should not impose penalty upon said contractor, and it is in the interests of the City to waive said penalty.

RESOLUTION NO. 111840, recorded on Microfilm Roll No. 63, waiving penalty imposed by the terms and provisions of contract between The City of San Diego and Ets-Hokin & Galvan for installation of traffic signals and interconnections on Washington Street at 1st Avenue, 4th Avenue and 5th Avenue, as contained in Document No. 456410 on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Said Resolution recites that the City has entered into contract with Ets-Hokin & Galvan for installation of said traffic signals and interconnections, contract contained in Document No. 456410 on file in the office of the City Clerk, which contract contains a provision that contractor would complete said improvement within 120 days from the date of execution, and failure to do so there would be a penalty of \$25.00 per day for each day said contract remained uncompleted; that the City Manager reports that said contractor was unable to complete said contract due to causes beyond his control, and its failure to so complete the contract should not impose penalty upon said contractor, and that it will be in the interests of the City to waive said penalty.

In connection with the next matter, the City Manager reported verbally that the work would be completed by May 31, 1953.

RESOLUTION NO. 111841, recorded on Microfilm Roll No. 63, waiving penalty imposed by terms and provisions of contract between The City of San Diego and T. B. Penick & Sons for improvement of Idaho Street and El Cajon Boulevard, as contained in Document No. 460141 on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Said Resolution recites that the City has entered into contract with T. B. Penick & Sons for improvement of said Street and Boulevard, contract contained in Document No. 460141 on file in the office of the City Clerk, provision was made that contractor would complete improvement within 60 days from date of execution and failure to do so would pay penalty in the amount of \$10.00 per day for each day said contract remained uncomplete; that the Manager reports said contractor was unable to complete contract due to causes beyond its control, and failure to so complete contract should not impose penalty upon said contractor, and that it will be in the interests of the City to waive said penalty.

RESOLUTION NO. 111842, recorded on Microfilm Roll No. 63, granting permission to Joseph A. Anderson (by R. F. Mitchell), 2011 Howard Street, San Diego, to install a 4-inch cast iron sewer line between the property line and the sidewalk; sewer line to be placed 1 foot outside the property line and run in a westerly direction, parallel to the southerly line of Lot 1 Block 54 San Diego Property Union Subdivision, to point of intersection with public sewer; to serve property located at 3346 Beech Street, subject to approval of the City Engineer, Property Department and the City Manager, upon conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111843, recorded on Microfilm Roll No. 63, granting permission to Diamond Construction Company, 2003 Moore Street, San Diego 1, to install a 40-foot driveway as measured at the top of the full-height curb, on the westerly side of Palermo Drive, between points 5 feet and 45 feet south of the southerly line of Yonge Street, adjacent to the northeasterly half of Lots 14 to 17 inclusive, Block 36 Western Addition, subject to conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111844, recorded on Microfilm Roll No. 63, granting permission to H. K. Doerr and M. M. Doerr, 4531 Santa Cruz Avenue, San Diego, to install a 33-foot driveway, as measured at the top of the full-height curb, on the northerly side of Longbranch Avenue between points 362 feet and 395 feet west of the west line of Abbott Street, adjacent to Lot 5 Block 86 Ocean Beach Extension, wubject to the various conditions set forth therein, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111845, recorded on Microfilm Roll No. 63, granting permission to Russell W. Raitt, Box 769 La Jolla, California, to install a 6" vitrified clay pipe in the dedicated public easement through Lot 21 Scripps Estates Associates Subdivision, to run in a southerly direction, parallel to the westerly line of said Lot to point of intersection with public sewer, to serve property located on said Lot; subject to approval of the Engineering Department, Inspection Department, Property Management Division, and City Manager, and upon condition line to have mechanical joints, to be laid at a grade of 0.7% and that The City shall be held free and clear of any claim for damages, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the proposed Resolution granting permission to Richfield Oil Corporation, 645 South Mariposa Avenue, Los Angeles 5, to install two 30-foot driveways on the north side of Washington Street between points 6 feet and 36 feet, and points 70 feet and 100 feet east of the east side of Hawk Street between points 12 feet and 42 feet and points 70 feet and 100 feet north of the north line of Washington Street, adjacent to Lots 9 to 12 inclusive Block 55 Arnold and Choate's Addition, subject to condition that all driveway widths be measured at top of full-height curb, which was presented at this time, Councilman Schneider questioned the proposal.

The City Manager said that there is no rush involved.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said proposed Resolution was continued one week - to May 7, 1953.

RESOLUTION NO. 111846, recorded on Microfilm Roll No. 63, expressing appreciation to each and all of the members of the Sports Commission of the City and County of San Diego for their services in connection with and on behalf of The City of San Diego; authorizing and directing the City Clerk to transmit certified copy of said Resolution to each member of said Commission, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution states that on 14th day of April, 1953, the Council adopted Ordinance No. 5553 (New Series), repealing Ordinance No. 3675 (New Series) as amended by Ordinance No. 4960 (New Series), creating a Sports Commission for the City and County of San Diego, and terminated agreement heretofore entered into with the Board of Supervisors for the creation and maintenance of said Commission; that the Council is of the opinion that said Commission rendered services of great value to the people of The City of San Diego.

RESOLUTION NO. 111847, recorded on Microfilm Roll No. 63, granting permission to Robert M. Waddell Plumbing Contractor, for Helen Keever (owner) to install and connect a 4" cast iron sewer line to serve a newly constructed house at 1911 Thomas Street, to an existing 4" cast iron sewer serving 4289 LaMonte (in one ownership); installation requested because sewer is not available except across private property and it is impossible to obtain an easement; existing line is of good cast iron and serves one small dwelling owned by petitioner-owner; subject to approval of the Engineering Department, Property Department, Inspection Department and City Manager; upon condition set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111848 - introduced under Unanimous consent and numbered at this time, but will be found later in these Minutes.

RESOLUTION NO. 111849, recorded on Microfilm Roll No. 63, granting authorization to the City Manager to issue requisition against funds appropriated by Ordinance No. 5465 (New Series) in the sum of \$6,593.60, for purchase of portion of Pueblo Lot 1258 from Arthur J. and Mildred A. Hayes, for proposed opening of portions of former San Diego Electric Railway Company Right of Way, for Fay Avenue, as shown on Engineer's Drawing No. 4783-B, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111850, recorded on Microfilm Roll No. 63, accepting subordination agreement, executed by Joseph Bacorn, beneficiary, and Southern Title & Trust Company, trustee, bearing date March 11, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 28 The Highlands, 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 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. 111851, recorded on Microfilm Roll No. 63, accepting subordination agreement executed by Joseph Bacorn, beneficiary, and Southern Title & Trust Company, trustee, bearing date March 11, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 28 The Highlands, to the right of way and easement for street 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111852, recorded on Microfilm Roll No. 63, accepting subordination agreement executed by Joseph Bacorn, beneficiary, and Southern Title and Trust Company, trustee, bearing date March 11, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 28 The Highlands, to the right of way and easement for street 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111853, recorded on Microfilm Roll No. 63, accepting subordination agreement, executed by Samuel Feller and Mary Feller, beneficiaries, and Security Title Insurance Company, trustee, bearing date March 30, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 17 Block 274 Pacific Beach, 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 Schneider, seconded by Councilman Godfrey, adopted.



4/30/53

RESOLUTION NO. 111854, recorded on Microfilm Roll No. 63, accepting subordination agreement, executed by Samuel Feller and Mary Feller, beneficiaries, and Security Title Insurance Company, trustee, bearing date March 30, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 17 Block 274 Pacific Beach, 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111855, recorded on Microfilm Roll No. 63, accepting subordination agreement executed by Wilbur W. Myers and Zelma N. Myers, beneficiary, and Union Title and Trust Company, trustee, bearing date March 20, 1953, 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 street 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111856, recorded on Microfilm Roll No. 63, accepting Deed of Eileen Shattuck, bearing date March 21, 1953, conveying Lot 54 Block H El Cerrito Heights 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111857, recorded on Microfilm Roll No. 63, accepting deed of The Roman Catholic Bishop of San Diego, bearing date April 15, 1953, conveying easement and right of way for street purposes in portion of Lot 26 and Lot 27 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. 111858, recorded on Microfilm Roll No. 63, accepting deed of Herbert R. Ackerman, bearing date April 16, 1953, conveying easement and right of way for street purposes in portion of Pueblo Lot 1774, setting aside and dedicating the same to the public use as and for a public street, and naming the same La Jolla Scenic 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. 111859, recorded on Microfilm Roll No. 63, accepting deed of Miles F. Plaine, bearing date January 16, 1953, conveying easement and right of way for public street in portion of Lot 2 New Riverside, setting aside and dedicating the same to the public use as and for a public street (not named); 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. 111860, recorded on Microfilm Roll No. 63, accepting deed of W. E. Cooper, bearing date March 12, 1953, conveying easement and right of way for public street purposes in portion of Lots A and D of Orcutt's Subdivision of Lot 1 New Riverside, setting aside and dedicating the same to the public use as and for a public street (not named); 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. 111861, recorded on Microfilm Roll No. 63, accepting deed of Henri Georges D'Estout and Rubena Esther D'Estout, bearing date January 17, 1953, conveying easement and right of way for street purposes in portion of Lot 2 New Riverside, setting aside and dedicating the same to the public use as and for a public street (not named); 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. 111862, recorded on Microfilm Roll No. 63, accepting deed of Maurice A. Dinkins and Henrietta B. Dinkins, bearing date January 8, 1953, conveying easement and right of way for street purposes in portion of Lot 28 The Highlands, 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 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. 111863, recorded on Microfilm Roll No. 63, accepting Deed of Sarah Ellen Finch and Elizabeth Van Zandt, bearing date January 12, 1953, conveying easement and right of way for street purposes in portion of Lot 48 The Highlands, 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 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. 111864, recorded on Microfilm Roll No. 63, accepting Deed of Wilbur L. Hanlon and Gwendolyn R. Hanlon, bearing date March 9, 1953, conveying easement and right of way for street purposes in portion of Lot 33 The Highlands, setting aside and dedicating the same to the public use as and for public 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. 111865, recorded on Microfilm Roll No. 63, accepting Deed of Mary G. Hatch and Jessie G. Mathews, bearing date January 15, 1953, conveying easement and right of way for street purposes in portion of Lots 31, 34 and 47 The Highlands, 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 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. 111866, recorded on Microfilm Roll No. 63, accepting Deed of D. S. LaMar, bearing date January 13, 1953, conveying easement and right of way for street purposes in portion of Lot 33 The Highlands, 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 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. 111867, recorded on Microfilm Roll No. 63, accepting Deed of D. S. LaMar, bearing date January 13, 1953, conveying easement and right of way for street purposes in portion of Lot 32 The Highlands, setting aside and dedicating the same to the public use as and for public 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. 111868, recorded on Microfilm Roll No. 63, accepting Deed of Herman Henderson and Malinda Henderson, bearing date January 8, 1953, conveying easement and right of way for street purposes in portion of Lot 28 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 Kerrigan, adopted.

RESOLUTION NO. 111869, recorded on Microfilm Roll No. 63, accepting Deed of K. L. Mark and Sylvia N. Mark bearing date February 11, 1953, conveying easement and right of way for public street purposes in portion of Lot B Orcutts Subdivision of Lot 1 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 Kerrigan, adopted.

RESOLUTION NO. 111870, recorded on Microfilm Roll No. 63, accepting Deed of W. H. Nichols and Geneva M. Nichols, bearing date March 9, 1953, conveying easement and right of way for public street purposes in portion of Lot E of Orcutt's Subdivision of Lot 1 New Riverside, setting aside and dedicating said land to the public use as and for a public 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 Kerrigan, adopted.

RESOLUTION NO. 111871, recorded on Microfilm Roll No. 63, accepting Deed of W. E. Nichols and Geneva M. Nichols, bearing date March 9, 1953, conveying easement and right of way for street purposes in portion of Lot 21 The Highlands, 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 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.

4/30/53

RESOLUTION NO. 111872, recorded on Microfilm Roll No. 63, accepting deed of Charles V. Noland and Catherine H. Noland, bearing date January 11, 1953, conveying easement and right of way for street purposes in portion of Lot 37 The Highlands, 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 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. 111873, recorded on Microfilm Roll No. 63, accepting deed of Roy D. Obert or Roy T. Obert, bearing date January 8, 1953, conveying easement and right of way for street purposes in portion of Lots 27 and 28 The Highlands, 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 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. 111874, recorded on Microfilm Roll No. 63, accepting deed of James H. Porter and Irene M. Porter, bearing date January 26, 1953, conveying easement and right of way for street purposes in portion of Lot 48 The Highlands, 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 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. 111875, recorded on Microfilm Roll No. 63, accepting deed of K. L. Rosson and Virginia L. Rosson, bearing date January 24, 1953, conveying easement and right of way for public street in portion of Lot "C" Orcutts Subdivision of Lot 1 New Riverside, 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 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. 111876, recorded on Microfilm Roll No. 63, accepting deed of San Diego Heights Company, bearing date March 11, 1953, conveying easement and right of way for street purposes in portion of Lots 25, 26, 38 The Highlands, 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 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. 111877, recorded on Microfilm Roll No. 63, accepting deed of Reginald G. Stalmer, bearing date March 2, 1953, conveying easement and right of way for street purposes in portion of Lots 5 and 6 New Riverside, 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 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. 111878, recorded on Microfilm Roll No. 63, accepting deed of John B. Starkey and May B. Starkey, bearing date January 6, 1953, conveying easement and right of way for street purposes in portion of Lots 35 and 46 The Highlands, 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 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. 111879, recorded on Microfilm Roll No. 63, accepting deed of Union Title Insurance and Trust Company, bearing date March 10, 1953, conveying easement and right of way for street purposes in portion of Lot 78 Rancho Mission of San Diego, 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 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. 111880, recorded on Microfilm Roll No. 63, accepting deed of Wayne Van Zandt and Elizabeth Van Zandt, bearing date January 12, 1953, conveying easement and right of way for street purposes in portion of Lot 48 The Highlands, 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 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. 111881, recorded on Microfilm Roll No. 63, accepting deed of Tommie Walker, bearing date January 13, 1953, conveying easement and right of way for street purposes in portion of Lot 28 The Highlands, 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 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. 111882, recorded on Microfilm Roll No. 63, accepting deed of Hugh N. Wood, Eleanor G. Wood, J. Floyd Andrews, Mary B. Andrews, bearing date March 9, 1953, conveying easement and right of way for public street purposes in portion of Lot 2 New Riverside, 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 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. 111883, recorded on Microfilm Roll No. 63, accepting deed of Robert R. Young and Jacqueline A. Young, bearing date January 6, 1953, conveying easement and right of way for street purposes in portion of Lot 37 The Highlands, 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 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. 111884, recorded on Microfilm Roll No. 63, accepting deed of Iona E. Blair, bearing date April 20, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 25 Block 274 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. 111885, recorded on Microfilm Roll No. 63, accepting deed of Larry Kunkel, Vivian S. Kunkel, Fred Weitzen Jr. and Arlene S. Weitzen, bearing date March 21, 1953, conveying for storm drain purposes portion Lot 17 Block 274 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. 111886, recorded on Microfilm Roll No. 63, accepting deed of O. O. Maurer, bearing date March 24, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 16 Block 274 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. 111887, recorded on Microfilm Roll No. 63, accepting deed of Jack Ostrow, bearing date April 10, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 54 Horton's Purchase in Ex-Mission 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. 111888, recorded on Microfilm Roll No. 63, accepting deed of Sweetwater Homes Incorporated, bearing date April 20, 1953, conveying easement and right of way for storm drain purposes in portion of Lots 392 and 393 Lomita Village 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 Schneider, seconded by Councilman Kerrigan, adopted.

8 RESOLUTION NO. 111889, recorded on Microfilm Roll No. 63, accepting deed of Wayne O. Zook and Crystal R. Zook, bearing date March 23, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 24 Block 274 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. 111890, recorded on Microfilm Roll No. 63, accepting deed of Harley L. Davis and Alberta Davis, bearing date April 7, 1953, conveying easement and right of way for water pipe line purposes in portion of Lot 122 Valle de Los Amigos; authorizing and directing the City Clerk to transmit said deed, together with two certified

4/30/53

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 Kerrigan, adopted.

The proposed Ordinance amending Chapter IV of the San Diego Municipal Code by adding Section 41.01.16 and Section 44.0370 regulating the raising of fowl and rabbits, was presented again.

Before any motion was made on the subject, the following discussion took place:

Councilman Schneider asked for the inclusion of ban against all roosters from the City.

Councilman Dail said that is not a problem on which the Council is legislating.

Councilman Kerrigan declared that if that is written into the law it does not determine that the City can legislate upon the subject.

Councilman Dail told the Council that he was concerned with the proposed inclusion of only 12 fowl.

Douglas Deaper, Deputy City Attorney, pointed that the ordinance has been all changed again. Now there is the fee matter covered in another section, he stated.

The City Manager said that when there are to be over 12 fowl, the fee is automatic.

Councilman Godfrey asked about another ordinance which had referred to the Planning Department's approval.

Allan Firestone, of the City Attorney's office, stated that the provision had been taken out of the ordinance, in that it is not thought of as a Planning Department matter.

Councilman Godfrey told the Council that the control is reasonable: referring to the Planning Department, Health Department, and the Council.

Councilman Kerrigan wondered about any maximum number on fowl in connection with commercial operation.

Councilman Godfrey said that is to be determined by the Planning Department.

Mr. Deaper told the Council that the Attorney's Office had not learned about the fee matter until last night. He said that there is reliance on the Health chapter. The solution, he stated, is not to introduce the ordinance.

Councilman Kerrigan moved to continue consideration on the proposed Ordinance until next Tuesday (May 5).

Councilman Godfrey said that the Ordinance should include situations for permits.

Councilman Wincote declared that a \$10.00/is unreasonable. It may be, he said, that the number of 12 might be raised.

Councilman Godfrey told the Council that he thought it should look into the fee proposed.

Councilmen Dail and Godfrey talked about the dairy fee.

The City Manager, commenting on the observations of Councilmen Dail and Godfrey, said that there is no dairy inspection fee.

Councilman Wincote said that there could be a different fee for backyard flocks, against commercial use.

The City Manager does not know what the inspection will cost. It will be greater at first, he stated. There is nothing on which to base the charge to the City, the Manager reported. He said that \$10.00 would be satisfactory.

Councilman Godfrey pointed out that the Council can amend the Ordinance. Provision for 12 fowl, he said, makes sense, but the \$10.00 fee is high. There should be a schedule set up, he stated.

Councilman Schneider wondered about the person who cannot observe the 50-foot proposed.

Councilmen Dail and Godfrey said that such limit would be observed.

Councilman Godfrey declared that \$1.00 would be a reasonable fee up to 30 fowl. A schedule could be set up, with \$10.00 used for commercial activity.

Councilman Dail told the Council that as soon as the Ordinance is passed, there will be a flood of permit requests for commercial raising.

Councilman Dail said that some do not have to buy feed, and that raising of small numbers could therefore be feasible.

Councilman Godfrey said that as the number of fowl increases, table scraps decrease. He stated that Councilman-elect Burgener, who will not be in office until next Tuesday, knows about the situation. He said that he thought the subject should go to conference.

One man in the audience indicated that he wanted to talk.

Councilman Wincote said that if there are only one or two, he would not be willing to hear them (since it might be a one-sided situation).

Councilman Schneider said that points would be brought up which have been raised many times, at the several discussions.

An unidentified man spoke. He said that he thought that the Council does not know of the situation. It is like trying to tell merchants how to run their businesses, he said.

Councilman Godfrey told the Council that speakers who desire to be heard should be allowed to speak. He suggested a 15-minute hearing, allocating 2 minutes to each person.

As a result of the suggestion, the Council determined to have a hearing, limiting each speaker to 2 minutes.

H. H. Jorgeson, Mission Valley Poultry Ranch, said that he can't operate his commercial poultry establishment if he would have to cut down. Twelve or twenty five chickens, he declared would not provide a living for anyone. Commercial activity is operated under the Health Department, he stated. He said that although he felt that he would not be affected by the proposed Ordinance, he wanted to know what it is all about.

Paul Latta, who said that he had been in the City since 1907, was heard next. He stated that he has been in the commercial business over 20 years. He asked questions regarding length of permit, and how he could protect his livelihood. He stated that he has 4 employees. Mr. Latta referred to the employment of those individuals, and said that the operation means a lot of business. He wants protection, he declared.

Councilman Schneider referred to many chickens kept in residence areas. If those who maintain them comply, he declared that they will not be bothered.

Councilman Dail stated that the proposed Ordinance is not intended to apply to commercial growers, when they comply.

J. H. Eaton, Sycamore Street, said that he is interested only in the sanitary angle.

Gordon Conway, attorney, told the Council that he represented several hundred back yard flock owners, and many feed dealers. He said that he felt that the Council needs to increase the number under the ordinance to 20 or 25.

Olin C. Butts, who resides on Tooley Street, said that many complaints had been made against his place, at the several hearings. Many of the neighbors who have complained have no justified complaints, he declared. He has the Planning Department's permission to operate, he told the Council. If the Ordinance is passed, Mr. Butts stated, he will have to pull buildings down and move them. He has Health approval, also, the speaker stated. In addition, he said that the Health Department can find nothing wrong. He has seen no rats in his place, and stated that making the regulation retroactive would be unjust. A portion of the operation is 32 feet from his residence, Mr. Butts stated.

Councilman Wincote stated that somebody is hurt through various changes; that cannot be avoided by the Council. Effort is being made to protect the residence areas, he stated. He declared that the City has a problem that can apply across the City.

Councilman Kerrigan expressed the belief that there is no use to include the Planning Commission, if the matter is just to be stuck on Health reasons.

Councilman Schneider read from the Ordinance regarding health permit provided on fowl and rabbits.

The Vice Mayor declared the hearing closed.

Councilman Schneider moved to place the Ordinance on its first reading.

RESOLUTION NO. 111891, recorded on Microfilm Roll No. 63, referring the proposed Ordinance amending Chapter IV of the San Diego Municipal Code by adding thereto Sections 41.01.16 and 44.0370 regulating the raising of fowl and rabbits, to Council Conference for discussion; said proposed Ordinance to be considered again at the meeting of May 5, 1953, was on motion of Councilman Wincote, seconded by Councilman Godfrey.

(The Clerk was directed to include such proposed ordinance on the agenda for the May 5, 1953 meeting.)

In connection with the next matter, the City Manager stated that it had been discussed.

ORDINANCE NO. 5576 (New Series), recorded on Microfilm Roll No. 63, amending The San Diego Municipal Code by amending Section 44.0322 thereto to provide a conclusive presumption that impounded unlicensed dogs are theretofore required to be licensed, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Absent--Mayor Butler. Nays--Councilmen None.

Said Ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to-wit: on the 23rd day of April, 1953, and on the 30th day of April, 1953.

The reading of said ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council, and that there was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy of said Ordinance.

The next matter was numbered out of order, but shown here, where it was introduced under unanimous consent granted to the City Manager. The Manager explained the matter to the Council. Mention is made of the Resolution number on page 185 of these Minutes.

RESOLUTION NO. 111848, recorded on Microfilm Roll No. 63, granting permission to General Petroleum Corporation, 2619 East 37th Street, Los Angeles 54, to install two 36-foot driveways, as measured at the top of the full-height curb, on the westerly side of Ingraham Street, between points 11 feet and 47 feet and points 80 feet and 116 feet north of the northerly line of Grand Avenue, adjacent to Lots 21 to 25 inclusive, Block 235 Pacific Beach Subdivision, subject to the conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

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

The City Manager reported verbally that application had been received from Hunt & Johnson Display Company (not filed with the Clerk) for erection of 2 signs in the form of banners to advertise the home show to be held in Balboa Park, which banners would be in place May 1 to May 21. He was bringing the request to the Council, he said, to see what the Council wished to do with it.

There was some discussion relative to Council policy in opposition to such request.

RESOLUTION NO. 111892, recorded on Microfilm Roll No. 63, denying the request of Hunt & Johnson Display Company, presented verbally by the City Manager at this meeting, for permission to hang 2 banners across the street at 6th Avenue and Laurel Street, advertising the home show in Balboa Park, May 1 to May 21, 1953, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.



There was discussion between Councilman Wincote and the City Manager relative to the City's policy for banners across streets, for non-commercial enterprises.

RESOLUTION NO. 111893, recorded on Microfilm Roll No. 63, referring to Council Conference the matter of policy relating to use of banners across streets, for non-commercial enterprises, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Councilman Swan, acting as Vice Mayor, said that he thought it surprising and out of order that oaths for members of the Council are taken in private before the City Clerk, rather than in Council Meeting at which time there is some ceremony observed.

The Clerk at this time furnished to Councilmen Clair Burgener, District No. 1; Chester H. Schneider, District No. 3; George Kerrigan, District No. 4, certificates of their election in the respective Councilmanic Districts, at the April 21, 1953, Municipal General Election.

Councilman Wincote said that he felt it would be more logical to swear in the newly-elected members of the Council at next Tuesday's meeting (being May 5, 1953; they take office May 4, 1953).

At this time the Clerk swore in the 3 Councilmen, being as shown earlier for their respective districts as shown.

Councilman Swan said that he felt it appropriate that the Councilman who retires should sing a swan song. At this time he had Orrin Cope, Assistant to the City Manager, distribute to each member of the Council and others a copy of his "Swan Song".

The Clerk then read said letter to the Council.

Councilman Schneider said that he thought it was an excellent swan song.

RESOLUTION NO. 111894, recorded on Microfilm Roll No. 63, directing the Clerk to prepare a very special scroll on the departure of Councilman Swan, expressing the Council's appreciation for his humor, interest, attention to City affairs, and his fairness, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said motion leading to adoption of Resolution No. 111894 was amended to provide for adoption of a Resolution telling these things as mentioned for the scroll.

(The City Attorney prepared a Resolution, subsequently, which is being listed on the Agenda for the Council Meeting of May 4, 1953).

Councilman Swan thanked the Council for the kind things which the members kind things they had said, and for this; his last official session.

Said Swan Song, among other things, says that Mr. Swan will miss Chet Schneider's timely conference questions on the docket and his watch-dog-of-the treasury questions; Vince Godfrey's clear-cut, concise, lawyer-like style of summing up Council discussions; Charlie Dail's congressional style of nailing down points with his pointed hand; Charlie Wincote's outstanding memory of past Council actions, as well as his sense of humor and wisecracks; George Kerrigan's special assistance to the Council on all planning Commission and zoning matters, as well as his wisecracks about the price of eggs in Africa, etc., etc.....; and Mayor Butler's broad grin and smart method of allowing the Councilmen free rein to thrash out issues before them. Among other things, it was suggested that more attention be paid to ground rules, as well as Robert's Rules which require that Councilmen speak not more than one at a time thereby practicing an important rule of courtesy, and making it easier for the presiding officer to conduct the meeting, and for the secretary to record the minutes thereof. In addition, it called for definite effort to "clear the decks" of the mounting backlog of undecided items now on the agenda. There were several other points raised, which are not gone into here. The Swan Song said in closing that it was Councilman Swan's express desire to thank the Council for the pleasant experiences given. It asked that Councilmen continue their unselfish policies to give San Diego a clean, economical, and progressive City government. In closing, it said "My prayer is that God may bless your efforts to do right by our beloved city." It was signed "Franklin F. Swan, Retiring Councilman, First District."

The following matters were removed from the Council Conference, and returned to the Clerk's office for filing:

Communication from San Diego Chamber of Commerce relative to proposed establishment of added naval facilities in the Long Beach area (and transfer of same from San Diego, etc.);

Communication from San Diego Chamber of Commerce opposing passage of Proposition K - relative to the Harbor Department - on the April 21, 1953, ballot;

Communication from San Diego Municipal Employees' Association re possible change of status of Personnel Director, etc.;

Communication from San Diego Municipal Employees' Association expressing views in the matter of outside employment for City employees.

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 11:10 o'clock A.M.

ATTEST:  
FRED W. SICK, City Clerk

By August M. Kadsman  
Deputy

John D. Butler  
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Tuesday, May 5, 1953

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey,  
Mayor Butler.  
Absent---Councilmen None.  
Clerk----Fred W. Sick

Clair W. Burgener, who had been elected a member of the City Council, from District No. 1, attended his first meeting this date, having taken office yesterday. He was welcomed to the Council by the Mayor, and introduced to those in attendance at the meeting. Mayor Butler said that he thought it a credit to the City that it receives such men to serve the public as Councilman Burgener.

Next, the Mayor introduced Councilman Chester E. Schneider, Councilmanic District No. 3, and Councilman George Kerrigan, Councilmanic District No. 4, both of whom were re-elected.

The Minutes of the Council Meetings of Tuesday, April 28, 1953, and of Thursday, April 30, 1953, were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said Minutes were approved, after which they were signed by the Mayor.

It was announced by Mayor Butler that the first order of business for this meeting was the election of a Vice Mayor.

RESOLUTION NO. 111895, recorded on Microfilm Roll No. 63, electing Councilman Charles C. Dail to serve as Vice Mayor of The City of San Diego, succeeding Councilman Franklin F. Swan, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, 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 41st Street and Broadway, within the limits and as particularly described in Resolution of Intention No. 110840, the Clerk reported that 6 bids had been received, which bids were presented to the Council. The 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 \$3,000.00, which bid was given Document No. 468563;

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 \$4,000.00, which bid was given Document No. 468564;

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. 468565;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$6,000.00, which bid was given Document No. 468566;

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. 468567;

The bid of Willard Ham, George J. Ham and Herbert R. Ham, dba Ham Brothers, accompanied by bond written by Peerless Casualty Company in the sum of \$4,700.00, which bid was given Document No. 468568.

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 was excused from the meeting~~ just before the Roll was called to refer the bids 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 Moana Drive, within the limits and as particularly described in Resolution of Intention No. 110841, the Clerk reported that 4 bids had been received, which bids were presented to the Council. The 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 \$550.00, which bid was given Document No. 468569;

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. 468570;

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. 468571;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$600.00, which bid was given Document No. 468572.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the resurfacing of various streets, under Specification No. 393, the Clerk reported that 4 bids had been received, which bids were presented to the Council. They 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 \$15,000.00, which bid was given Document No. 468558;

The bid of R. E. Hazard Contracting Company, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, which bid was given Document No. 468559;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Corporation in the sum of 10% of the aggregate of the bid, which bid was given Document No. 468560;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$13,000.00, which bid was given Document No. 468561.

Councilman Dail was excused from the meeting at this time.

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

Councilman Godfrey returned to the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the 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, the Clerk reported that one bid had been received, which bid was presented to the Council.

Said bid was opened and publicly declared. Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check written by San Diego Trust and Savings Bank in the sum of \$184.50, which bid was given Document No. 468562.

Councilman Dail returned to the meeting at this time.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 111366, 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 as particularly described in said Resolution, the Clerk reported that written protests had been received from George Pearson and Mrs. Gladys L. Pearson, and from A. E. Hougham, which protests were presented to the Council.

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

Before any protestants were heard, the City Engineer reported a 7.5% protest - on the type of paving proposed.

The following persons were heard.

Gladys Pearson, 4762 - 63rd Street, spoke about the type of paving proposed. She protested, saying that the street was only 1 block long.

The Mayor, answering Mrs. Pearson, said that has been taken into consideration.

Mrs. Pearson stated that a 7-1/2" pavement is out of all reason.

Mrs. H. C. Smith, 4794 - 63rd Street, appeared at the microphone, and said she protested. She did not elaborate on the objections.

Mrs. Pearson said again that there are only local streets.

The City Engineer reported that the soil conditions had been found by tests to be bad. Under a previous system, he said, cement should have been recommended. He told the Council that a combination petition was involved, when asked by Councilman Wincote if such was the case.

Mrs. Pearson asked for an estimate.

Councilman Wincote said that there might be less than 50%.

The City Engineer referred to 55.3% petition on Rose Street.

There was discussion over the matter of percentages, participated in by Councilmen Wincote, Dail, and the City Engineer.

Councilman Dail stated that the soil tests taken cover a large territory.

The City Engineer declared that there is not a large job involved in these proceedings. Soil tests are usually taken one in each block, he said. He said that the City cannot provide for changing the type of pavement types in various places to cover individual test areas. There are various types of soil found in the project, with a high expansion condition prevalent. Under the present proceedings, he said, there would be a saving of about 5¢ a square foot over the specifications provided in the previous system.

Andres Canales asked if all the streets are included in one job. He said that he lives on Rose Street. The street is in bad shape, he told the Council and said that he is anxious to get the work.

An unidentified man (who later gave his name as Bruha), 4838 Millar Street, was heard. He said that while he is in favor of the improvement he would like to have a cheaper type, but is willing to take whatever is recommended.

Councilman Dail stated that the City Engineer's statement in regard to soil tests is considered. Other methods can be used, he declared. He wondered about the University of California tests and investigations to be made on the subject.

Councilman Wincote stated that he is willing to decide the matter today, and told the Council that hassels should be avoided.

Councilman Dail said that the Council should have a conference, on the pavement types.



The City Manager told the Council that he has the report from the University of California, referred to by Councilman Dail, on his desk.

RESOLUTION NO. 111896, recorded on Microfilm Roll No. 63, overruling and denying the protest of Gladys L. Pearson and George Pearson, the protest of A. E. Houghman, verbal protests of Mrs. Myrtle T. Smith, Andres Conales, Rose Street, against 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 as particularly described in Resolution of Intention No. 111366, 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, for paving etc. of Winchester Street, Calle Serena, Calle Aguadulce, Calle Tocon, Cumberland Street, Roanoke Street, and Albemarle Street - under Resolution of Intention No. 111367 - 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 preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 111372 of Preliminary Determination - which had been continued to this date from the meeting of April 28, 1953 - Councilman Kerrigan pointed out that the hearing under consideration at this time is for the purpose of the Council seeing of the City is to go under the Debt Limitation Act.

The Mayor stated that as long as both sides of the question having to do with the improvement were represented, that the Council should hear all phases.

Councilman Wincote said that the Council had asked the Engineer for soil tests.

The City Engineer reported a 4.8% protest, then said that the soil tests were "poor" and "fair".

Councilman Dail said that there were additional protests, held in the audience, which are available for filing with the Council.

Lawrence V. Perry presented a petition of protest. He read the protest, which he said had about 100 properties represented, by 70 signatures.

The Mayor stated that the Council is conferring on the general problem, and that a determination will be made soon.

Mr. Perry said he was of the belief that only 30% is on the petition now. Councilman Kerrigan said that the hearing was held last week on the debt limitation.

The Mayor said that if there is a majority protest, the job would be thrown out on a petition based on suasion. He said that there is no sense of putting the City to the cost of running the proceedings if it is the will of a majority of the property owners to throw it out.

Councilman Wincote stated that if property owners want the improvement out at the next hearing, the Council can abandon the proceedings then.

Councilman Schneider told about the old petition. Councilman Dail spoke about the improvement not necessarily revolving around the present specifications. Quite a few persons do not want any paving he stated. Then he referred to a 1950 pamphlet regarding paving costs.

Mr. Perry told the Council that he is confused. He said that he had been informed that property owners would have plenty of opportunity to be heard.

The Mayor said that they will still have the opportunity to be heard. Councilman Kerrigan said that there will only be time saved on this hearing. He said that it would take an additional 3 months to make a determination, based upon reports concerning individual costs.

Councilman Wincote wondered if the petition of protest could be picked up and presented at the next hearing. The petition, as of today, he said is persuasive only. (The original hearing was held a week ago.)

Mr. Perry said that he wants the petition on record. Mr. Deaper told the Council that "this protest" can be withdrawn, or filed. Mr. Perry said, again, that he wants it filed in the proceedings.

The Mayor said that property owners' rights will be protected. Councilman Godfrey said that people who want the paving can also bring in a persuasive petition.

There was discussion among members of the Council over the number of hearings held in a proceeding.

The Mayor stated that property owners should be on record if they do or do not want the work done.

Mr. Perry told the Council that he does not know how the Council can go ahead, in face of his petition of protest. The original petition, he declared, is null and void.

Mr. Deaper pointed out that at the present time the Council is not operating under the 1911 Act. To determine that point is the question now, he stated. At the Resolution of Intention hearing, he said, it can be determined.

The Mayor advised Mr. Perry to withdraw the petition of protest, which he had handed in and was being studied by Councilman Dail. (The petition was returned to Mr. Dail.)

Mr. Childs, who did not give his first name or initials, who had appeared last week in favor of the improvement, asked about the bids.

The City Engineer pointed out that there have been no bids. He gave Mr. Childs a verbal estimate of costs for the assessment. The paving only, he stated, is the only paving to go in; sidewalks and curbs are installed now.

The Mayor pointed out that only estimates had been given by the City Engineer. He emphasized that the final figures can be either up or down.

Mr. Childs asked if the estimates are made public.

The City Engineer stated that he will give estimates to any property owner who asks for it. He questioned the petition of protest and the cost of reports in connection therewith. That was not made a part of the record, inasmuch as it did not seem to have to do with the merits of the case.

The City Engineer clarified the figures which he had given. He corrected the matter by saying that there is a difference where property is on the long side, parallel to the pavement.

There was discussion between the City Engineer, the Council, and a Mrs. Dominguez, who was brought to the microphone by Mr. Childs.

Mr. Childs then indulged in what appeared to be a court procedure in that he brought several witnesses to the microphone, questioned them, and had statements made to the Council. The names of the speakers and their views were not taken by the Clerk, inasmuch as not felt that Mr. Childs' conduct of a hearing on his part was legally a part of the record. Mr. Childs then said that misrepresentations had been made by Mr. Perry when his petition of protest was circulated. He asked the Council to continue with the improvement under the original petition.

The Mayor said that the Council was not going to resolve the controversy at this time. He told of the things that can be done, as provided for in the legal steps set up under the improvement act. He said, also, that he felt it might be well to poll the district by post card, to determine property owners' wishes, based upon cost estimates - prior to the next hearing. He told the Council that the protests should be overruled now; then proceed to the next hearing, at which time protestants could be heard on that step of the proceedings.

Mr. Perry, referring to the presentation made by Mr. Childs, and accusations made against him, said that he wanted to present witnesses as to his character.

The Mayor pointed out that this is not a court of law (although Mr. Childs had proceeded in that manner.)

Councilman Godfrey declared that the protest petition "is nothing".

James O. Whaley, who resides on South 37th Street, was heard next. He said that statements made by Mr. Perry about owners who had moved out are not true. He referred to the City Engineer's statements on the estimate. False information, he stated, has been circulated in an effort to stop the proceedings. He told in some detail what had been told to him by the City Engineer, relative to type and cost. He stated that he favored going on through the steps leading to the improvement. Many, he declared, want the streets involved paved, despite the petition of protest and statements to the contrary.

The Mayor said, again, that the Engineer should poll the neighborhood to determine wishes of the property owners.

Councilman Dail stated that the Perry petition cannot be applied to the next hearing, but that the Council can consider protests at that time, but not the Perry petition at a future hearing.

Councilman Wincote asked about the original percentage on the petition asking for the improvement.

Before the City Engineer could answer from the record, Mr. Childs stated that the original petition percentage is 73.3.

Councilman Wincote said that he does not favor the post card poll, and referred to previous experience of the Council using that method.

Councilman Godfrey declared that great benefits would result from the post card poll, and stated that it would show for the Council's benefit accurate information and the current opinion.

Councilman Wincote declared that post card polls are not satisfactory, and said that only 40% or 50% replies are received, which is no clear cut indication of what is desired.

Councilman Godfrey said that he thought what with the great interest in the improvement, there would be good results brought in.

W. Bert Ritchey referred to the legally-circulated petition for the paving. The petition should be acted upon, he stated. The second petition, Mr. Ritchey declared, had been secured through false representation. He said that he felt the City should not waste time, but that the originals should be acted upon. He stated that he believed the second petition (of protest) should be thrown out, and that the cards should not be sent.

Councilman Godfrey said that the original petition is a legal petition, and talked about throwing out the inaccurate (Perry) petition of protest.

Mr. McWilliams, who did not give his first name or initials, and resides on 37th Street, was heard. He, also, declared that the original petition is legal. Protestants should carry the burden of proof, he stated. A poll would not change the original petition, Mr. McWilliams declared. He, too, spoke about misrepresentations which had been made about costs in connection with the circulation of the protest petition.

RESOLUTION NO. 111897, recorded on Microfilm Roll No. 63, overruling and denying the verbal protests made against the proposed improvement of 37th Street, T Street, Jewell Drive, within the limits and as particularly described in Resolution No. 111372 of Preliminary Determination, overruling and denying all other protests thereon; determining that the proposed improvement 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 Kerrigan, adopted.

RESOLUTION NO. 111898, recorded on Microfilm Roll No. 63, of feasibility in connection with the proposed improvement of 37th Street, T Street, Jewell Drive, within the limits and as particularly described in Resolution No. 111372 of Preliminary Preliminary, and providing for 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.

(See further discussion on this same subject on the next page.)



Although two rolls had been called, and Resolutions Nos. 111897 and 111898 adopted, the following persons were heard, and more discussion was had on the petition for said improvement of 37th Street, T Street, Jewell Drive.

Mr. Deaper stated that he believes the petition of protest first handed in by Lawrence V. Perry, then withdrawn by him, cannot be considered. He would need to file a new petition of protest, in order to receive Council consideration, Mr. Deaper said.

Councilman Dail agreed, and said that another petition only could be considered by the Council, and that the Perry petition is not legal.

There was discussion between Councilman Dail and Mr. Perry on that point.

The Mayor said that there should be a petition of protest, with no qualifications included.

Next, there was discussion between Councilman Wincote and Mr. Perry over the cost. The City Engineer was drawn into that discussion, over the cost estimate, at which time the Engineer again reviewed the cost.

E. E. Padilla, 37th Street and T Street, spoke. He said that inasmuch as he owns a corner lot he knows the assessment will be higher than the average. He told about the high costs on some of the other jobs.

The Mayor suggested to Mr. Padilla that he check with the Engineer on his proposed cost.

The City Engineer stated that the corner lots will get a greater assessment than the estimate which he gave earlier - which applied to the regular inside lots. He asked Mr. Padilla to come to his office.

A Mrs. Whaley, whose first name or initials or address were not given, spoke next. She referred to the previous petitions, and asked for action today.

The Mayor replied that the Council has taken action.

No further action was taken at this time, and the hearing was concluded.

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 ornamental street lights located on streets in Talmadge Park Lighting District 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 presented.

RESOLUTION NO. 111899, recorded on Microfilm Roll No. 63, confirming and adopting as a whole the Engineer's Report and Assessment for Talmadge Park Lighting District No. 2, filed in the office of the City Clerk March 27, 1953, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance amending The San Diego Municipal Code by amending Sections 91.01 and 91.02 and by renumbering Section 21.02.2 and by adding a new section to be known as and numbered 91.05.01, and by repealing Sections 91.02.1 and 91.03 - all having to do with the Uniform Building Code, was presented.

Councilman Kerrigan said that the proposed Ordinance should be continued, regarding some typographical errors, which need to be corrected.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said hearing was continued one week (To be introduced in ordinance form at that time, containing the corrections.)

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance approving and adopting the proposed amendment to Rules of the Civil Service, relative to employment or enterprise (outside) by City employees, the Mayor announced that the Council has met on the matter in Conference but is not ready to adopt it at this time.

Councilman Kerrigan moved that the matter be continued one week.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the proposed Ordinance was continued to the afternoon session, this date.

Petition of First District, Department of California Veterans of Foreign Wars of the United States, 8512 Golden Avenue, Lemon Grove, California, signed by B. C. Hesser, requesting permission for local units to sell Buddy Poppies on the streets, May 22 and 23, 1953, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, 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 furnishing Bulk Ferric Sulfate for water purification for period of 6 months beginning May 1, 1953 - approximately 200 tons - received April 28, 1953, was presented. Said report states that Stauffer Chemical Company was the sole bidder, \$56.00 per ton, f.o.b. Alvarado Filtration Plant, that bid proposals were sent to 7 prospective bidders. It states that the price quoted is identical with price paid on the City's expiring contract, and it recommends award.

RESOLUTION NO. 111900, recorded on Microfilm Roll No. 63, accepting bid of Stauffer Chemical Company for furnishing The City's requirements of Bulk Ferric Sulfate for a period of six months beginning May 1; awarding contract, authorizing and instructing the City Manager to execute the same on behalf of The City of San Diego pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.



Communication from the City Engineer, bearing the City Manager's stamp of approval, reporting on bids received April 21, 1953, for sewer replacement in Arizona Canyon from Upas Street southwesterly of Arnold Avenue, was presented. The report recommends acceptance of the low bid of Cameron Bros. Constr. Co. of \$17,026.70 - 43.2% below the estimate - was presented.

RESOLUTION NO. 111901, recorded on Microfilm Roll No. 63, accepting bid of Cameron Bros. Constr. Co., a co-partnership, for construction of Sewer Replacement in Arizona Canyon from Upas Street southwesterly of Arnold Avenue; rejecting all other bids received therefor; awarding contract, authorizing and empowering the City Manager to execute the same for and on behalf of the City of San Diego, upon execution, delivery, filing and approval of bonds required, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, reporting on bids received April 21, 1953, for improvement of Elm Street between Grove Street and 31st Street, was presented. Said report recommends acceptance of the low bid of Daley Corp. in the sum of \$31,797.55 - 17.8% above the estimate - was presented.

RESOLUTION NO. 111902, recorded on Microfilm Roll No. 63, accepting bid of Daley Corporation for the improvement of portion of Elm Street; rejecting all other bids received therefor; awarding contract, authorizing and empowering the City Manager to execute the same for and on behalf of The City of San Diego, upon execution, delivery, filing and approval of bonds required, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

In connection with the next Resolution, no report from the Purchasing Agent or City Engineer accompanied the same.

RESOLUTION NO. 111903, recorded on Microfilm Roll No. 63, accepting bid of Daley Corporation for grading and drainage of the East San Diego Park and Community Recreation Center - at the unit prices which amount to a total estimated \$23,513.19 - authorizing the City Manager to enter into contract for said work, upon execution by said Corporation of said contract, and upon execution, delivery, filing and approval of bonds required, 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 the Purchasing Agent to advertise for bids for 20,000 ft. Class 150 6" Asbestos Cement Pipe for the storeroom, was presented.

RESOLUTION NO. 111904, recorded on Microfilm Roll No. 63, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 20,000 ft. Class 150 6" Asbestos Cement Pipe, in accordance with Document No. 468343, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, presenting Resolution authorizing advertising for bids for 1 Combination Bag Flattener and Elevator, and 1 Bag Filling Machine for the Sewage Treatment Works, was presented.

RESOLUTION NO. 111905, recorded on Microfilm Roll No. 63, authorizing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 Combination Bag Flattener and Elevator, and 1 Bag Filling Machine, on file in the office of the City Clerk under Document No. 468346 in accordance with specifications was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent presenting Resolution authorizing bids for the City's requirements of Liquid Chlorine for water purification and for sewage treatment, for one year commencing July 1, 1953 - which communication bears the City Manager's stamp of approval - was presented.

RESOLUTION NO. 111906, recorded on Microfilm Roll No. 63, authorizing and directing the Purchasing Agent to advertise for sealed proposals for bids for the furnishing the City's requirements of Liquid Chlorine for water purification and for sewage treatment, for a period of one year commencing July 1, 1953, in accordance with Document No. 468349, 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 one Power Driven Hydraulic Controlled Concrete Breaker for the Public Works Department, was presented.

RESOLUTION NO. 111907, recorded on Microfilm Roll No. 63, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing one Power Driven Hydraulic Controlled Concrete Breaker, in accordance with Document No. 468352, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111908, recorded on Microfilm Roll No. 63, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for small water main replacements Group No. VI, 1952-53, bearing Document No. 468378; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids in accordance with plans and specifications, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, presenting petition to Rezone Lots 37 and 38 and 47 through 54 Chester Square from R-1 to R-2 which was unanimously approved by the Planning Commission at its regular meeting on April 22. It states that the tier of lots lies between R-4 zone on the north and R-1 zone on the south, located on the west side of Euclid Avenue and the north side of Beech Street. It states that property in the R-1 Zone on the south side of Beech Street has been granted a zone variance for construction of a church. The communication recommends that the City Attorney's office draft a proper ordinance prior to setting for public hearing before the Council.

RESOLUTION NO. 111909, recorded on Microfilm Roll No. 63, adopting recommendation of the City Planning Commission for rezoning Lots 37 and 38 and 47 through 54 in Chester Square from R-1 to R-2 Zone; directing the City Attorney to prepare and present to the Council the necessary ordinance making said change, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, presenting recommendation for rezoning of an area from R-1 to R-2 in petition which is about one-half mile east of the proposed North Shopping Center in Clairemont, on the easterly extension and presently the termination of Clairemont Mesa Boulevard - being portions of P.L. 1235 and C.C.C. Tatum's Bay Hills Mesa (Clairemont Manor Unit No. 3) from R-1 to R-2 Zones, was presented. The report states that the property is presently about 5 miles from the major shopping center in Pacific Beach, but only about one-half mile from the site of the major shopping center tentatively labeled "North Clairemont Shopping Center". It says that the Planning Commission originally considered the application to rezone 55 lots to R-2, but questioned the advisability in view of a much easier housing situation and continued the matter for study; then recommended that only 23 lots abutting Clairemont Drive on both sides be rezoned, but that the Ordinance should not be effective until the Final Subdivision Map of Clairemont Manor Unit No. 3 is filed of record, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on area proposed to be zoned in the recent annexation to the City at the northwest corner of 67th Street and Montezuma Road, with a small parcel lying on the south side of Montezuma Road just west of its intersection with El Cajon Boulevard, which had previously surrounded by the City, was recommended. The report states that the Planning Commission voted 5-0 to zone the property in accordance with the attached drawing B-534.

RESOLUTION NO. 111911, recorded on Microfilm Roll No. 63, adopting recommendation of the Planning Commission for zoning Lot 32 and portion Lot 33 La Mesa Colony, into R-1, R-2 and RC Zones; directing the City Attorney to prepare and present to the Council the necessary ordinance making said zoning, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on proposed rezoning of 79 lots from R-1 to R-2 in Lomita Village Unit No. 5, adjacent to proposed business center at Jamacha Road and Cardiff. The report stated that the property is surrounded by R-1 zoning generally, excepting portion adjacent to the north in the county, which is R-2B. It states that the R-2B zone requires a lot deeper than 125 feet before 2 houses can be built. In addition, the report points out that it is proposed re-subdivision of Lots 1-9 Block B Narragansett, now in R-1 zone. The communication states that the Planning Commission voted 5-0 to rezone said property, but that in no case should it become effective until after the filing of the Final Subdivision Map of Lomita Village No. 5. The report recommended forwarding to the City Attorney's Office for drafting of the proper ordinance to rezone the property, prior to setting for a public hearing.

RESOLUTION NO. 111912, recorded on Microfilm Roll No. 63, adopting recommendation of the Planning Commission for zoning of 79 lots from the existing R-1 to R-2 in Lomita Village Unit No. 5, a resubdivision of portion of Block B Narragansett; directing the City Attorney to prepare and present the necessary Ordinance, said ordinance not to be effective until after the filing of the final Subdivision Map of Lomita Village No. 5 is filed for record, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on application to rezone from R-2 to C Zone property in Block 36 Marilou Park, near the intersection of Home Avenue and Federal Boulevard, being surrounded by A, Ash, Parrot and 38th Streets, was presented. The report states that none of the streets is improved, and "A" Street, the only approach to the property is not improved; there are no curbs or sidewalks on any of the abutting streets. It says that the block immediately to the east was zoned for commercial use May 3, 1951, when occupied by a large number of stored automobiles, that the cars are no longer there and the land is vacant. None of the C Zoning in the vicinity is used for commercial purposes, it states. It report states that Henry J. Waters, the owner and petitioner, has stated he is owner of the Nehi Bottling Company at 18th and C Streets, that the business is too large for the existing

building, that it is poorly adopted for a bottling plant, and that he proposes building a new bottling plant on said property. It states, further, that Mr. Waters understands that if the zone change is granted he would have to seek a zone variance in order to build a zoning plant, and that he has stated he must then have the existing public alley closed in order to build the plant. The report points out that Mr. Waters has given no valid reason for the change, and that he was looking for cheap land on which to build his bottling works and that is the reason why he chose said property. Also, it states, Mr. Waters stated that Block 42 adjacent to the property, which abuts Home Avenue, was too high prices. Stating that there are many reasons for making such recommendations, the Commission outlined them in recommending denial.

Accompanying said Recommendation was communication from Henry J. Waters, dated April 29, 1953, requesting that a hearing on said matter be scheduled to take place after May 11, 1953.

RESOLUTION NO. 111913, recorded on Microfilm Roll No. 63, requesting the City Attorney to prepare and present an Ordinance to rezone from the present R-2 Zone to C Zone all of Block 36 Marilou Park; setting a hearing for the hour of 10:00 o'clock A.M., Tuesday, May 19, 1953, on said proposed Ordinance, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, reporting on petition of Violet Johnston for dedication of the Alley adjacent to Lots 1 through 7 Block 78 Ocean Beach, offering dedication of an additional 20 feet to provide a 40-foot street, was presented. It recommended approval of the dedication subject to the owner installing sewer and water mains as required by the City Engineer.

RESOLUTION NO. 111914, recorded on Microfilm Roll No. 63, adopting recommendation of the City Planning Commission, filed in the office of the City Clerk under Document No. 468356 for acceptance of land adjacent to Lots 1 through 7 Block 78 Ocean Beach, to provide a 40-foot street - to be granted by Violet Johnson - subject to the owner installing sewer and water mains as required by the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Director, forwarding opinion copy of the City Attorney, dated April 28, regarding application of front yard setback provisions of the Municipal Code Section 101.0606 as they apply to square lots in square blocks found throughout the La Playa section, and suggesting that the City Attorney's office prepare amendment to cover the condition, was presented.

RESOLUTION NO. 111915, recorded on Microfilm Roll No. 63, requesting the City Attorney to prepare and present an ordinance amending the San Diego Municipal Code (Section 101.0606) as set out in opinion of the City Attorney dated April 28, 1953 - attached to communication from the Planning Director - on front yard and setback provisions as they apply to square lots in square blocks as found throughout the La Playa section, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Commandant's Office, Eleventh Naval District, San Diego 30, California, dated 29 Apr 1953, signed by J. W. Roper, Rear Admiral, U.S. Navy, Commandant, was presented. Said communication states that under date of August 24, 1937, the Council adopted Ordinance No. 1227 (New Series) granting to the United States of America an easement and right of way for a period of 15 years, for construction, operation and maintenance of water pipeline and appurtenances in portion of Pueblo Lot 1311 to serve the Weapons Training Battalion, Camp Matthews, Marine Corps Recruit Depot, San Diego. In addition, it states that since authorization which expired September 24, 1953, and requirement for further continuance for an indefinite period, it is requested that a new ordinance be adopted to permit the Govern's continued right of use, as shown on attached print.

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

Communication from Johnson Western Constructors, signed by M. D. Bowler, Office Manager, requesting the granting of approval in connection with overtime on the work under construction of Drucker's Subdivision Sewage Pumping Station, pressure sewer line and appurtenances - Extra Work change order No. 1 - was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication, with documents attached, were referred to the City Manager.

Communication from Mortician's Service Bureau, Suite 604 New California Building, San Diego, referring to communication from the City Clerk reporting on letter of March 23 protesting charge by the Health Department for issuance of burial and/or removal permits, which stated that the original letter had been filed, was presented. Said communication gives reasons why the charge should not be made.

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

RESOLUTION NO. 111916, recorded on Microfilm Roll No. 63, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 5 Ocean Beach, and the Alley in Block 24 Ocean Beach, filed in the office of the City Clerk under Document No. 467754; approving Plat No. 2432 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 Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.



RESOLUTION NO. 111917, recorded on Microfilm Roll No. 63, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Scott Street, Ingelow Street, and Jarvis Street, filed in the office of the City Clerk under Document No. 467160; approving Plat No. 2406 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, upon passage of the Resolution of Intention, in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111918, recorded on Microfilm Roll No. 63, approving plans, drawings, typical cross-sections, profiles and specifications for the installation of sewer mains in portions of Plantano Street, Castana Street, Nogal Street, Esquela Street, Cereza Street, Imperial Avenue, and Public Rights of Way in Lots 109 and 110, 60 to 65 inclusive, 51 to 57 inclusive, 70 to 86 inclusive Sunshine Gardens, filed in the office of the City Clerk under Document No. 467965; approving Plat No. 2436 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 Wincote, adopted.

RESOLUTION ORDERING WORK NO. 111919, recorded on Microfilm Roll No. 63, for the paving and otherwise improving of Keats Street and Scott Street, within the limits and as particularly described in Resolution of Intention No. 111209, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111920, recorded on Microfilm Roll No. 63, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 1, for a period of one year from and including March 1, 1953 to and including February 28, 1954, in strict accordance with plans and specifications contained in document entitled "Engineer's Report and Assessment for Talmadge Park Lighting District No. 1" filed March 13, 1953 in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 111921, recorded on Microfilm Roll No. 63, 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 Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 111922, recorded on Microfilm Roll No. 63, for the paving and otherwise improving of the Alley in Block 80 City Heights, and Dwight 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. 111923, recorded on Microfilm Roll No. 63, for the paving and otherwise improving of Jennings Street, Albion Street and Silvergate Avenue, 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. 111924, recorded on Microfilm Roll No. 63, for the paving and otherwise improving of Monte Vista Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 111925, recorded on Microfilm Roll No. 63, for installation of sewers, the paving and otherwise improving of the Alleys in Blocks 5 and 24 Ocean Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 111926, recorded on Microfilm Roll No. 63, for the paving and otherwise improving of Scott Street, Ingelow Street, and Jarvis Street, 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. 111927, recorded on Microfilm Roll No. 63, for the installation of sewer mains and appurtenances in Plantano Street, Castana Street, Nogal Street, Escuela Street, Cereza Street, Imperial 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 Schneider, adopted.

RESOLUTION NO. 111928, recorded on Microfilm Roll No. 63, ascertaining and declaring the Wage Scale for the paving and otherwise improving of the Alley in Block 58 H. M. Higgins' Addition, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111929, recorded on Microfilm Roll No. 63, ascertaining and declaring the Wage Scale for the paving and otherwise improving of El Paseo Grande, Calle Clara, Vallecitos, Calle Frescota, the Alleys in Blocks 9 and 12 La Jolla Shores Unit No. 1, the Southerly Alley in Block 34 La Jolla Shores Unit No. 6, La Vereda, Public Land being portion of Kellogg Park, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111930, recorded on Microfilm Roll No. 63, ascertaining and declaring the Wage Scale for the paving and otherwise improving of Franklin Avenue and Commercial Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111931, recorded on Microfilm Roll No. 63, ascertaining and declaring the Wage Scale for the paving and otherwise improving of Reed Avenue, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111932, recorded on Microfilm Roll No. 63, approving the diagram of the property affected or benefited by the work of improvement to be done on the installation of sewer mains in Torrey Pines Road, Blue Bird Lane, Virginia Way, Soledad Avenue, Amalfi Street, Charlotte Street, et al., was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111933, recorded on Microfilm Roll No. 63, approving diagram of the property affected and benefited by the work and improvement on 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, within the limits and as particularly described in Resolution of Intention No. 109063 and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111934, recorded on Microfilm Roll No. 63, 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 portions of Frankfort Street, Erie Street and Denver Street, within the limits and as more particularly described in Resolution of Intention No. 106324 and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111935, recorded on Microfilm Roll No. 63, 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 Steel Street, Gillette Street, 33rd Street and Imperial Avenue, within the limits and as particularly described in Resolution of Intention No. 109909 and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111936, recorded on Microfilm Roll No. 63, authorizing the City Engineer to amend proceedings for improvement of the Alley in Block 9 La Jolla Park, in accordance with his recommendation filed in the office of the City Clerk April 27, 1953, under Document No. 467966, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111937, recorded on Microfilm Roll No. 63, authorizing the City Engineer to amend proceedings for improvement of portions of Dawes Street and Opal Street, in accordance with his recommendation filed in the office of the City Clerk April 27, 1953, under Document No. 467967, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111938, recorded on Microfilm Roll No. 63, granting petition contained in Document No. 466785 for the paving and otherwise improving of Keating 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; said work to include

5/5/53 203

installation of drainage structures in Linwood Street, if required; directing the City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 103524, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111939, recorded on Microfilm Roll No. 63, granting petition contained in Document No. 466730 for the paving and otherwise improving of 72nd 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; directing the City Engineer to consolidate said Assessment District with the assessment district heretofore ordered by Resolution No. 111277 for the improvement of Mohawk Street, 71st Street and 72nd Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111940, recorded on Microfilm Roll No. 63, granting petitions contained in Documents numbered 466670 and 466896 for the paving and otherwise improving of the Alleys in Blocks 88 and 76 Ocean Beach; 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 and to be assessed to pay the costs, damages and expenses of the paving thereof and otherwise improving, if required, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111941, recorded on Microfilm Roll No. 63, granting petition contained in Document No. 466967 for the paving and otherwise improving of the Alley in Block 67 Park Villas; 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, including construction of drainage structures on or across the westerly half of said block and in portions of Villa Terrace if required, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111942, recorded on Microfilm Roll No. 63, granting petition contained in Document No. 466969 for the paving and otherwise improving of the Alley in Block 176 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 thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111943, recorded on Microfilm Roll No. 63, granting petition for the paving and otherwise improving of portion of Alleghany 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, including any necessary portion of Sea Breeze Drive, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111944, recorded on Microfilm Roll No. 63, granting petition contained in Document No. 466968 for the paving and otherwise improving of Everts Street; directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the said improvement, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111945, recorded on Microfilm Roll No. 63, granting petition contained in Document No. 450992 for the paving and otherwise improving of Logan 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 said improvement, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111946, recorded on Microfilm Roll No. 63, establishing a parking time limit of two hours, between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted:

Fifth Avenue, between the north line of Spruce Street and the south line of Thorn Street;

Kettner Boulevard, between the northerly line of Fir Street and southerly line of Grape Street;

Establishing parking meter zones on said streets; authorizing and directing the City Manager to cause parking meters to be installed and cause parking meter spaces to be designated on said streets; authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111947, recorded on Microfilm Roll No. 63, authorizing and empowering the City Manager to do all the work in connection with the construction of



extensions to the culverts in Block 457 Subdivision of part of East 1/2 of Pueblo Lot 1122, across Lots Nos. 28 to 31 inclusive, shown on City Engineer's Drawing 4878-B, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

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

RESOLUTION NO. 111948, recorded on Microfilm Roll No. 63, authorizing and empowering the City Manager to do all the work in connection with the removal of 60 Trolley Poles from City streets, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

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

RESOLUTION NO. 111949, recorded on Microfilm Roll No. 63, authorizing and directing the City Manager to enter into supplementary agreement with the County of San Diego to amend Agreement between the City and said County, entered into on the 2nd day of December, 1941, on file in the Office of the City Clerk under Document No. 335302, providing for furnishing to the County quarters for one department of the San Diego Municipal Court; said supplementary agreement to be in the form of Supplementary Agreement for Rental of Quarters on file in the Office of the City Clerk as Document No. 468365, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111950, recorded on Microfilm Roll No. 63, authorizing and empowering the City Manager to enter into extension agreement with Fred B. Mitchell Company whereby the term of the lease for rental of premises for Mission Hills Branch Library entered into between the City and Heller Investment Company on the 28th day of July, 1950, filed with the City Clerk August 3, 1950 as Document No. 421215 is extended for a period of 17 months, to and including the 31st day of December, 1954, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Said Resolution recites that on July 28, 1950, The City and Heller Investment Company entered into lease agreement for rental of premises known as 908 West Washington Street, for Mission Hills Branch Library, filed in the office of the City Clerk as Document No. 421215, that the lease agreement has expired and the lease should be renewed and extended; that since execution of said lease agreement, Fred B. Mitchell Company, assignee of Heller Investment Company, and the City have agreed that said lease should be extended upon the same terms and conditions for an additional period to and including December 31, 1954.

RESOLUTION NO. 111951, recorded on Microfilm Roll No. 63, granting revocable permission to Buell-Town Investment Company to install fire escape steps which will overhang public property, at 237 Fifth Avenue, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 111952, recorded on Microfilm Roll No. 63, granting permission to Shell Oil Company, 1344 Crosby Street, San Diego 13, to install a driveway widening the existing driveway on the west side of Front Street, south of Ash Street by ten feet, providing a 40-foot driveway between points 12 and 52 feet south of the south line of Ash Street, adjacent to the north 75 feet of Block 196-1/4 Horton's Addition, subject to conditions set forth therein, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 111953, recorded on Microfilm Roll No. 63, expressing for the Council and on behalf of the Citizens of The City of San Diego, the highest recommendation for the faithful and meritorious public service of Franklin F. Swan, who has retired from public office after having served four years as City Councilman for the First District and one year as Vice Mayor, offering the Council's appreciation both of his efforts and his interests in The City of San Diego, as well as his fine personal qualities, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 111954, recorded on Microfilm Roll No. 63, accepting deed of Reuben Jaffe and Louise M. Jaffe, husband and wife, and Sidney Jaffe and Gladys M. Jaffe, husband and wife, 6116 El Cajon Boulevard, San Diego 15, 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 Piedmont Estates, being a subdivision of all of Lot 19 and portion of Lot 20 East Redlands, 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 Burgener, adopted.

ORDINANCE NO. 5577 (New Series), recorded on Microfilm Roll No. 63, appropriating \$8,800.00 from the Unappropriated Balance Fund, and transferring the same to Maintenance and Support, Department 15.00, Police Department Fund, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilmen None.

Said Ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to-wit: on the 28th day of April, 1953, and on the 5th day of May, 1953.

The reading of said Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council, and there was available for consideration of each member of the Council prior to the day of its final passage written or printed copy.

ORDINANCE NO. 5578 (New Series), recorded on Microfilm Roll No. 63, appropriating the sum of \$5,200.00 from the Unappropriated Balance Fund, and transferring the same to Outlay, Department 16.00, Fire Department Fund, for the purpose of providing funds to cover the price increases to complete purchase of two pieces of fire apparatus, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Said Ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to-wit: on the 28th day of April, 1953, and on the 5th day of May, 1953.

The reading of said Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council, and there was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5579 (New Series), recorded on Microfilm Roll No. 63, appropriating the sum of \$100.00 from the Capital Outlay Fund for the purpose of providing additional funds in addition to funds heretofore appropriated by Ordinance No. 5155 (New Series) for widening the road to the Organ Pavilion in Balboa Park, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Said Ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to-wit: on the 28th day of April, 1953, and on the 5th day of May, 1953.

The reading of said Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council, and there was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5580 (New Series), recorded on Microfilm Roll No. 63, amending the San Diego Municipal Code by amending Section 102.20 regulating the recording of Subdivision Maps, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Said Ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to-wit: on the 28th day of April, 1953, and on the 5th day of May, 1953.

The reading of said Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council, and there was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5581 (New Series), recorded on Microfilm Roll No. 63, changing the name of a portion of Martin to Wabash Boulevard, as more particularly described in said Ordinance, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Said Ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to-wit: on the 28th day of April, 1953, and on the 5th day of May, 1953.

The reading of said Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council, and there was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

Proposed Ordinance appropriating the sum of \$35,000.00 from the Capital Outlay Fund, for the purpose of providing funds for the improvement of Elm Street, was introduced.

Proposed Ordinance appropriating the sum of \$18,700.00, from the Capital Outlay Fund, for the purpose of providing funds to construct a sewer replacement in Arizona Street Canyon, was introduced.

Proposed Ordinance appropriating the sum of \$4,530.00 from the Capital Outlay Fund, for the purpose of providing funds to pay the City's share of the cost of a Sewer Extension Connecting Vista Park and Tecolote Canyon Trunk Sewer, was introduced.

In connection with the next matter, the City Manager told the Council that the Ordinance provides for increased charge by the City for Fire Hydrant Service.

Proposed Ordinance amending Section 67.58 of The San Diego Municipal Code Regulating Water Rates for Fire Hydrant Service (including maintenance of the hydrant and water used therethrough for fire extinguishing purpose), was introduced.

Proposed Ordinance amending Chapter IV of the San Diego Municipal Code by adding thereto Sections 41.01.16, 42.0708 and 42.0709 Regulating the Raising of Fowl and Rabbits, was introduced.

An unidentified woman arose at the back of the Council Chambers and said that she objected. In addition, she told the Council that "we" had not known of it, and wondered what the Council was attempting to do by adopting it. It was not clear if the woman was defending the chicken raisers or the residents who object to the chickens.

The Mayor said that hearings had been closed, and that there had been two in number - although the matter had been discussed many times by the Council. The Ordinance, he stated, is for introduction at this meeting.

There was further discussion between said woman and members of the Council, over her belief that interested persons had not been advised and the Council's various statements that consideration of the issue had been well-known throughout the City.

The Mayor, under unanimous consent granted by the Council, recommended verbally appointments to the Psychology Commission, and to the Social Workers Commission, resulting in:

RESOLUTION NO. 111955, recorded on Microfilm Roll No. 63, confirming appointment made by Mayor John D. Butler of Dr. S. J. McClendon to the Psychology Commission, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111956, recorded on Microfilm Roll No. 63, confirming appointments made by Mayor John D. Butler of Dr. Bernice Stone, Rev. Harold Barrett Robinson, Mrs. Gene McFall, James Coble, Miss Cecelia Brennan to the Social Work Commission, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Councilman Kerrigan was excused from the meeting.

Mrs. Georgie Welty, who had been heard many times previously in connection with the chicken regulation, arose again and tried to address the Council on the Fowl Ordinance which had been introduced at this meeting.

A copy of the Ordinance was handed to Mrs. Welty by Councilman Dail.

Mrs. Welty referred to the long time which had been spent over the ordinance, and expressed the belief that the Council might take a little time and discuss it now. The speaker was informed again about the many discussions which had been had, hearings held, and the introduction of the Ordinance, and was asked to continue her talking about the matter with individuals after the meeting.

On motion of Councilman Schneider, seconded by Councilman Dail, the Council took a recess until the hour of 2:00 o'clock P.M.; this date.

Upon reconvening at the hour of 3:37 o'clock P.M., the roll call showed the following:  
Present--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler.

Absent---Councilman Kerrigan  
Clerk---Fred W. Sick

Proposed Ordinance approving and adopting proposed amendment to Section 3 Rule XI of the Rules of the Civil Service Commission, by adding a new subsection thereto, to be numbered (14.) which reads: "(14) That the employee has failed to obey an order from the City Manager or other department head to terminate or desist from outside employment or enterprise that has been determined by the Civil Service Commission to be



incompatible with City employment or detrimental to the efficiency of his regular City work", was introduced.

The Mayor, prior to introduction of the Ordinance, stated that members of the Council had considered the matter in conference several times. There is no unfair infringement of employees' rights, he said, there is a right of appeal where an individual disagrees with decisions made. As charged, at the earlier hearing, there is nothing of "Russia" involved in the passage of the rule.

RESOLUTION NO. 111957, recorded on Microfilm Roll No. 63, setting a hearing for the hour of 7:00 o'clock P.M., in the Council Chamber, on Monday, May 11, 1953, in connection with the 1953-54 Classification and Compensation Schedule for City Employees, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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

RESOLUTION NO. 111958, recorded on Microfilm Roll No. 63, ratifying and approving expenses incurred by E. W. Blom, Assistant City Manager, on trip to Washington, D.C., with Mayor John D. Butler, from April 27 through May 2, 1953, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

On motion of Councilman Schneider, seconded by Councilman Burgener, the Council adjourned the meeting at the hour of 3:41 o'clock P.M.

Upon leaving the Council Chambers, the Mayor announced that members of the Council would go into conference immediately.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Kadish*  
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, May 7, 1953

The Regular Meeting held this date was called to order by Mayor Butler at the hour of 10:05 o'clock A.M.

Present --- Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey,  
Mayor Butler.  
Absent ---- Councilmen None  
Clerk ---- Clark M. Foote, Jr.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 7317 granting permission to East Bay Community Church to erect a church on Lot 124 Morena Acre Lots, at Galveston and Orten Streets in Zone R-1, granting variance to the provisions of Ordinance No. 85 (New Series) therefor, on which appeals had been filed by George W. Cramer and others, the Mayor announced that the status had changed. Accompanying the file was the Zoning Committee's resolution rescinding said Resolution No. 7317.

Also on file was communication from East Bay Community Church, signed by Rev. B. LaVern Lewis, stating that the church is not buying the property, and that it is not necessary to take further action.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the ordinance incorporating portion of Pueblo Lot 1339 into M1-A Zone, and repealing Ordinance No. 13455 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.

The property in question adjoins the Atchison, Topeka and Santa Fe Railway tracks, in the vicinity of Highway 101 and the Sorrento Slough.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said ordinance was introduced.

The hour of 10:00 o'clock A.M. having arrived, being the time set on the proposed Ordinance amending various sections of the San Diego Municipal Code, and adding several sections thereto, having to do with the transportation, storage and use of Liquid Petroleum Gas, the Mayor announced that there are a number of protests. They are based, he said he felt, on misunderstandings about the storage provisions. He asked Douglas Deaper, Deputy City Attorney to review the Ordinance.

Mr. Deaper reviewed the terms from the ordinance, in relation to the permitted usage, limitations on sizes of containers, and permits required, as well as location of tanks, gas detector and cooling systems required.

The Mayor told of the need for the ordinance, based on dangers involved, as well as for protection provided from hazards. The City is setting up reasonable regulations, he stated, and told about the limitation set out.

Councilman Dail stated that the third paragraph of the ordinance has caused fears on the part of gas dealers, and has brought out the great number of persons to this hearing. He read from a pamphlet on the subject. He told about Mr. Deaper's statement regarding the storage. The Ordinance, he told the Council, can be amended.

Mr. Deaper said that the Ordinance should be clarified in regard to the permit for size of tanks, on automatic equipment.

Councilman Schneider asked the City Attorney to tell about construction use said gas.

As requested, Mr. Deaper did so, from the ordinance.

The Mayor declared the hearing opened, and invited speakers to be heard.

Paul Engstrand, attorney, representing the San Diego County Liquid Petroleum Gas Dealers Association, spoke. He told about the pamphlet (which Councilman Dail had and from which he had read an excerpt), and stated that it had been prepared by him. The speaker said that it is realized that there must be some regulation, but that there is a lot of regulation now - from the National Board of Fire Underwriters pamphlet regarding insurance and from the Industrial Accident Commission where there are more than 3 employees. He spoke about the Inner Fire Zone, as to regulations there. There is a continuing use of said gas, he stated. Most use is in the outlying areas, particularly in Encanto, for domestic use. Mr. Engstrand said that from the Ordinance it looks like elimination rather than regulation. In order to eliminate hazard it would be necessary to eliminate LPG. It should be regulated, instead, Mr. Engstrand stated. He objected to regulations provided, relative to the Fire Marshal and Chief of Fire Department. Home use, he stated, is in about the 25-gallon container class the Council thinks; but the use due to additional heating has expended beyond the 25-gallon limitation. Tanks are now often 50 to 150 gallon tanks. The 150-gallon cost is about double that of the 25-gallon, he stated. Mr. Engstrand declared that the persons he represents want to follow and comply with safety regulations, and that they are willing to try to work on the matter of special regulations.

A man whose name was understood to be Lester Luxon, Chief Engineer of LPG group in Los Angeles, was heard next. Before he spoke his qualifications were related to the Council by Mr. Engstrand, his education was outlined, his activities were related, and he was rated by Mr. Engstrand as an expert. That gas, he said, is just like any other gas, with the same qualities.

The Mayor at this time the Council was considering a preliminary draft prepared by the City Attorney, not by the Fire Chief.

Councilman Wincote asked about the price of gas in the various size containers. The questions were answered by Mr. Engstrand, whereupon there was discussion between the two men.

Next, there was discussion between Councilmen Wincote, Kerrigan, and Mr. Engstrand over the price.

Discussion between Councilman Schneider, Mr. Deaper and Mr. Engstrand regarding the storage.

Mr. Luxon pointed out and explained what liquid petroleum gas is. He talked about Butane and Propane, and said that while there is a little different chemical formula, it is basically the same as natural gas. He told about the creating of liquid through pressure. That is available to the suburban areas where natural gas is not available, he stated. He told about the history of the gas and its expanded distribution and use. It is heavier than air, Mr. Luxon said. It takes heat to convert the type, he stated. Heat can be added from atmosphere, he said, and that flame is not needed as in the case of boiling water. With current heating houses there is need for larger containers to convert the gas, he said. It depends on the size of the home and the amount of gas used, Mr. Luxon stated. He said that there should be regulation on larger tanks, and permanent tanks above cylinder size. He related how they would be set for domestic use. Proper design is needed, he stated, and said that the gas should not be transferred from one tank to another large tank. As the size of the tanks goes up, more regulation is needed. Normally a dealer has an emergency supply, he stated, and the larger sizes have gauges. The Liquid Petroleum Gas Industry realizes dangers involved, as in any gas. They have banded together to educate their own dealers, and work with the underwriters on regulations which have been written by the industry men for the underwriters. Mr. Luxon said. He told about the codes regulations which he stated are adequate. Plants throughout the country follow the codes, and the industries' safety recommendations, he declared. The State of California has developed a code for LPG, he said, and that cities

and states throughout the country follow those codes. He produced several pamphlets on the subject of LPG use. Mr. Luxon stated that over 500 buses in Chicago operate on Propane gas, and that there are many more on order for the same type of fuel operation. He read other cities' statements regarding LPG use, and resulting fires. Causes from gas of all types is 20th on the list, he stated. He told about the comparison of LPG on the ground, and asserted that vapors can be seen rising from gasoline tanks while they are being filled. They are heavier than LP Gases, he said. He said that LPG in a room diffused in almost the same time as natural gas where there was no air, under a test. He told about experiences on other tests. He referred to large homes where there are several factors, stating that even if there is a handy supply it would not be economical to use in small quantities. He referred to 150 or 200 gallons being more logical - perhaps even more. He told about the State code relative to distances. Propane tanks should not be walled in, he declared. Keep the area open to circulate and diffuse, he stated.

Councilman Godfrey stressed the point that the Ordinance under consideration is a preliminary draft, on which the Council is not ready to act today. He asked Mr. Luxon for his comments, in writing. The Council needs help to act in the matter, he stated, including that of the gas transfer. Councilman Godfrey declared that some regulation is needed.

Mr. Luxon replied that he thought it could be arranged to supply the information. Asked by Councilman if it could be ready in a week, Mr. Luxon said 2 weeks would be needed, inasmuch as he is busy with many other projects.

Councilman Kerrigan asked Mr. Luxon regarding use of LPG in the homes.

The Mayor said that Mr. Luxon has answered that.

Mr. Luxon said that the Council should not tie down the regulation to the point of prohibiting cylinder service. He said that he would not tie down the matter to one type of service.

Ralph Philips stated that San Diego Gas & Electric Company, which he represented, is not objecting to the Ordinance, inasmuch as regulation is necessary. Some clarification is needed, however, he stated. He told the Council that the Gas Company operates a gas farm with 37 30,000-gallon tanks, which is on property which might be annexed to the City, thereby coming under the terms of the proposed Ordinance. Sometimes gas detection devices don't work, Mr. Philips said. Tanks are regulated by the Public Utilities Commission and by the Industrial Safety Commission, he stated. He read from the Ordinance regarding use and transportation needed.

Albert F. Rudolph, president of the Plumbing Association of San Diego was the next speaker. The Plumbing Industry uses molten lead, which takes about 800° of heat he stated. Since having changed to LPG insurance has been used. If the Ordinance is adopted as written, Mr. Rudolph said, it would practically eliminate use of LP gases in the industry. He stressed that objection is not being made to reasonable regulation. He read from the Ordinance regarding permit for storage, stated that there is a 500-gallon capacity, for which a permit would be needed under the Ordinance. He read about containers, and spoke about tanks for artisans - in use and standby tanks. If the Ordinance is passed as written, Mr. Rudolph stated, the industry would be restricted. He spoke about the parking of vehicles containing LP Gas, and read from the Ordinance about that. He referred back to storage "in any tank, etc." A torch could not be carried through the City, except in certain instances, under the Ordinance, the speaker said. He referred to the filling of containers. The 25-gallon containers are to fill the 5-gallon containers he said, and pointed out that it is not practicable to take the containers to the LP Dealer. The practice he outlined is done in practically plumbing shop in San Diego, every day. They could not be carried to the plant to be filled, he declared. Application for permit section was mentioned. If the operators were to have to comply, more would be spent on permits than on the jobs, he declared. Next, he made reference to limiting furnishes in the shop. Many shops, Mr. Rudolph said, have more than the Ordinance now provides as set forth in the new draft. As a result, he said, they would have to store outside of the City. LPG is better than gasoline, he stated. The Ordinance, if adopted, would require going back to the old dangerous furnaces, he pointed out. Also, Mr. Rudolph declared, the Ordinance would necessitate the scrapping of equipment.

The Mayor asked Mr. Rudolph to submit his points to the Council.

Mr. Engstrand suggested that the Mayor or the City Manager might appoint a committee from industries to meet with City officials, before the drafting of the ordinance.

Councilman Godfrey moved to instruct the City Manager to meet with a committee in connection with an ordinance on the subject of regulating the Liquid Petroleum Gases, which will be reasonable, and providing safeguards against inclusion of unreasonable regulations, which motion was seconded by Councilman Kerrigan.

Before the roll was called, Ed Heiltron, representing Heilbron & Sons (plumbers) spoke. He told the Council that the firm has been at its present location since 1908, that fire zones which have been moved now places the establishment in Fire Zone 1. The firm would be affected, he stated, since use of LP Gas use would be eliminated. There are sheet metal men in the district who would be affected also, Mr. Heilbron said. He asked for elimination of the restriction which would affect his business.

Councilman Burgener wanted to know if anyone in the chambers was in favor of the Ordinance as drafted. There was no response.

Councilman Dail said that the Fire Chief is in favor of the ordinance, although he did not respond.

Thomas Moran, attorney representing Consolidated-Vultee, spoke in opposition to giving to the Fire Chief unlimited authority above what is required now. He stated that he objected to the bulk storage section of the ordinance. In order to comply with orders it would be necessary to expend further funds.

L. F. Johnson, representing Shell Oil Company, spoke regarding the difference of opinion relative to the interpretation of the Ordinance. The Shell Oil Company would be affected, he stated. He said that he, too, wants a committee to study the matter.

Councilman Schneider said that he wanted on the committee the City Manager, the City Attorney, and the Fire Chief.

W. E. Hinchcliff, of Los Angeles, representing the Insurance Association, stated that he supports LPG local regulations, and wants to cooperate with the City in drafting an ordinance.



As he had done previous times, Councilman Godfrey stated that the Ordinance proposed in this hearing is a preliminary draft. He said that he felt that it is not necessary to hear all the objections now, if objections are to be voiced on another draft on which a hearing will have to be held also. He said that he saw the need for meeting on the question, and he was looking toward the saving of everybody's time.

Fred Landgraft, attorney, representing Walter Swartz, Silver Butane Service was heard next. He said that his client has 1,300 customers, who are trailer court residents, and need the Butane service. He read from a petition which asked that the Council pass no ordinance unduly limiting or restricting suppliers of and dealers in liquid petroleum gas from distributing said gas to the petitioners, and that no ordinance be passed, the effect of which would increase the cost of liquid petroleum gas to the signers. There are some 3,000 residents in San Diego, Mr. Landgraft stated, who use Butane. He declared that only people who have plants (LPG) in the City can profitably supply with the petitioners with such gas. He said that the cost is high for small tanks, and that the cost decreased with the larger tanks. If the ordinance is passed, he said, any dealer would need about 4 blocks of property, to comply with the regulations as set out. That is far in excess of any other regulations, he stated. The matter can be carried to extreme and could eliminate all LP Gas use from the City Mr. Landgraft said. Some restrictions are needed, he agreed, and it is realized that changes may be needed. Don't pass the Ordinance to eliminate certain persons, he asked.

Kenneth Goodman, attorney, representing Ryan Aeronautical Company, requested information regarding industrial use. He wondered why the Underwriters' and the Safety Commission's requirements had been exceeded. Also, why place so much discretion with the Fire Chief, Mr. Goodman asked.

George Courser, Fire Chief, said that the Ordinance is basically sound, and that some change for the small consumer may be needed. He read from a bulletin regarding storage. There is no intention to strangle anybody, the Chief stated. He is interested in the large storage, particularly, Chief Courser said.

There was discussion between Mr. Goodman and Chief Courser regarding a bulletin on regulations. He read a statement as to his duty as Fire Chief.

Councilman Godfrey said that everything will have been talked out, and that he will withdraw his motion in about 2 minutes.

As a result, Councilman Schneider moved to close the hearing.

A Mr. Black, whose first name, initials, or affiliation were not given, was heard. He said that many home owners need LPG. They have no other gas service, he declared. They could not comply with the proposed Ordinance, he told the Council, in that it would be prohibitory. He declared that there is adequate regulation now.

Councilman Schneider moved to close the hearing, and refer the matter of an ordinance on the subject of Liquid Petroleum Gas regulation to the City Manager, the Fire Chief and the City Attorney; the City Manager to appoint a committee to work on a proposed Ordinance.

Councilman Kerrigan said that there will be another hearing.

Councilman Wincote warned that there will be a 2-way-street, and that the committee will not write the ordinance.

Councilman Kerrigan seconded the motion.

The roll was called, resulting in

RESOLUTION NO. 111959, recorded on Microfilm Roll No. 64, closing the hearing held on May 7, 1953, in connection with regulations for Transportation, Storage and Use of Liquid Petroleum Gas; referring the matter to the City Manager, the Fire Chief and the City Attorney; directing the City Manager to appoint a committee to work on an ordinance covering the subject, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Petition of Apartment Ass'n of San Diego, Inc., signed by Hans P. Jepsen, Vice President, requesting the Council to terminate Rent Control in San Diego, also requesting that if in the opinion of the Council a public hearing is necessary that it be held at the earliest possible date so that interested persons may appear and present facts supporting the petition, was presented.

RESOLUTION NO. 111960, recorded on Microfilm Roll No. 64, referring the rent decontrol petition from Apartment Ass'n of San Diego, Inc., to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Councilman Schneider observed Mr. Jepsen in the meeting, and asked if he wished to be heard.

Mr. Jepsen replied that the Council had taken the action desired.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on request of the City Manager's Office, Director of Civil Defense, and pursuant to Section 35 of the City Charter, quotations for furnish City of San Diego County Fair Ground Display and Civil Defense County Fair Grounds Display, had received quotations from 2 individuals, was presented. It states that displays offered by Levine Displays of San Diego are believed satisfactory, and it recommends contract for furnishing displays be awarded to Levine Displays of San Diego.

RESOLUTION NO. 111961, recorded on Microfilm Roll No. 64, accepting bid of Levine Displays to furnish one City of San Diego Fair Ground Display for the sum of \$1,250.00 plus sales tax; authorizing and instructing the City Manager to enter into and execute a contract therefor, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111962, recorded on Microfilm Roll No. 64, accepting bid of Levine Displays to furnish one Civil Defense Display for the San Diego County Fair for the sum of \$950.00 plus sales tax; authorizing and instructing the City Manager to enter into and execute a contract 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 bids for furnishing 250,000 percent rag stock medium weight catalog cards for the San Diego Library, stating that 5 vendors were contacted of whom two submitted bids, was presented. It recommends award to Gaylors Brothers, Inc., low bidder.

RESOLUTION NO. 111963, recorded on Microfilm Roll No. 64, accepting bid of Gaylor Brothers, Inc., for the furnishing of 250,000 one-hundred percent rag stock medium weight catalog cards at a price of \$5.15 per thousand, plus Sales Tax; 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 City Purchasing Agent, reporting on bids for furnishing approximately 11,000 cubic yards of Rock Crusher Plant Tailings (fill dirt) for construction of roads on Shelter Island (Harbor Department), was presented. Said report stated that 2 bids were received from 6 prospective bidders. It recommended purchase from Fenton Materials Company in accordance with its low bid.

RESOLUTION NO. 111964, recorded on Microfilm Roll No. 64, accepting bid of Fenton Materials Company for furnishing 11,000 cubic yards of Rock Crusher Plant Tailings (fill dirt) at \$0.12 per cu. yd., plus Sales Tax., f.o.b. Plant; awarding contract, authorizing and instructing the Harbor Commission members to enter into and execute said contract, pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

In connection with the next Resolution, the City Manager reported to the Council that purchase of a house had been made from the City by Velma Johnson, which was to be moved from its City-owned site. She was to place the house elsewhere, and remodel it. He said that Mrs. Johnson had run into difficulty with the Planning Commission, which would not permit her to carry out her plan. As a result, the City Manager said, the money should be refunded inasmuch as the City itself from whom she was making the purchase, was preventing her from doing what she had intended with said house.

RESOLUTION NO. 111965, recorded on Microfilm Roll No. 64, stating that the City had advertised for sale of a house located at 275 34th Street to be moved from the location within the Wabash Freeway Project, that Velma Johnson had been the successful bidder, that the City has failed to deliver any consideration and has no moral right to the money which in good conscience and equipment and justice should be repaid, and the purchase rescinded; directing the City Auditor to issue a warrant therefor and the City Treasurer to pay said Velma Johnson the sum of \$509.14, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The next matter, having to do with improvements and adoption of the Final Map of Cabrillo Heights Business Center, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, continued for one week at the request of Mona Andreen, of the City Attorney's office, who said that the City is not ready to act upon the matter at this time.

A motion was made and seconded to adopt the Resolution relative to appeal from the Superior Court Decision in connection with zoning procedure, which had to do with directing the City Attorney to appeal the decision in the case of Jack D. Kingery v. City of San Diego.

It was pointed out by the Mayor that Mona Andreen, of the City Attorney's office, had talked with him about the matter. As a result, the roll was not called on the motion to adopt the Resolution, and Mrs. Andreen was requested to attend the meeting and explain the situation.

(The action comes up again on page 214 of these minutes.)

Communication from Ethel M. Hargraves, address not given, dated May 1, 1953, was presented. Among other things, the writer complained about removal of a tree from the parking strip which she said was the only attractive thing on 14th street between B and C Streets (although she did not know if it was an oleander or a hybiscus, which had been planted by her uncle 25 years ago).

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

Communication from The Executive Board of the Pacific Beach Coordinating Council, signed by Adeline Nurse, Secretary, 911 Hornblend, San Diego 9, dated May 2, 1953, was presented. Said communication requests improvements at the Pacific Beach Recreation Hall.

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

Communication from Pacific Beach Coordinating Council, 911 Hornblend Street, signed by Adeline Nurse, Secretary, dated May 2, 1953, approving wholeheartedly the initiative taken by the Pacific Beach Business and Professional Association for obtaining improvement of Grand Ave. through Highway 101 and the straightening and widening of Balboa Avenue,

etc., was presented.

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

Communication from San Diego Chamber of Commerce, signed by Ralph J. Phillips, Vice-president, dated May 1, 1953, was presented. It states that the Chamber, through its agriculture committee, has made a study of the value of the United States Department of Agriculture Experimental Station at Torrey. It recommends that the City's plan for development of the area be extended to said Department in maintaining the Experimental Station.

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

Communication from 20-30 Club, Ocean Beach, being copy of a Resolution adopted which is signed by M. H. Winkler, 2884 Muir Avenue, San Diego 7, was presented. Said Resolution urges the Council and representatives of the State Legislature to initiate action to obtain sufficient funds from impounded tidelands oil moneys, or from some other source, for the restoration of the beach area at Ocean Beach; by construction of a groin and the dredging of the Mission Bay channel.

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

Communication from Ocean Beach Toastmasters Club No. 198, signed by James R. Wade, being copy of a Resolution adopted April 15, 1953, on the same subject as the previous one from 20-30 Club Ocean Beach, was presented.

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

(See later action page 214)

Communication from San Diego County Planning Commission, 214 Civic Center, signed by Willis H. Miller, Secretary-Treasurer, submitting draft of a proposed Resolution, being Exhibit A, taken from p. 35 November 1952 issue of Western City, was presented. Said communication requests that the Council adopt a Resolution similar to the one submitted, having to do with zoning in "fringe areas".

RESOLUTION NO. 111966, recorded on Microfilm Roll No. 64, referring to Council Conference communication from San Diego County Planning Congress, bearing Document No. 468634 relative to zoning in "fringe areas" around incorporated cities, etc., was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Port of San Diego, signed by John Bate, Port Director, dated 6 May, 1953, was presented. Said communication submits for Council approval form of agreement for amendment of Tideland Lease covering premises on the "G" Street Pier leased to Tom Kim Lai, which amendment increases the premises from 6,900 square feet to 13,170 square feet, with an increase in minimum rental from \$60.00 per month to \$100.00 per month - to be used for construction of a cocktail bar in connection with the existing restaurant. It states that the amendment also adds permission to maintain a sign on the traffic island at the entrance to the "G" Street Pier.

RESOLUTION NO. 111967, recorded on Microfilm Roll No. 64, ratifying, confirming and agreement for amendment of Tideland Lease, Amendment No. 1 with Tom Tim Lai and Yuk Sui Lai, Lessees, as contained in Document No. 468635 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 said Agreement for Amendment of Tideland Lease, Amendment No. 1, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 111968, recorded on Microfilm Roll No. 64, authorizing the purchase of a five-year City's Employees Blanket Faithful Performance Bond - based on informal bid of the Pacific Insurance Agency, as representative of the Peerless Casualty Company - at a premium of \$2123.58 per year, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 111969, recorded on Microfilm Roll No. 64, giving consent to and waiving the ninety-day waiting period, for relinquishment by the California Highway Commission to The City of San Diego of portion of frontage road along the westerly side of Cabrillo Freeway between Olive and Main Streets, as more particularly identified in the letter of E. E. Wallace, 11th District Engineer by R. A. Hayler, Assistant District Engineer to the City Manager, dated April 21, 1953, plat attached thereto, hereto filed in the office of the City Clerk as Document No. 468248 dated April 30, 1953, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111970, recorded on Microfilm Roll No. 64, approving Change Order No. 1, dated April 13, 1953, for extension of 90 days to and including June 24, 1953, heretofore filed with the City Clerk, to complete contract for construction of Access Road to Highway, on De Anza Point, contract contained in Document No. 461039 on file in the office of the City Clerk; extending completion time to June 24, 1953, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.



RESOLUTION NO. 111971, recorded on Microfilm Roll No. 64, approving Authorization for Change Order No. 1, dated 24 April, 1953, heretofore filed with the City Clerk as Document No. 468390, issued in connection with contract between the City of San Diego and Astra Flooring Company for resurfacing of Promenade Deck on Broadway Pier, contract contained in Document No. 466299, changes amounting to increase of \$875.00, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111972, recorded on Microfilm Roll No. 64, approving recommendations of the Traffic Engineer and City Manager, and granting permission to Richfield Oil Corporation, 645 South Mariposa Avenue, Los Angeles 5, to install 2 30-foot driveways on the north side of Washington Street between points 6 feet and 36 feet, and points 70 feet and 100 feet east of the east line of Hawk Street; and two 30-foot driveways on the east side of Hawk Street between points 12 feet and 42 feet and points 70 feet and 100 feet north of the north line of Washington Street - all adjacent to Lots 9 to 12 inclusive Block 55 Arnold and Choate's Addition - subject to condition that all driveway widths to be measured at top of full-height curb, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted. (The item was continued from April 30, 1953.)

RESOLUTION NO. 111973, recorded on Microfilm Roll No. 64, accepting subordination agreement, executed by Clarence E. Weeks and Wanda L. Weeks, beneficiaries, and the Union Title Insurance and Trust Company, trustee, bearing date April 9, 1953, subordinating all their right, title and interest in and to a portion of Lot 31 Block 58 Park Villas, to the storm drain right of way and easement 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 Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111974, recorded on Microfilm Roll No. 64, accepting subordination agreement, executed by William Bevan Harris, conveying Lot 7 Block 54 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 Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111975, recorded on Microfilm Roll No. 64, accepting deed of George C. Gregory, bearing date April 24, 1953, conveying portion of Lots 34, 35, 36 Block 3 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 Schneider, adopted.

RESOLUTION NO. 111976, recorded on Microfilm Roll No. 64, accepting deed of Arthur J. Hayes and Mildred A. Hayes, bearing date April 10, 1953, conveying portion of Pueblo Lot 1258; 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 Schneider, adopted.

RESOLUTION NO. 111977, recorded on Microfilm Roll No. 64, accepting deed of George H. Hoffman, bearing date April 27, 1953, conveying easement and right of way for storm drain purposes in portion of Lots 28, 29, 30, 31 C.C. Seaman's Subdivision, Pueblo Lot 1122; 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 Schneider, adopted.

RESOLUTION NO. 111978, recorded on Microfilm Roll No. 64, accepting deed of Ida M. Johnson, bearing date April 17, 1953, conveying easement and right of way for street purposes in portion of Lot 1 Block 26 La Jolla Hermosa Unit No. 2, setting aside and dedicating the same to the public use as and for a public street, and naming the same Fay 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 Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111979, recorded on Microfilm Roll No. 64, accepting deed of Jay H. Thomson and Marcia Thomson, bearing date April 3, 1953, conveying easement and right of way for street purposes in portion of Lot 6 Block 25 La Jolla Hermosa Unit No. 2, setting aside and dedicating the same to the public use as and for a public street, and naming the same Fay 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 Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111980, recorded on Microfilm Roll No. 64, accepting deed of Bessie Lee Jennings Mosley, bearing date February 11, 1953, conveying portion of Lot 12 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 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 Schneider, adopted.

RESOLUTION NO. 111981, recorded on Microfilm Roll No. 64, accepting deed of Ernest R. Reaves and Evelyn M. Reaves, bearing date April 24, 1953, conveying portion of Lot 92 Las Alturas Villa Sites, 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 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 Schneider, adopted.

RESOLUTION NO. 111982, recorded on Microfilm Roll No. 64, accepting deed of Clifford O. Boren Contracting Co., Inc., bearing date April 22, 1953, conveying portions of Lots 27 and 28 Waterville Heights, setting aside and dedicating the public use as and for a public street, and naming the same Streamview 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 Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111983, recorded on Microfilm Roll No. 64, accepting deed of Lafayette B. Rogers and Marian R. Rogers, bearing date April 28, 1953, conveying portion of Lots 1, 2, 3, Block 8 Loma Alta No. 1, 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 Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111984, recorded on Microfilm Roll No. 64, accepting deed of Clairemont Company, bearing date April 22, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 1203 Clairemont Unit No. 7; 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 Schneider, adopted.

RESOLUTION NO. 111985, recorded on Microfilm Roll No. 64, accepting deed of James B. Daugherty, Jr. and Geraldine June Daugherty, bearing date April 23, 1953, conveying easement and rights of way for storm drain purposes in portion of Lots 34, 35 C. H. Tingey'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 Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111986, recorded on Microfilm Roll No. 64, accepting deed of Gerald H. Martindale and Betty S. Martindale, bearing date April 8, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 31 Block 58 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 Dail, seconded by Councilman Schneider, adopted.

Action taken heretofore, shown on page 212 of these Minutes, being Resolutions from the 20-30 Club of Ocean Beach and from the Ocean Beach Toastmasters Club No. 198, was on motion of Councilman Godfrey, seconded by Councilman Schneider, reconsidered.

RESOLUTION NO. 111987, recorded on Microfilm Roll No. 64, referring communications from 20-30 Club, Ocean Beach and from Ocean Beach Toastmasters Club No. 198, both having to do with erosion which has destroyed the beach area in Ocean Beach to such an extent that it is lost as a recreational facility to residences of San Diego and tourists and requesting the Council and Representatives to the State Legislature to initiate action to obtain funds from impounded tidelands oil monies or from some other source, for restoration of the beach area at Ocean Beach by construction of a groin and the dredging of the Mission Bay channel, to Council Conference, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

#### Proposed Ordinance,

~~ORDINANCE NO. 5582 (New Series), recorded on Microfilm Roll No. 64,~~ appropriating \$500.00 from the Unappropriated Balance Fund of the City of San Diego, and transferring the same to Account 463 Department 5.00, Property Management Fund, ~~was~~ was on motion of Councilman Schneider, seconded by Councilman Godfrey, introduced.

The following matter, which had been considered earlier on Page 211 of Minutes, was presented again.

It was a communication from the Planning Director, relating to appeal from Superior Court Decision, being case of Jack D. Kingery v. City of San Diego, #180,087 - having to do with a zoning matter which had been held ineffective by the Court. Attached to the communication was addressed to Levenson, Levenson & Block; Miller, Higgs & Fletcher; Mona N. Andreen, Deputy City Attorney, from C. M. Monroe, Judge, The Superior Court County of San Diego.

Mona Andreen, of the City Attorney's office, and who had been sent for by the Council. She explained the matter, and stated that the Planning Commission wants to appeal the decision relative to a proper proceeding for rezoning not having been held. She said that the policy which makes R-2 more restrictive than R-4 had been followed. She said that the Court had held that the Planning Commission did not have jurisdiction to change the proposed zoning and recommend a new zoning without notice. It came about, she stated, in that there had been a lapse during development of Glencliff subdivision. The matter had resulted in a court protest over occupancy of property by a minority group.

Councilman Kerrigan said that if the City did not appeal and uphold the Planning Commission, the Commission and the Council could not change the zone recommendation.

Mrs. Andreen said that the Planning Commission wants the Council to understand the situation, and discussed it in some detail.

Councilman Godfrey said that the City cannot do what it has been, in the matter of chance, unless it is straightened out in court.

Councilman Kerrigan stated that the Council should authorize the appeal; otherwise there will be future trouble.

Mrs. Andreen said that she thought the difficulty might be in the wording of the notice. The language of the Ordinance is ambiguous, she felt, and that it could spell out the City's intent. A test case might be wanted. Glencliff is to come before the Council on Tuesday, she said. It is usually the policy of the Planning Commission to put the zoning into the intended use.

RESOLUTION NO. 111988, recorded on Microfilm Roll No. 64, referring to the City Attorney for correct wording and modification of zoning Ordinance, in connection with the communication from the Planning Director which had been brought before the Council in the case of Jack D. Kingery v. City of San Diego, #180,087, Superior Court of San Diego County, in connection with ruling made in said case, C. M. Monroe, Judge, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Councilman Dail was excused from the meeting at this time.

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

RESOLUTION NO. 111989, recorded on Microfilm Roll No. 64, authorizing amendment to the lease of William D. Evans and Lucy E. Cooper, covering the Bahia Hotel on Gleason Point, in Mission Bay, to permit less than the specified 58 units to be completed by July 1, 1953, was on motion of Councilman Winote, adopted. Kerrigan, seconded by

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

RESOLUTION NO. 111990, recorded on Microfilm Roll No. 64, urgently requesting the Pacific Southcoast Freight Bureau to give favorable consideration to the request of cotton shippers for establishment of a twenty-one cent per hundred (21¢ cwt.) rate on cotton compressed to high density from Calexico-Mexicali to San Diego Harbor for export; directing the City Clerk to cause certified copies of said Resolution to be presented to said Bureau at their meeting in San Francisco on the 12th day of May, 1953, was on motion of Councilman Winote, seconded by Councilman Godfrey, adopted.

In connection with request of John L. Reid, chairman, Fiesta Committee, Fiesta de Maria, for the parish of the Immaculate Conception Church, located at 2425 San Diego Avenue in Old Town and the hanging of a sign across San Diego Avenue at Twiggs Street for five days starting May 11, 1953, the Council went into Conference. No action in the meeting was taken.

After considering matters in Conference the Council came back into session at the hour of 12:10 o'clock Noon, at which the Council adjourned the meeting on motion of Councilman Godfrey, 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



## SPECIAL MEETING

Chamber of the Council of The City of San Diego, California,  
Monday, May 11, 1953, 7:00  
o'clock P.M.

## "Notice of Special Meeting of the Council:

To Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail and Godfrey  
members of the Council of The City of San Diego, California.

A Special Meeting of the Council is hereby called to be held in the Council Chamber in the Administration Building, Civic Center, San Diego, California, on Monday the 11th day of May, 1953, at the hour of 7:00 o'clock P.M.

Said meeting will be held for the purpose of considering the recommended 1953-54 classification and compensation of the Civil Service Commission.

Dated May 8th, 1953.

JOHN D. BUTLER, Mayor."

## "WAIVER OF NOTICE OF SPECIAL MEETING

We, the undersigned, being all of the members of the Council of The City of San Diego, do hereby jointly and severally waive notice of the Special Meeting of the Council, to be held in the Council Chamber in the Administration Building, Civic Center in the City of San Diego, California, on Monday, the 11th day of May, 1953, at the hour of 8:00 o'clock P.M., and hereby consent to such special meeting.

JOHN D. BUTLER  
GEORGE KERRIGAN  
CHARLES B. WINCOTE  
CHAS. C. DAIL  
VINCENT T. GODFREY  
CHESTER E. SCHNEIDER  
CLAIR W. BURGNER."

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

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

The special meeting was called to order by Mayor Butler at the hour of 7:09 o'clock P.M., at which time he made an opening statement regarding the hearing. Inasmuch as all present who packed the Council Chambers were familiar with the purpose of the meeting, he made no additional statements.

The Mayor said that in order to help clear the Council Chambers to a degree the Council would hear the Police group first, to be followed by others as he called upon them.

William Gore, President, San Diego Police Relief Association, read a statement dated May 11, 1953, which he read.

Mr. White, who spoke for the Motorcycle Officers, read a "memorandum", which he filed for record.

Ray W. Shukraft, San Diego Fire Department, read a statement which he did not file before or during his talk. It was filed at the conclusion of his speech, however, so it is in the record.

John Quimby, Secretary of the Central Labor Council, was heard next. He said that it is time to bring standards up to those of other metropolitan cities. He said that the salaries should be enough so that individual employees do not have to take outside employment. Mr. Quimby filed no statement.

He was heard later, also.

The Mayor said there would be no decision made tonight.

Members of the Police and Fire Departments left the meeting at this time.

Jack Henberger, Assistant Traffic Engineer, representing the professional engineers, talked at this time. He filed a statement for the record.

Frank George, architect in the Engineering Department, being the only one in his classification, spoke. He read a statement which he filed, with the comment that the City Engineer suggested that he petition the Council personally and that the Engineer had stated that he would back the petition.

Leo Calland, Park and Recreation Director, was heard next. He did not file a statement. He spoke for individuals who had received title promotion but no money promotion. He urged study of 4 cases involved. He mentioned their being responsible to the Park Superintendent. They should be rated with the General Superintendents, or above. General Superintendents, he said, are recommended higher.

P. Harvey Lehner, of the Park Department, spoke, but he did not file a statement. He represented Groundsmen, Groundsmen-Gardeners, and Gardeners. He said that he felt that if the City is to have capable employees, they should be trained on

the job. He told about the training and increases in the classes. The Civil Service, he stated, has been unable to furnish the Park Department with men of the caliber needed. He read qualifications for the positions in the 3 classifications, and made comparisons with salaries of those in other positions. In each of the 3 classifications, he told of duties involved. He said that there are terrific differences in positions mentioned, from those of many other types of employees.

The Mayor said that the Public Works would be heard next.

Wm. H. McKinley, Superintendent of the Electrical Division, spoke. He read a prepared statement, which he filed.

Milton L. Ratcliff, of the Electrical Workers Union, spoke for the electrical employees of the City. He did not file a statement. He stated that he concurred in all the previous remarks. He pointed out that in the construction fields, an increase has been negotiated for electrical workers. In other cities, the City electrical men receive increases in the same manner as those in the industries other than the cities. He recited the several emoluments not received by City employees. San Diego, he said, is notoriously low paid, although highly-skilled men are employed. Many hold down jobs, he stated, as foremen within a year after they leave the City following their training periods. He asked for the justly-entitled increased salaries - especially in the skilled classifications.

H. J. Durst, representing the Plumbers' union, was heard. He did not file a statement. He stated that the City's differential is about \$113.00 a month lower. Private plumbers are now getting considerably higher wages, he stated. He asked for 2 steps increase for City employees in the classification.

Otto Hahn, business representative, San Diego County and Municipal Employees Local Number 127, spoke relative to various classifications - set out in detail in the communication which he filed. Before filing the statement, he spoke for 1-1/2 time and double time pay for overtime work. He spoke, especially, about the previously-mentioned employees in the Park Department and said that he had a special feeling for them inasmuch as he worked in that department. He said that he was glad that employees are taking interest in the setting of salaries.

Richard Osgood, Principal Clerk, spoke for the Water Department. He spoke, especially for meter readers, and an increase for them. He requested that the 2-step increase provided for in the proposed Ordinance be left in. He did not file a statement.

Mary Harvey, representing the San Diego Municipal Employees, Inc., was heard. She said that she was glad that the MEA cuts across all lines in the salary consideration.

The Mayor said that Miss Harvey had presented a long statement, and hoped that she could cut it down, inasmuch as members of the Council have copies.

Miss Harvey read the statement, and added some extraneous remarks relative to the City employees sponsoring suggestions for City operations, and the matter of a cafeteria or coffee room about which no reply had been received.

The Mayor replied to Miss Harvey about his not having answered the coffee room matter, which is still being studied by the Building Control Committee.

Ed Hall, representing San Diego Taxpayers' Association, read a statement filed by the Association, which is dated May 11, 1953. It referred to a "blanket" increase being not justified; that City jobs should be re-examined this year and adjusted; that City and County should re-establish like rates for like jobs; that the average San Diego employer should be given consideration in developing wage ranges, and that the effect of aircraft industry wages should not be exaggerated.

John Quimby, of the Central Labor Council, was heard again briefly. He said that the City has a morale problem, and stated that many classes have not been taken care of. The Taxpayers' Association position was opposed relative to the time and a half. Morale of departments is at stake, he said.

The Mayor told those assembled that he and members of the City Council are of an "open mind" regarding salary increases, despite the election results at the last election insofar proposals to amend the Charter to provide increases is concerned. He spoke again about the Coffee Shop for Employees. He said that if the City employees can put in a good bid, they can get the operation. He thanked all for their interest and for attendance. He declared the hearing closed.

The Special Meeting was adjourned at the hour of 9:18 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By

*August H. Hadsch*  
Deputy

*John D. Bull*  
Mayor of The City of San Diego, California

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, May 12, 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 Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler.

Absent --- Councilman Godfrey  
Clerk ---- Fred W. Sick

The Minutes of the Regular Council Meetings of Tuesday, May 5, 1953 and of Thursday, May 7, 1953, 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 Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, the time set for the awarding of service emblems to City employees for their long service, the Mayor read a sketch of the service for each, and awarded to each an emblem:

Newton J. Velarde, Powderman, Division of Streets, Public Works Department - 20-year button;  
Mrs. Zelma Locker, Senior Clerk at the Public Library - 20-year pin;  
Orville H. Lusk, Battalion Chief, Fire Department - 25-year button;  
Harry C. Haelsig, Assistant City Planning Director - 25-year button;  
George W. Duncan, Automotive Mechanic, Central Garage and Machine Shops of the Public Works Department - 25-year button;  
Miss Dorothy Argall, Senior Librarian, Public Library, 30-year pin;  
Charles B. Walker, Assistant Civil Engineer, City Engineer's Office - 30-year pin;  
Lawrence H. Hill, Associate Civil Engineer in the Water Department - 25-year button. (Mr. Hill's award was given to Paul Beermann, Water Director, by the Mayor at Mr. Beermann's request.)

Councilman Godfrey entered the meeting during the beginning of the service awards.

At this time the Mayor recognized Admiral Benton Decker and Mr. Van Parker, Thanks representatives, and invited them to be heard.

Admiral Decker spoke about the work of Thanks, and about the keeping up of the men in Korea. He introduced Lucille Thomas - "Miss Thanks" - who presented THANKS ties as well as literature explaining the movement and pledge cards for its support. Admiral Decker told of the many individuals who are interested in the project which started in San Diego and has developed on a national scale. It is necessary to boost the morale of the boys in Korea, the Admiral told the Council.

The Mayor told those present that the money spent for the neckties which were distributed has been donated, and that it will not come out of proceeds for the contribution to the cause. He thanked the young lady and the gentlemen, and thanked them for their presentation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for construction of WABASH BOULEVARD, Section "B" between Harbor Drive, Federal Boulevard and MARKET STREET between 33rd and 36th Streets, and IMPERIAL AVENUE between 33rd and 35th Streets, the Clerk reported that 7 bids had been received, which bids were on motion made and seconded publicly opened and declared.

Said bids were as follows:

The bid of M. H. Golden Construction Company, 3485 Noell Street, San Diego, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, which bid was given Document No. 468895;

The bid of L. C. Anderson Co., 3040 Hancock St., San Diego, California, accompanied by bond written by Fire Association of Philadelphia, in the sum of 10% of bid, which bid was given Document No. 468900;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$10% of the amount of the accompanying bid but in no event to exceed the sum of \$160,000.00; which bid was given Document No. 468896;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum \$130,000.00, which bid was given Document No. 468901;

The bid of Ralph A. Bell, 1345 Woodstock Dr., San Marino, accompanied by bond written by United States Fidelity and Guaranty Company in the sum of 10% of the total amount of bid, which bid was given Document No. 468897;

The bid of R. E. Hazard Contracting Co. and C. G. Willis & Sons, Inc., in the sum of 10% of the accompanying bid, which bid was given Document No. 468898;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$160,000.00, which bid was given Document No. 468899.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said bids were referred to the City Attorney and to the City Manager 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 Crown Point Lighting District No. 1, for a period of one year from and including February 15, 1953, to and including February 14, 1954, 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 \$58.50, which bid was given Document No. 468886.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located on Garnet Street Lighting District No. 1, for a period of one year from and including January 30, 1953, to and including January 29, 1954, 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 \$27.00, which bid was given Document No. 468885.

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

The hour of 10:00 o'clock A.M. having arrived, 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 Presidio Hills Lighting District No. 1, for a period of one year from and including February 1, 1953, to and including January 31, 1954, 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 \$40.50, which bid was given Document No. 468884.

On motion of Councilman Schneider, seconded by Councilman Dail, said bid 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. 111457, for the paving and otherwise improving of the Alleys in Block 43 Normal Heights, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from Homer D. Baker and from Mrs. Martha O'Brien, which protests were presented.

The City Engineer reported a 6.6% protest: one owner can't afford the work, the other is not in favor.

The Mayor asked if any interested affected property owners were present who desired to be heard.

Robert Clayton spoke in favor of the improvement, and said that this is the third petition in favor of the work. He stated that he wants the work done.

The City Engineer said that he did not know the history of the proceedings. It was moved by Councilman Schneider, seconded by Councilman Wincote, to overrule the protests.

Mrs. Martha O'Brien appeared and said that she is getting old age pension, and cannot afford the work. She said that she has 175 feet of property on the work, and her income is only \$75.00 resulting in her not being able to afford the same.

The Mayor pointed out to Mrs. O'Brien that the Council is guided by wishes of a majority of the property owners.

The City Engineer said that Mrs. O'Brien's assessment will be about \$250.00. He and Councilman Schneider then explained to her how she could pay the assessment over a ten year payment.

Mrs. O'Brien then replied that she would not then protest.

The City Engineer showed a plat of the property, when it was pointed out that Mrs. O'Brien has such a long alley frontage. He said that the assessment would be on the short frontage, rather than along the property's length.

RESOLUTION NO. 111991, recorded on Microfilm Roll No. 64, overruling and denying the protests of Mrs. Martha O'Brien and of Homer D. Baker, against the paving and otherwise improving of the Alleys in Block 43 Normal Heights, within the limits and as particularly described in Resolution of Intention No. 111457; overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Godfrey, 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 the paving and otherwise improving of Lamont Street, within the limits and as particularly described in Resolution of Intention No. 106839 - being under the Street Superintendent's Assessment No. 2126, the Clerk reported that written appeal had been received from Rev. Harold G. Ironfield.

The City Engineer reported a 3.9% protest. He said that the City had installed the curb, and that property owners had not been assessed therefor stated in the Ironfield protest.

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

Frank Hauser, 3437 Arizona Street, was heard verbally. He stated that he

5/12/53

owns 5 25-foot lots. He told about the estimate which had been given by the City Engineer. The assessment, he said, is more than one half the value of the property. He wanted to know about the differences in cost on Chico and on Lamont Streets. He said that he felt he will have to sell the property to pay for the improvement. Earlier, he stated, he had paid for oiling. The work on Chico is done under one contract, and on Lamont under another. He wondered about the different costs.

The City Engineer stated that the standard assessment procedure is used, and that Chico Street is not in this contract. He said that he can show the breakdown to Mr. Houser in his office, inasmuch as he does not have the Chico plans here, and that he is unable to answer questions on that proceeding without the matter before him.

Councilman Dail said that he does not know how an improvement on a corner can be so great as is usually assessed.

The Mayor stated that Mr. Houser's objections do not qualify as a protest. He referred Mr. Houser to the City Engineer for explanation.

Councilman Schneider said that there can be differences in the bids on the two streets done at different times. Work has been done, she stated, on Lamont and that it has to be paid.

RESOLUTION NO. 111992, recorded on Microfilm Roll No. 64, overruling and denying the appeal of Rev. Harold G. Ironfield from the Street Superintendent's Assessment No. 2126 made to cover the costs and expenses of the work of the paving and otherwise improving of Lamont Street, overruling and denying all other appeals, within the limits and as particularly described in Resolution of Intention No. 106839; confirming and approving the Street Superintendent's Assessment No. 2126; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing the Street Superintendent to record said warrant, diagram and assessment in his office, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2128 made to cover the costs and expenses of the work of paving and otherwise improving of portion of 46th Street, within the limits and as particularly described in Resolution of Intention No. 107589; the Clerk reported that written appeals had been received from Mrs. A. T. Miller and from Marian J. Christison, which appeals were presented to the Council.

At the request of the Council, the City Engineer made a verbal report on the protests received. He said that they are 4.2% of the property involved, and have to do with the driveways cracking. The driveways, he stated, are not a part of the contract.

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

A. T. Miller, Jr. spoke about the improvement. He said that the contractor, in putting in the forms had torn out the driveways. As a result, he stated, there are now mud puddles in front of the house.

The City Engineer can check that he said. He told the Council that although he had been over the work, he had not noticed the situation on which complaint is made.

Mr. Miller spoke again, and said that is his only problem.

Councilman Dail said that he had looked at the improvement, and felt that the contractor should correct the situation.

Councilman Schneider moved to continue the hearing on the assessment. The motion was not seconded.

Councilman Dail said that he felt the assessment should be confirmed, and that the contractor will fix the driveway later.

Mr. Miller contended that the job was not completed, and said that adjustment needs to be made.

Councilman Wincote stated that he thinks the trouble will be fixed by either the contractor or the City.

Councilman Godfrey suggested reference of the matter to the City Manager, and stated that as a result the property owners will be treated fairly.

RESOLUTION NO. 111993, referring to the City Manager the matter of driveways complained about by A. T. Miller, 735 So. 46th Street and Marian J. Christeson, 743 So. 46th Street, in connection with the Street Superintendent's Assessment No. 2128 made to cover the costs and expenses for the paving and otherwise improving of 46th Street, within the limits and as particularly described in Resolution of Intention No. 107589, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111994, recorded on Microfilm Roll No. 64, overruling and denying the appeals of Mrs. A. T. Miller and of Marian J. Christison, from the Street Superintendent's Assessment No. 2128 made to cover the costs and expenses of the work of paving and otherwise improving portion of 46th Street, within the limits and as particularly described in Resolution of Intention No. 107589; confirming and approving the Street Superintendent's 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 Burgener, 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. 2127 made to cover the costs and expenses of the work of grading, paving and otherwise improving of West Street, and Ocean View Boulevard, within the limits and as particularly described in Resolution of Intention No. 107166, the Clerk reported that written appeal had been received from Leonard Parsons, which appeal was presented; also from Mr. and Mrs. F. W. Galway.

The City Engineer reported a 4.2% appeal.

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

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

RESOLUTION NO. 111995, recorded on Microfilm Roll No. 64, overruling and denying the appeal of Leonard Parsons from the Street Superintendent's Assessment No. 2127 made to cover costs and expenses of the paving and otherwise improving of West Street and Ocean View Boulevard within the limits and as particularly described in Resolution of Intention No. 107166, also the appeal of Mr. & Mrs. F. W. Galway on said improvement; con-

firming 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 the office of the Street Superintendent said warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Godfrey, 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 in El Cajon Boulevard Lighting District 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 presented.

RESOLUTION NO. 111996, recorded on Microfilm Roll No. 64, confirming and approving as a whole the City Engineer's Report and Assessment for El Cajon Boulevard Lighting District No. 2, filed in the office of the City Clerk April 3, 1953, for the furnishing of electric current for the lighting of the ornamental street lights in said district, 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. 111571 of Preliminary Determination for the paving and otherwise improving of the Alley in Block 52 Park Villas, within the limits and as 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. 111997, recorded on Microfilm Roll No. 64, determining that the proposed improvement of the Alley in Block 52 Park Villas, within the limits and as particularly described in Resolution No. 111571 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 the proposed Ordinance incorporating portions of Rancho Mission, The Highlands, Rosedale into "R-2" Zone, and repealing Ordinance No. 5252 (New Series) 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.

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

Douglas Deaper, Deputy City Attorney, pointed out that under the new amendment to the Charter the proposed Ordinance should be read in full prior to its final passage or that the final reading of such ordinance be dispensed with by a vote of not less than four members of the Council.

As a Result, the action taken was reconsidered.

On motion of Councilman Wincote, seconded by Councilman Dail the reading of such ordinance prior to final passage was dispensed with by a vote of not less than four members of the Council.

ORDINANCE NO. 5582 (New Series), recorded on Microfilm Roll No. 64, incorporating portions of Lots 72 and 78 Rancho Mission, Lot 8 The Highlands, Lot 1 Block 1 Rosedale into R-2 Zone; repealing Ordinance No. 5252 (New Series) insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Prior to the final passage of said Ordinance reading was dispensed with by a vote of not less than four members of the Council, and there was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

RESOLUTION NO. 111998, recorded on Microfilm Roll No. 64, requesting the City Attorney to make a report on the new procedure for the introduction and passage of ordinances, as a result of the recently-enacted Charter amendment thereon, also requesting him to include in said report on the matter of the previously adopted ordinances, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The hour of ten o'clock A.M. having arrived, being the time set for the continued hearing (held May 12, 1953) on amendment to the Municipal Code relative to the Uniform Building Code adoption - for typographical correction of the proposed Ordinance which had been introduced on May 12, 1953, it was announced that no protests had been received.

ORDINANCE NO. 5583 (New Series), recorded on Microfilm Roll No. 64, amending San Diego Municipal Code by amending Sections 91.01 and 91.02; by renumbering Section 91.02.2; by adding a new section to be known and numbered Section 91.05.1; and by repealing Sections 91.02.1 and 91.03 - all having to do with the Uniform Building Code - was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.



Prior to the final passage of said Ordinance the reading in full was dispensed with by a vote of not less than 4 members of the Council, and there was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received May 1, 1953, from 5 bidders for furnishing and erecting one 3-Bedroom House at Bernardo Bridge, Lake Hodges, and one 2-Bedroom House at Torrey Pines Filter Plant for the Water Department, recommending award to O. O. and R. E. Maurer the low bidder at \$12,325.00 for both houses, was presented.

RESOLUTION NO. 111999, recorded on Microfilm Roll No. 64, accepting bid of O. O. and R. E. Maurer for the furnishing and erection of two houses (one 2-Bedroom House at Torrey Pines Filter Plant, and one 3-Bedroom House at Bernardo Bridge, Lake Hodges); 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 Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing 15 tons of Copper Sulphate Snow Crystals for the Water Department, recommending award to Atlas Manufacturing and Chemical Company of San Diego lowest of three bidders, was presented.

RESOLUTION NO. 112000, recorded on Microfilm Roll No. 64, accepting bid of Atlas Mfg. & Chemical Co. for furnishing 15 tons of Copper Sulphate Snow Crystals at \$11.32 per c.w.t. plus tax, f.o.b. Chollas Station; awarding contract, authorizing and instructing the City Manager to enter into and execute the same pursuant to specifications on file in the office of the Purchasing Agent, 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 4,000 pound capacity Fork Lift Truck for use in the Sewage Treatment Plant, received from 6 bidders; recommending award to Robert H. Braum Company of Los Angeles, low bidder, at a net price of \$3,991.68 plus State Sales Tax, was presented.

RESOLUTION NO. 112001, recorded on Microfilm Roll No. 64, accepting bid of Hyster Company for furnishing one 4000 lb. capacity Fork Lift Truck; awarding contract, authorizing and directing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of sewer in 63rd Street and Imperial Avenue; recommending award to Charles J. Dorfman, low bidder of 4 bids - 14.2% above the estimate of the City Engineer, was presented.

RESOLUTION NO. 1122002, recorded on Microfilm Roll No. 64, accepting bid of Charles J. Dorfman for construction of sanitary sewer in 63rd Street and Imperial Avenue; awarding contract, authorizing and instructing the City Manager to enter into and execute a contract in pursuance of plans and specifications on file in the office of the Purchasing Agent, 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 April 23, 1953 from 4 bidders for improvement of 64th Street between Mesita Drive and Catocin Drive, including grading, paving and construction of gutters; recommending award to Griffith Company, low bidder of 4 bids - 12.9% above the estimate of the City Engineer, was presented.

RESOLUTION NO. 112003, recorded on Microfilm Roll No. 64, accepting bid of Griffith Company for improvement of 64th Street between Mesita Drive and Catocin Drive (including grading, paving and construction of gutter; awarding contract, 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 Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received April 20, 1953 from 5 bidders for sewer replacement in West Point Loma Boulevard and Muir Avenue; recommending award to Pace Construction Company, low bidder - 17.5% below the estimate of the City Engineer, was presented.

RESOLUTION NO. 112004, recorded on Microfilm Roll No. 64, accepting bid of Pace Construction Company for the sewer replacement in West Point Loma Boulevard and Muir Avenue; awarding contract, 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 Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing one 6-Ton Truck Crane, was presented.

RESOLUTION NO. 112005, recorded on Microfilm Roll No. 64, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing

of one 6-Ton Truck Crane in accordance with Document No. 468717, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The next two matters, being recommendation from the City Planning Commission relative to the final map of Cabrillo Heights Business Center - contract with Ed Fletcher Company for installation and completion of unfinished improvements and setting monuments required; adoption of the final map, accepting streets and easements - came before the Council again. On May 7, 1953, the subject was continued to this date as requested by Mona Andreen of the City Attorney's office. Mrs. Andreen made another request that action be not taken at this time, and that the Final Map matter not be put back on the agenda until said Office requests it.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was held temporarily - to come up at a later date.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on request for rezoning from R-1 to R-2 in Glencleft, except portion now in C Zone - at the northeast corner of 47th Street and Market Street - was presented. Said communication states that petition asking for rezoning is necessitated by the fact that the Superior Court has held that the previous ordinance rezoning the property to R-2 was invalid for lack of due process. It says that objection was raised by the Court that no public notice was given and no hearing held subsequent on the proposal to rezone the property to R-2. The report states that protests had been received from approximately 365 persons, but that only 23 signatures could be identified within 500 of the property to included in the proposed rezoning. Also, it reports that the Planning Commission conducted a public hearing on May 6 and heard several people speak in protest, and that approximately 72 persons in the audience indicated they were opposed. Also, it states that the attorneys for the petitioners stated that they had established in Court that the protestants were led by a protestant who stated that his opposition to the rezoning was because he felt that minority groups would be housed and that such housing would devalue the property. It reports that owner of property at the southwest corner of 47th and Market Streets protested the rezoning and voiced the fear that occupants in the housing project would devalue his property as well as that of others. The communication states that the Planning Commission voted 6-0 to recommend that the proposed R-2 zoning be adopted, and suggested that papers be forwarded to the City Attorney's office for drafting of a proper ordinance prior to setting for a public hearing before the Council.

RESOLUTION NO. 112069, recorded on Microfilm Roll No. 64, requesting the City Attorney to prepare and present the necessary ordinance for rezoning all of Glencleft Subdivision from R-1 to R-2 Zone, except portion now in C Zone; setting a hearing on said proposed ordinance for the hour of 10:00 o'clock A.M. on Tuesday, May 26, 1953 in the Council Chamber, Civic Center; directing the City Planning Director to notify all protestants who spoke at the Planning Commission hearing of the time and place of the hearing on said proposed Ordinance, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for rezoning portions of F. T. Scripps' Addition, St. Clair's Addition, and La Jolla Park, from the existing R-2 Zone to R-2 Zone, and recommending by a vote of 6-0 to recommend denial, was presented.

The report states that at the Commission's public hearing, several persons appeared to endorse the application, all of whom live in the area; about the same number appeared to protest the application, some of whom were located within the area and some immediately adjacent outside of the area. It says that Mr. Andeck reported that the Board of the La Jolla Town Council had voted unanimously to recommend to the Planning Commission that the request for rezoning be denied, and that the property would be more of an asset to La Jolla and would fit better into the community as an R-2 Zone rather than R-4.

Andrew Andeck of the La Jolla Town Council asked for a clarification. Also, he said, the City Planning Director is for denial of the zone change.

RESOLUTION NO. 112006, recorded on Microfilm Roll No. 64, adopting recommendation of the City Planning Commission filed in the office of the City Clerk on May 11, 1953, under Document No. 464808 for rezoning from R-2 Zone to R-4 Zone of portions of F. T. Scripps' Addition, St. Clair's Addition, and La Jolla Park, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Director, attaching copy of letter from the City Attorney regarding adoption of an amendment to the Municipal Code, was presented. The letter points out that the Attorney's communicates that such an amendment is necessary if the city is to comply with request of the Commandant of the Eleventh Naval District as contained in recent letter to the City Manager. The letter referred to is copy of one from Mona Andreen, Deputy City Attorney, approved by Shelley Higgins, Assistant City Attorney, addressed to the Planning Director and dated April 21, 1953. It answers the Planning Director's letter of April 14, 1953, pertaining to proper procedure for placing height limitation on structures located near the Naval Air Base at Miramar. The Attorney's letter says that Section 101.0414 entitled "Airport Approach Zone" enables the City Council to prohibit construction of buildings in certain areas located in an "airport approach zone" and "airport turning zone". The area included within the approach or turning zone, the communication states, would not include all of the area described by Admiral J. W. Roper as being under the "Flight Pattern of Planes" and the "Clearance Area Surrounding the Field" located near the Naval Air Base at Miramar, within which he wishes to restrict the height of buildings to thirty feet and one hundred fifty feet respectively. That communication points out that the City Council is without power to restrict the height of buildings within these areas until the San Diego Municipal Code is amended and there is added an enabling section providing that within certain areas surrounding an air base construction of buildings over



a certain height shall be deemed to constitute an airport hazard and that within such areas no building shall be constructed over a certain height (Admiral Roper has requested a thirty foot height limitation within the Flight Pattern of Planes area and a one hundred fifty foot height limitation in the Clearance Area Surrounding the Field). Subsequent to the adoption of such an amendment to the San Diego Municipal Code, the City Council could, by ordinance, place the area adjacent to the Naval Air Base at Miramar, into zones which would restrict the height of buildings therein to 30 feet and 150 feet respectively, the Attorney's letter states.

The Mayor spoke relative to request of and effect of heights in so far as they relate to the 11th Naval District.

J. D. Thompson, Jr., requested to be heard. The Mayor recognized him, and stated that the Council would hear from Mr. Thompson.

Mr. Thompson, representing the Union Trust Co., spoke for owners of over 1,000 acres of land in the area affected. He said that the proposal would amount to a confiscation of property.

The Mayor said he felt the matter should be referred to the City Manager for a meeting and for recommendation.

Mr. Thompson contended that the proposal should not be undertaken before owners are consulted. He spoke of the training pattern, and of the heavier planes which will be coming in. The pattern should be changed, or have the pattern elsewhere, he stated.

The Mayor stated that there should be meetings with the affected property owners and the necessary recommendations.

Councilman Dail declared that the City cannot knuckle down to the Navy all the time. He said that he was not going to pass a law to confiscate property on the Mesa.

The City Manager pointed out that the matter has been discussed for 6 months.

Glenn A. Rick, City Planning Director, stated that the City Attorney's letter makes the situation clear. He told of the procedure which would be followed under the enabling ordinance. Before conducting a hearing on the height limit, he said it would be necessary to have the ordinance. The question is not, he said, if buildings can be financed by property owners if in such a flight pattern, as stated by Mr. Thompson.

Councilman Dail stated that property owners did not anticipate the abnormal flight pattern.

The Mayor stated that it is essential that the Council have the power.

Councilman Wincote said that the City should be in the middle, but that he does not know what can be done.

Mr. Thompson said that he had been told to get in contact with the Navy; but instead the Navy should contact the owners. He said that the rezoning should not be asked so as to confiscate the property. Property owners, he declared, have to carry the financial load.

Councilman Dail said that he is in favor of negotiation all the way down the line.

Mr. Thompson said that he would not object to 1,000 feet on part parallel to the Field. About 500 acres are affected, he stated.

The Mayor said that the Navy will not practice the landings when buildings come in.

Councilman Dail said that he is not going to consider the ordinance until the City explores every avenue. The City, he declared, should act as mediator.

Councilman Schneider moved to strike the item from the docket.

Mr. Thompson spoke again, and said that owners cannot build up their property on account of the financing.

Councilman Dail moved to refer the matter to Conference relative to the procedure, which motion was seconded by Councilman Godfrey.

The roll was not called at this time.

Mr. Thompson said that he thinks it is possible to work with the CAA regarding modification of the flight pattern. The Manager should meet with the Navy, he said.

Councilman Schneider stated that the Navy should cooperate, and that it is not a one-way street.

Mr. Thompson declared that it is not a normal use of an airport, as proposed.

RESOLUTION NO. 112068, recorded on Microfilm Roll No. 64, referring to Council Conference the matter of procedure having to do with the placing of a height limitation on structures located near the Naval Air Base at Miramar, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

After said Resolution was adopted, R. King Kauffman was heard.

Mr. Kauffman identified himself as a Director of the Donald Sharp Hospital. The jet flying at Miramar Naval Air Base can be both a noise and general nuisance he stated. Persons connected with the Hospital will want to be heard on the subject, he stated.

Others, including Earl D. Prudden, member of the California Aeronautics Commission, were heard. Mr. Prudden said that the City needs an enabling Ordinance regarding zoning in the areas near airports. The need for it can arise, he stated, and there can be a long time to get the necessary ordinance. He made reference to a "basic" ordinance.

Communication from the City Planning Director forwarding drawing of a proposed structure to be constructed over the public sidewalk above the doorway to a business identified on the drawing as "one door south of 945 Fourth, next to B&L Buffet, was presented. It states that the drawing was considered by the Planning Commission at its meeting on May 6 and denied by a vote of 4 to 0. The communication declares that the drawing indicates that a horizontal member, 12 inches thick, extending three feet out over public property and approximately 7-3/4 feet long, will be surmounted by six cut-out letters each 27 inches high and placed at the outer edge of the "marquee". The report points out that the construction of the sign above the marquee was, in the opinion of the members of the Planning Commission a subterfuge to avoid the provisions of Section 95.0117 of the Municipal Code. In addition, the report makes mention that although the sign is located in a section of the City where there are many other signs projecting over public property, it is understood that the terminating date for illegal signs under the Code is June 30, 1953, and that the Commission does not want to be a party to the subterfuge which would permit construction of an alleged "marquee-sign."

The Planning Director showed the picture of the proposed marquee-sign



which was in the Clerk's file. He said that the structure would not comply with height limits of signs over property. He declared that the proposal is just a subterfuge.

Councilman Wincote declared that the proposed sign is similar to signs on the Ace Drug Stores. He said that he thinks there is a legal decision involved. He said that the Council would be stupid to grant is an illegal sign, bang in the fact of the June 30th deadline for removal of signs. He said that the City should be ready to make the decision, with no time limit. The removal date for illegal signs over public property is June 30, 1953, Councilman Wincote stated again.

Mr. Rick told the Council that lots of places have complied with the ordinance, and named some of them. The height of the lettering is the trouble, he said.

Councilman Wincote said a marquee could be 7 or 8 feet out, with signs.

Councilman Godfrey stated that a thick sign can become a marquee.

Council members asked Jean F. DuPaul, City Attorney, who had just entered the meeting.

Mr. DuPaul replied that he cannot sign. The sign is bigger than the marquee, on the picture he saw, he stated.

Mr. Rick pointed out that the requested had been denied by the Planning Commission, and that there is need for clarification of the situation.

Councilman Godfrey moved to refer the question to Conference.

Councilman Wincote said that the City would not be in a position to deny.

Councilman Dail mentioned that the sign is built with marquee included.

Councilman Godfrey moved again to refer the matter to Council Conference, for consideration first thing on Thursday.

Mr. Rick referred to what constitutes a marquee under the Uniform Building Building Code.

Mr. Deaper, Deputy City Attorney read from the Ordinance relative to a marquee definition.

Mr. DuPaul said that the matter might be referred to the Board of Appeals. He said that it might be well to have the Board meet and make a determination. He spoke about the Municipal Code providing for Building Code matters being referred to the Board of Appeals.

Councilman Schneider was excused from the meeting.

Mr. DuPaul said that the picture qualifies as a marquee, with sign on top, but that there is more sign than marquee.

Councilman Godfrey declared that the matter should be clarified, and asked again that it be referred to Conference. There is nothing in Section 45, he stated, to interpret.

Mr. Deaper referred to the situation as of today, not in the future.

Councilman Dail stated that if the marquee and the sign were in separate contracts he would think of it as a marquee.

I. Jacobson, proposed builder of the marquee-sign, was present, and asked to be heard. He told the Council that he has a contract for a marquee, and stated that he had been advised by the Planning Department to go to the Council with his problem. In some instances he has been turned down by the Planning Commission, and granted by the Council, he stated. He stated that the structure is to be built for a marquee. He builds both marquees and signs, Mr. Jacobson said. He stated that he has to be guided by the property, in connection with what is constructed. He said that there is a discrimination which exists between the "theatres and the little man."

Councilman Wincote said, also, that there has been discrimination, and he said he thought it had been corrected, but apparently not. He referred to the Ace Drug Store again. He said, in that connection, that he felt that the City cannot deny the Apache sign.

Mr. Jacobson told the Council that if the marquee sign is not put up immediately, the contract therefor will be cancelled.

Mr. DuPaul said that under the Building code it is a marquee.

Councilman Schneider returned to the meeting at this time.

Mr. Deaper read from the Ordinance again.

Councilman Wincote moved to overrule the Planning Commission, and grant the permit, which motion was seconded by Councilman Schneider.

Next, Mr. Deaper who was checking the Ordinance, read about specifications for marquees.

Mr. Jacobson stated that marquees are regulated by the National Board of Underwriters, that they are checked and have on them stamps of approval. It is a national setup, he declared.

Councilman Schneider read what constitutes a marquee.

There was discussion between Councilman Dail and Mr. Jacobson has to his being a contractor who constructs marquees. Councilman Dail said that he would not employ Mr. Jacobson for that purpose, but if he wanted a marquee he would go to a building contractor, not a sign man.

The roll was called on the motion, resulting in

RESOLUTION NO. 112007, recorded on Microfilm Roll No. 64, overruling and denying the Planning Commission's denial at its meeting of May 6 for permission to construct and erect a proposed structure over the public sidewalk above the doorway to a business identified on the drawing attached to the Planning Commission's file on the subject as "one door south of 945 Fourth, next to B & L Buffet", which drawing indicates that a horizontal member 12 inches thick extending three feet out over public property and approximately 7-3/4 feet long surmounted by six cut-out letters each 27 inches high and placed at the outer edge of the marquee - being a "marquee-sign" with the lettering "Apache" - and granting permission therefor, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Councilman Godfrey moved that a conference regarding signs and marquees be held next Thursday.

There was no second.

The Mayor suggested that Council meetings be earlier than those now held at 10:00 o'clock A.M.

Councilman Schneider moved that beginning July 1, 1953, the Council start its meetings at 9:30 o'clock A.M.

Councilman Kerrigan stated that the 10 o'clock opening has to do with banking, and that the quality of bids sometimes hinges on the banking hour.

Councilman Godfrey told the Council that he felt the Council should not make a quick decision.

No action was taken.

Communication from the Planning Director, relative to objections of Miss Josephie DeLeo, and others from the decision of the Planning Commission decision on April 29, 1953, to grant G. G. Sheffer, 3943 Adams Avenue, permission to erect a 20' x 40' office building, was presented.

Accompanying said communication was a communication from the City Attorney signed by Douglas D. Deaper, Deputy City Attorney, approved by Shelley J. Higgins, Assistant City Attorney, referring to right of appeal. It refers to the granting without public hearing on March 4, 1953 for variance for such building in R-4. It states that later - on April 29, 1953 - a hearing was held to determine whether variance had been issued as a result of misrepresentation or fraud, and that the Zoning Committee had found that there was no misrepresentation and affirmed the earlier granting. It states that protestants may "appeal" in an informal sense to the Zoning Committee, the Planning Commission, the City Council, the Grand Jury or possibly directly to a court of competent jurisdiction, but that such "appeal" cannot have the effect of temporarily setting aside the variance until actually revoked or a court order enjoins construction.

Mr. Deaper told the Council that there is no right of appeal, but that an informal appeal can be made.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said communication of the Planning Director, the Attorney's letter, and the petition asking an opportunity to be heard regarding the variance, was on motion of Councilman Kerrigan, seconded by Councilman Dail, filed.

Communication from the City Manager stating that residents of the southerly portion of Clairemont area desired a paved street from Illion Street to Morena Boulevard, and stating that Carlos Tavares arranged with the property owners to pay for the paving of a 27-foot strip in the center of Milton Street from Lillion Street to Morena Boulevard which has been completed. It recommends that the Council initiate proceedings to improve said street and portions of Morena Boulevard if required to complete the intersections or terminations, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said matter was referred to the City Manager for proceedings, as recommended.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition for closing the southerly 75 feet of the N-S Alley in Block 127 University; stating that the sewer will be abandoned as a sewer north of the north line of Howard Street if closed, that satisfactory arrangements have been made for telephone plant in the location and the Pacific Telephone and Telegraph Company has no objection.

(The short portion of alley remaining open is on the block occupied by the Manor Hotel.)

RESOLUTION NO. 112008, recorded on Microfilm Roll No. 64, granting petition for closing the southerly 75 feet of the North-South Alley in Block 127 University Heights, filed in the office of the City Clerk as Document No. 464246, recommended by the Street Superintendent; directing the City Engineer to furnish a description of lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Attorney, signed by Robert T. Sjogren, Deputy City Attorney, approved by Shelley J. Higgins, Ass't City Attorney, being an opinion concerning the question of whether ice cream vendor trucks are included within the scope of the present San Diego sound truck ordinance, was presented. It makes various findings relative to the question of fact as to whether the ice cream vendor trucks fall within the scope of the ordinance. The communication said that since the time limitation of 7:00 P.M. in the amended ordinance is the only objection the ice cream vendor trucks have to the present regulation, it suggested that the time of operation could be extended to 9:00 P.M. for both commercial and non-commercial sound trucks.

RESOLUTION NO. 112009, recorded on Microfilm Roll No. 64, requesting the City Attorney to prepare and present an amendment to the Sound Truck Ordinance extending time of operation to 9:00 P.M. for both commercial and non-commercial sound trucks, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from American Chemical Society, San Diego Section, signed by Dudley H. Robinson, Ph.D., Chairman, Special Committee on Professional Status, offering objections to reclassification of Junior Chemist to Laboratory Technician, was presented.

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

Communication from Boys' Club of San Diego, 2930 Marcy Avenue, San Diego 13, dated May 6, 1953, signed by Irving E. Friedman, President, was presented. It asks that if jurisdiction by the United States Government of the temporary project within the City of San Diego is approved, Freedom Street Community Building would be under the City's jurisdiction for disposal. If that is done, the communication requests that the building be made available to the Boys' Club of San Diego for establishment of a Frontier Boys' Club, that a 5-year renewable lease be granted so that building could be remodeled at no expense to the City.

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

Communication from Freeland, Peterson & Evenson, 602 Spreckels Building, dated May 6, 1953, signed by Charles W. Christensen, was presented. It requests that the Mayor and City Clerk be authorized to sign on behalf of The City the title sheet of the La Jolla Shores subdivision map. It states that The City of San Diego, as owner of reversionary rights under conditions and restrictions recorded April 15, 1952, must certify on the title sheet that it consents to the preparation and recordation of the map.

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

Communication from Christine E. Groome, 7730 Canton Drive, Lemon Grove, California, dated May 6, 1953, requesting that her property - 10-1/4 acres, Lots 14 and 15 Moody's Subdivision according to Map 1290 Monterey Heights - be annexed to the City of San Diego for the purpose of development of new homes for residential purposes, was presented.

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

Communication from Walter Johannssen, 815 - 8th Avenue, San Diego, dated May 7, 1953, The writer asks the City for a statement which would enable him to take a loan on his pension, also for transfer to another department, and an increase of 5%, etc., was presented.

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

Communication from Ocean Beach Chamber of Commerce, 1918 Bacon Street, dated May 6, 1953, signed by James Noel, President, was presented. The communication states that the Chamber requests the honor of the Council's presence to participate in the ribbon cutting ceremonies Friday May 15, at 2 o'clock, officially opening the new Sunset Cliffs Bridge. It mentions the celebration to be preceded by a parade, and the "Parade of Progress" to be led by Mayor John D. Butler, followed by City and County officials and other civic and business leaders of San Diego, with open automobiles desirable. It states that the parade will assemble at the City-owned park lot at the foot of Newport Avenue, and asks that they be present by 1:00 P.M. to insure prompt starting of the parade.

Mayor Butler told about the parade to be held, and speeches to be made. It is up to the individual Councilmen if they care to attend, he stated.

Acceptances and regrets were taken by the Mayor for the event.

It was suggested that the communication be referred to the Mayor for answer; but instead a motion was made by Councilman Godfrey, seconded by Councilman Schneider to file it.

Communication from Mr. & Mrs. B. B. Stanford, 7415 High Avenue, La Jolla, dated May 5, 1953, referring to conflicting published articles relative to local rent control question. The letter concludes with "if only someone would realize that property owners have some rights as well as the tenants, and that most landlords have taken a whipping these thirteen years and ought to get some good breaks now".

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was referred to "Council file". It was sent by the Clerk to the Council Secretary.

RESOLUTION NO. 112010, recorded on Microfilm Roll No. 64, directing notice of filing of the Street Superintendent's Resolution No. 2130 made to cover the costs and expenses of the work done upon 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, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112011, recorded on Microfilm Roll No. 64, directing notice of filing of the Street Superintendent's Assessment No. 2131 made to cover the costs and expenses of the work done upon 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, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, reporting on bids for the paving and otherwise improving of 41st Street and Broadway; recommending award to Griffith Company - low bid 22.4% below the estimate, was presented.



RESOLUTION OF AWARD NO. 112012, recorded on Microfilm Roll No. 64, accepting bid of Griffith Company, a corporation, for the paving and otherwise improving of 41st Street and Broadway, within the limits and as particularly described in Resolution of Intention No. 110840, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 112013, recorded on Microfilm Roll No. 64, accepting bid of Griffith Company, and awarding contract, for the paving and otherwise improving of Moana Drive, within the limits and as particularly described in Resolution of Intention No. 110841, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

A written report from the City Engineer states that the low bid is 11.9% below the estimate.

RESOLUTION OF AWARD NO. 112014, recorded on Microfilm Roll No. 64, accepting bid of San Diego Gas & Electric Company, and awarding contract, for the furnishing of electric current for the lighting of the ornamental street lights located in Sunset Cliffs Lighting District No. 1, for a period of one year from and including January 15, 1953, to and including January 14, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112015, recorded on Microfilm Roll No. 64, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 43 Chas. Hensley's Subdivision, and 26th Street; approving Plat No. 2435 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said street and alley; 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 Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112016, recorded on Microfilm Roll No. 64, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 139 University Heights; Tyler Avenue, and Public Rights of Way; 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 Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112017, recorded on Microfilm Roll No. 64, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Russell Street; 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 Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112018, recorded on Microfilm Roll No. 64, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of 62nd Street and Fergus Street; directing the City Clerk to file Plat No. 2461 in the office of the City Engineer upon passage of the Resolution of Intention, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 112019, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of Rose Street, Hobart Street, Stewart Street, Millar Street, Catocin Drive, 63rd Street, Pembroke Drive, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 111366, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 112020, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of Winchester Street, Calle Serena, Calle Agudulce, Calle Tocon, Cumberland Street, Roanoke Street, and Albermarle Street, within the limits and as particularly described in Resolution of Intention No. 111367, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 112021, recorded on Microfilm Roll No. 64, for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 2, for a period of one year from and including March 1, 1953, to and including February 28, 1954, in accordance with the Engineer's Report and Assessment filed March 27, 1953, in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 112022, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of the Alley in Block 58 H. M. Higgins' Addition, 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. 112023, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of portions of Franklin Avenue and Commercial 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. 112024, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of El Paseo Grande, Calle Clara, Vallecitos, Calle Frescota, Camino Del Oro, Alley Block 9 La Jolla Shores Unit No. 1, Alley Block 12 La Jolla Shores Unit No. 1, portion of the Southerly Alley Block 34 La Jolla Shores Unit No. 6, La Vereda, Public Land being portion of Kellogg Park, 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. 112025, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of Reed Avenue, 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. 112026, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of the Alley in Block 43 Chas. Hensley's Subdivision, and 26th Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112027, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of the Alley in Block 139 University Heights; Tyler Avenue; Public Rights of Way, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112028, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of Russell Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112029, recorded on Microfilm Roll No. 64, 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. 112030, recorded on Microfilm Roll No. 64, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Kensington Manor Lighting District No. 1, for a period of one year from and including May 1, 1953 to and including April 30, 1954, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112031, recorded on Microfilm Roll No. 64, ascertaining and declaring the wage scale for the paving and otherwise improving of 37th Street, T Street and Jewell Drive, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112032, recorded on Microfilm Roll No. 64, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of the Alleys in Blocks 103 and 104 University Heights, within the limits and as particularly described in Resolution of Intention No. 109437 and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112033, recorded on Microfilm Roll No. 64, 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 Date Street, within the limits and as particularly described in Resolution of Intention No. 110070 and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112034, recorded on Microfilm Roll No. 64, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improvement of Francis Street, within the limits and as otherwise described in Resolution of Intention No. 110164 and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112035, recorded on Microfilm Roll No. 64, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the installing of sewers in 48th Street, Duval Street, 49th Street, Mary Lou Street, 50th Street and Public Rights of Way, as particularly described in Resolution of Intention No. 110075 and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112036, recorded on Microfilm Roll No. 64, 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 Manzanita Drive, Heather Street and Glenfield Street, as particularly described in Resolution of Intention No. 110073 and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112037, recorded on Microfilm Roll No. 64, 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 Tulip Street, as particularly described in Resolution of Intention No. 11074 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 inclusion of portion of Thorn Street under Resolution No. 110194 which granted petition for improvements in the Alleys in Blocks 4, 5 Frary Heights, was presented.

RESOLUTION NO. 112038, recorded on Microfilm Roll No. 64, adopting recommendation of the City Engineer filed in the office of the City Clerk on May 5, 1953 under Document No. 468582; authorizing the said City Engineer to amend proceedings for improvement of the Alleys in Blocks 4 and 5 Frary Heights, in accordance with said recommendation, 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, granting petition for construction of sanitary sewers in portion of 53rd Street, and an easement in Lot A Block 1 Las Alturas No. 2, by private contract, under City inspection at no cost to the City of San Diego, was presented.

RESOLUTION NO. 112039, recorded on Microfilm Roll No. 64, granting Otis T. Humphreys and Florence I. Humphreys permission to install a sanitary sewer in portion of 53rd Street and an easement in Lot A Block 1 Las Alturas No. 2, in accordance with plans, drawings, typical cross-sections and specifications filed in the office of the City Clerk under Document No. 468325, on conditions set forth therein, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Port of San Diego, signed by the Port Director, presenting form of lease with Charles D. Rollins and Edwin A. Frazer doing business as Shelter Landing, covering approximately 12,000 square feet of land at the north end of Shelter Island and 247,000 square feet of adjoining water area - for a term of 5 years with options to renew for 3 additional terms of 5 years each - rental of land based on 4¢ per square foot per year and water at \$245.00 per month; to be used for rental of slips to boats not exceeding 65 feet in length and rental of gear lockers and sale of engines, outboard motors, boats, and boat trailers, was presented.

RESOLUTION NO. 112040, recorded on Microfilm Roll No. 64, ratifying, confirming and approving lease, a copy of which is on file in the Office of the City Clerk as Document No. 468807, between the City of San Diego acting by and through the Harbor Commission as Lessor, and a limited Partnership composed of Charles D. Rollins, general partner, and Edwin H. Frazer, limited partner, doing business under the name and style of Shelter Landing, as Lessee, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Port of San Diego, signed by the Port Director, presenting form of Lease with J. C. Slaughter, an individual, doing business as Shelter Island Yacht Ways, covering approximately 18,000 square feet of land on Byron Street and 36,000 square feet of adjoining water area, for a term of 5 years with options to renew for 3 additional terms of 5 years each - rental of land based on 4¢ per square foot per year and water at \$35.00 per month; premises to be used for sale, construction, maintenance, repair and painting of boats not exceeding 65 feet in length, was presented.

RESOLUTION NO. 112041, recorded on Microfilm Roll No. 64, ratifying, confirming and approving lease, a copy of which is on file in the Office of the City Clerk as Document No. 468810 between the City of San Diego acting by and through the Harbor Commission as Lessor, and J. C. Slaughter, an individual, doing business under the name and style of Shelter Island Yacht Ways, as Lessee, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.



Communication from the Port of San Diego, signed by the Port Director, presenting form of lease with the State of California Department of Agriculture, covering 4 offices on the third floor of the Broadway Pier Headhouse - for a term of one year with options to renew for 2 additional terms of 1 year each - rental \$175.00 per month, was presented. It states that the lease follows the standard State of California form and supersedes an identical form of lease which expires June 30, 1953.

RESOLUTION NO. 112042, recorded on Microfilm Roll No. 64, ratifying, confirming and approving lease, a copy of which is on file in the office of the City Clerk as Document No. 468813, between the City of San Diego acting by and through the Harbor Commission of said City, as Lessor, and the State Department of Agriculture, as Lessee, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Port of San Diego, signed by the Port Director, submitting form of lease with the Western Lumber Company which has been revised slightly from the form previously approved by the Council. It stated that premises had been reduced to provide a 40-foot roadway from the previous lease but in the decrease by approximately 6,600 square feet without proportional decrease in rental. Corrections are provided for in the new lease form.

RESOLUTION NO. 112043, recorded on Microfilm Roll No. 64, ratifying, confirming and approving revised copy of lease, on file in the office of the City Clerk as Document No. 468816 between the City of San Diego acting by and through the Harbor Commission as Lessor, and Western Lumber Company as Lessee, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution refers to the lease being on file in the office of the City Clerk under Document No. 464846, and errors and modifications are accomplished under the new lease.

RESOLUTION NO. 112044, recorded on Microfilm Roll No. 64, acknowledging receipt of a copy of Notice of Intention to circulate petition for annexation of territory designated as "Kensington Park" and an affidavit of publication thereof and approving circulation of the petition, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112045, recorded on Microfilm Roll No. 64, establishing a parking time limit of one hour, between the hours of 8:00 o'clock A.M. and 6:00 o'clock P.M., Sundays and holidays excepted, on K Street between the east line of Eighth Avenue and the west line of Ninth Avenue; authorizing and directing installation of the necessary signs and markings; rescinding Resolution No. 105168 adopted January 22, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112046, recorded on Microfilm Roll No. 63, authorizing and empowering the City Manager to do all the work in connection with making certain improvements to the food concession facilities at the Laurel Street Concession Building, Electric Building and Balboa Stadium, in Balboa Park, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has recommended construction of improvements in order to comply with Health Department standards; 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. 112047, recorded on Microfilm Roll No. 64, authorizing the City Manager, as Local Agency authorized agent make application to the Director of Finance and/or the Post War Public Works Review Board, for \$47,052.07 toward cost of the San Diego Public Library; repealing Resolution No. 110895, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112048, recorded on Microfilm Roll No. 64, modifying and amending Resolution No. 108669, adopted October 7, 1952, so that the reallocations of space therein provided as of said date, from the County to the City, from the County to joint occupancy by City and County, from The City to joint occupancy of City and County - all as more particularly set forth in said Resolution - said Resolution to be null and void and of no force and effect unless and until the Board of Supervisors of the County of San Diego shall have passed and adopted a Resolution identical in substance and effect, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112049, recorded on Microfilm Roll No. 64, in connection with consolidation of the Health Departments of The City of San Diego and the County of San Diego as of the effective date of said consolidation, reallocating from joint City and County use to use by the County of San Diego alone of said date space more particularly set forth in said Resolution - said Resolution to be null and void and of no force and effect unless and until the Board of Supervisors of the County of San Diego shall have passed and adopted a Resolution identical in substance and effect, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112050, recorded on Microfilm Roll No. 64, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, a contract with Carl R. Rankin, 180 South Orange Grove Avenue, Pasadena, California, for professional services as Consulting Engineer in conduct of the City's investigations, surveys and construction work, in connection with program of development of water supply; said Carl R. Rankin to be paid the sum of \$2,500 for the period commencing 20th day of May, 1953 and ending 19th day of May, 1954, payable one-fourth upon execution of contract, and balance payable in equal installments in three, six and nine months thereafter, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112051, recorded on Microfilm Roll No. 64, authorizing and empowering the City Manager to execute for and on behalf of The City a lease with Robert Cordtz Company of portion of Lot 3 Block 168 Middletown, for a term of 5 years at an annual rental of \$60.00; the more particular description of the property and terms and conditions to be set forth in the form of lease filed in the office of the City Clerk under Document No. 468962; property has a value of \$500.00 as disclosed by the report of the last appraisal made by the 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 Godfrey, adopted.

RESOLUTION NO. 112052, recorded on Microfilm Roll No. 64, accepting and consenting to assignment, filed in the office of the City Clerk as Document No. 468965 and executed April 27, 1953, by E. B. Culnan, assignor, to R. E. Hazard and R. E. Hazard and E. B. Culnan, Lessee, heretofore executed and filed in the office of the City Clerk as Document No. 465707, covering portion of Pueblo Lot 1100 of the Pueblo Lands of San Diego; also Lots 20, 21, 22, 23 Block E Addition to Silver Terrace; also portion of Pueblo Lot 356, covering the Isolation Hospital in Mission Valley, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112053, recorded on Microfilm Roll No. 64, approving Change Order No. 2, dated March 31, 1953, heretofore filed with the City Clerk as Document No. 468828, issued in connection with contract between The City of San Diego and Griffith Company for improvement of Afton Road, contract contained in Document No. 459503 on file in the office of the City Clerk; changes amounting to increase in the contract price of approximately \$1,636.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112054, recorded on Microfilm Roll No. 64, granting request of John B. Henry, dated April 13, 1953, contained in Change Order No. 1, for extension of 60 days to and including June 10, 1953, heretofore filed with the City Clerk as Document No. 468830, in which to complete contract for construction of culvert in Alley Block 240 Mission Beach, contract contained in Document No. 464597 on file in the office of the City Clerk, extending said completion time, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112055, recorded on Microfilm Roll No. 64, granting request of Al E. Riley, dated April 23, 1953, contained in Change Order No. 2 for extension of 60 days to and including June 23, 1953, heretofore filed with the City Clerk as Document No. 468832, in which to complete contract for improvement of Playa del Norte Street, La Jolla Boulevard and Neptune Place, contract contained in Document No. 458068 on file in the office of the City Clerk, extending said completion time, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112056, recorded on Microfilm Roll No. 64, approving request of W. A. Robertson & Company, dated April 28, 1953, contained in Change Order No. 3 for extension of 15 days to and including April 28, 1953, heretofore filed with the City Clerk as Document No. 468834, in which to complete contract for install of Small Water Main Replacements Group No. 1, Specification No. 33, contract contained in Document No. 458239 on file in the office of the City Clerk, extending said completion time, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112057, recorded on Microfilm Roll No. 64, approving Change Order No. 15, dated April 27, 1953, heretofore filed with the City Clerk as Document No. 468836, issued in connection with contract between The City of San Diego and F. E. Young Construction Co. for construction of San Diego Public Library, contract contained in Document No. 451108 on file in the office of the City Clerk - changes amounting to increase in the contract price of approximately \$66.79, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

233

RESOLUTION NO. 112058, recorded on Microfilm Roll No. 64, granting permission to Ralph Dover Plumbing Co., Contractor for Kierulff Company (Permit No. 113590) to install for demonstration purposes, three washing machines and one drinking fountain on an indirect waste line, at 2426 Fourth Avenue, subject to approval of the Plumbing Inspection Department, Properties Department, Sewer section of the Engineering Department and City Manager's Office, on conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112059, recorded on Microfilm Roll No. 64, granting permission to Russ Twining, 2305 Pacific Highway, San Diego (distributor for Seaside Petroleum Products), to install a 40-foot driveway as measured at the top of the full-height curb, on the east side of Eighth Avenue between points 63 feet and 103 feet north of the north line of University Avenue, to serve 2 additional pump islands adjacent to Lots 1 and 2 Block C Estudillo and Capron's Addition, subject to conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112060, recorded on Microfilm Roll No. 64, granting permission to Paul A. Wenhe, 9350 Fuerte Drive, La Mesa, California, 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 an easterly direction, parallel to the southerly line of Lot 27 Good's Villa Tract Subdivision, to point of intersection with public sewer, to serve property at 3751 Centre Street, subject to approvals and conditions set forth therein, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112061, recorded on Microfilm Roll No. 64, vacating easement for right of way for sewer purposes in the East 4 feet of the south 65 feet of Lot 3 Block 187 University Heights, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said Resolution states that easement was granted to the City June 26, 1924, that since acquisition it has not been used nor has said easement been used for the purpose for which it was acquired for five consecutive years next preceding the proposed vacation; that it is unnecessary for present or prospective use.

The Resolution directs the City Clerk to cause certified copy of said Resolution to be recorded in the office of the County Recorder of San Diego County.

RESOLUTION NO. 112062, recorded on Microfilm Roll No. 64, 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 Morgan S. Rice Lots 35 to 43 inclusive Block 338 Choate's addition, excepting the Railroad Right of Way; directing the City Clerk to deliver said deed to the Property Supervisor with instructions that the same be delivered, when the Property Supervisor shall have received \$500.00 together with grant deed from Morgan S. Rice conveying to the City Lots 21, 22 and portion Lot 3 Block 116 Roseville Resubdivision, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City is desirous of obtaining said property in connection with Wabaska Drive, that Morgan S. Rice is the owner thereof, and is willing to deed the land to The City and to pay to the City \$500.00 in exchange for quitclaim deed from the City for Lots 35 to 43 inclusive Block 338 Choate's Addition. It states that the value of the property to be granted to the City is \$300.00; that the City is the owner of said property in Choate's Addition, that the value of the City property is \$800.00.

RESOLUTION NO. 112063, recorded on Microfilm Roll No. 64, 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, quitclaim deed quitclaiming to J. Francis Mergen and Bubbles J. Mergen portions of Lots 1 and 4 Block 393 and portion of Morena Boulevard, formerly Whitman Street vacated and closed to public use in Old San Diego, was on motion of Councilman Godfrey, seconded by Councilman Wincote, ~~was on motion of Councilman Godfrey, seconded by Councilman Wincote~~, adopted.

Said Resolution recites that the City is desirous of acquiring portion of Lot 3 Block 294 Old San Diego in connection with construction of Morena Boulevard widening and overpass, that J. Francis Mergen and Bubbles J. Mergen are willing to deed the same to the City in exchange for quitclaim deed from the City quitclaiming portions of Lots 1 and 4 Block 393 and portions of Lot 2 Block 394 Old San Diego and payment by the City of \$12,200.00. It states that the value of the Mergen property is \$18,600.00; that the City of owner of Lots 1 and 4 Block 393 Old San Diego valued at \$800.00 and Lot 2 Block 394 Old San Diego is \$5,600.00; that the City Manager has recommended the exchange together with payment by the City to the Mergens of \$12,200.00.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the following Ordinance was dispensed with by a vote of not less than 4 members of the Council.

ORDINANCE NO. 5584 (New Series), recorded on Microfilm Roll No. 64, appropriating the sum of \$35,000.00 from the Capital Outlay Fund of The City of San Diego, for the purpose only and exclusively of providing funds for improvement of Elm Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted by the following vote, to-wit: Yeas--Councilmen Bergener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.



On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the following Ordinance was dispensed with by a vote of not less than 4 members of the Council.

ORDINANCE NO. 5585 (New Series), recorded on Microfilm Roll No. 64, appropriating the sum of \$18,700.00 from the Capital Outlay Fund, for the purpose of providing funds to construct a sewer replacement in Arizona Street Canyon, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted by the following vote, to-wit: Yeas--Councilmen Bergener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

On motion of Councilman Wincote, seconded by Councilman Schneider, the reading of the following Ordinance was dispensed with by a vote of not less than 4 members of the Council.

ORDINANCE NO. 5586 (New Series), recorded on Microfilm Roll No. 64, appropriating the sum of \$4,530.00 from the Capital Outlay Fund for the purpose of providing funds to pay the City's share of the cost of a sewer extension connecting Vista Park and Tecolote Canyon Trunk Sewer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the reading of the following Ordinance was dispensed with by a vote of not less than 4 members of the Council.

ORDINANCE NO. 5587 (New Series), recorded on Microfilm Roll No. 64, amending Section 67.58 of the San Diego Municipal Code regulating Water Rates for Fire Hydrants, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the reading of the following Ordinance was dispensed with by a vote of not less than 4 members of the Council.

ORDINANCE NO. 5588 (New Series), recorded on Microfilm Roll No. 64, amending Chapter IV of the San Diego Municipal Code by adding Sections 41.01.16, 42.0708 and 42.0709 Regulating the Raising of Fowl and Rabbits, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the reading of the following Ordinance was dispensed with by a vote of not less than 4 members of the Council.

ORDINANCE NO. 5589 (New Series), recorded on Microfilm Roll No. 64, approving and adopting proposed amendment to Section 3 Rule XI of the Rules of the Civil Service Commission of the City of San Diego, adding a new subsection to be numbered (14) - having to do with outside employment or enterprise that has been determined by the Civil Service Commission to be incompatible with City employment or detrimental to the efficiency of regular City work - was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

Proposed Ordinance appropriating \$3,975.00 from the Unappropriated Balance Fund of the City of San Diego, for the purpose of providing funds to cover the costs of the improvement of 64th Street, between Mesita Drive and Catocin Drive, was on motion of Councilman Schneider, seconded by Councilman Wincote, introduced.

Proposed Ordinance appropriating the sum of \$1,900.00 from the Unappropriated Balance Fund of the City of San Diego, for purpose of providing funds to cover the cost of a sewer replacement in West Point Loma Boulevard and Muir Avenue, was on motion of Councilman Godfrey, seconded by Councilman Wincote, introduced.

Proposed Ordinance appropriating the sum of \$1,750.00 from the Unappropriated Balance Fund, for the purpose of providing funds to cover the cost of the construction of a sanitary sewer in 63rd Street and Imperial Avenue, was on motion of Councilman Schneider, seconded by Councilman Godfrey, introduced.

Proposed Ordinance appropriating the sum of \$750.00 from the Unappropriated Balance Fund, for the purpose of providing funds for installation of a sewer outfall for Imig Park Unit No. 2, was on motion of Councilman Godfrey, seconded by Councilman Dail, introduced.

The City Manager requested, and was granted, unanimous consent to present the next matter, not listed, which he explained to the Council:

RESOLUTION NO. 112064, recorded on Microfilm Roll No. 64, stating that the Council is of the opinion that adoption of proposed Senate Bill 1178 will be against the best interests of the people of the State of California and The City of San Diego, and on

behalf of the people of the City respectfully urges the Assemblymen and Senator from this district to take all steps necessary to defeat said bill; authorizing and directing the City Clerk to forthwith transmit certified copy of said Resolution to each Assemblyman and the Senator representing this district in the Legislature of the State of California, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Resolution recites that there has been introduced in the California Legislature, at the 1953 regular session, Senate Bill No. 1178; that said bill proposes the exemption of wines from taxation after the first year; it states that the Council is of the opinion that adoption of said bill would open the way for further exemptions from taxation in the State of California.

The City Manager requested, and was granted, unanimous consent to present the next matter, not listed on the Agenda, which he explained to the Council:

RESOLUTION NO. 112065, recorded on Microfilm Roll No. 64, adopting budget for improvement of certain Major City Streets in the City of San Diego and approving Memorandum of Agreement for Expenditure of Gas Tax Allocation for Major City Streets - set forth in Document No. 468976 on file in the office of the City Clerk; directing the City Manager to sign the same on behalf of said City, said agreement to be binding upon the State upon its execution by the authorized officials of the State, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112066, recorded on Microfilm Roll No. 64, authorizing the City Manager to employ as an independent contractor and not otherwise, the Pacific Coast Building Officials Conference, 124 West 4th Street, Los Angeles 13, California, for the purpose of checking building plans, such employment to be accomplished from time to time by the forwarding of building plans to the Conference and the remuneration to the said Conference shall be 50% of the fee for the building permit for which the plans are submitted as such fee is established in the latest edition of the Uniform Building Code, unless a lower fee is agreed upon by the said Conference and the City Manager; prior employment of said Conference is confirmed and ratified, subject to limitations and conditions set forth in said Resolution; money expended pursuant to the authority in said Resolution shall be limited to \$2000.00 in any one fiscal year, was on motion of Councilman Schneider seconded by Councilman Wincote, adopted.

The City Manager requested, and was granted, unanimous consent, to present said Resolution. He explained to the Council that said Conference is a non-profit organization, and that the City would pay one half of the fee for the checking.

The City Manager requested, and was granted permission to present the next matter, now listed on the agenda. He told the Council that Admiral Wilder Baker would like to be heard.

The Mayor recognized Admiral Baker, who spoke in reference to the Community Chest, and pointed out that the Chest. He said that the Community Chest is having to use a larger staff in order to put over its campaign. He asked for the use of quarters in Balboa Park on a temporary basis.

The City Manager said that the City has empty space which could be used for such temporary occupancy, and the occupants meet the expense.

It was moved by Councilman Godfrey to refer the matter to the City Manager for report to the Council Thursday.

The Mayor stated that the request merits consideration.

RESOLUTION NO. 112067, recorded on Microfilm Roll No. 64, referring to the City Manager for action, the verbal request of Admiral Wilder D. Baker, for permission to occupy quarters in Balboa Park on a temporary basis, to be used by an enlarged staff of said Chest, for action, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112068 shown on page 224

RESOLUTION NO. 112069 shown on page 223

The next matter was withdrawn from Council Conference, and ordered filed:

Communication from F. R. Malone, 4403 Thirty-Third Street, San Diego 1, having to do with raising of chickens, etc., and suggesting that "sunk raising" be covered for regulation.

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, the meeting was adjourned at the hour of 12:10 o'clock Noon.

ATTEST:  
FRED W. SICK, City Clerk

By

*August W. Hadsorn*  
Deputy

*John D. Butler*  
Mayor of The City of San Diego, California

The agenda for the Council meeting of Tuesday, May 12, 1953, shows that a County League of California Cities meeting was to be held Friday, May 15, 1953, at 6:30 P.M., at The Connoisseur, 6738 La Jolla Boulevard, with Richard Gallagher speaking on Progress in Public Works.

#### REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, May 14, 1953

A Regular meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:00 o'clock A.M.

Present--Councilmen Burgener, Winote, Schneider, Kerrigan, Dail, Mayor Butler.

Absent---Councilman Godfrey

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Russell from the decision of the Zoning Committee in denying his application No. 11729 by its Resolution No. 7319 application for a variance of the provisions of Ordinance No. 35 New Series which denied permission to Russell Segel, owner, and Mayfair Markets, Inc. lessee, to maintain a 12-foot by 20-foot screened vegetable room and to construct approximately 30-foot by 60-foot lath house attached to the rear of an existing market building in C Zone, on the easterly 390 feet of the southerly 320 feet of the northerly 645 feet of Lot 16 Ex-Mission Lands, at the southwest corner of Euclid and Federal, in Zone R-1, a report from the Planning Commission which was signed by D. E. South was presented.

Said report states that the owner was granted expansion of Commercial Zoning January 18, 1951, when the then-existing C Zone was about doubled in size. Later a large market was built in the C Zone, followed by illegal addition to the market without City approval. It states that on November 10, 1952, the owner again petitioned for enlargement of Commercial Zone and "C-P" Zone, thereafter approved by the City Planning and the Council with the usual condition that the effective date of the Ordinance be on the date of adoption of the Subdivision Map of the area. The report points out that the vegetable building had been constructed without a building permit, and the Building Dept. has placed a ticket on the building with the notification that the building is to be removed. It states that the entire area at the rear of the market has been blacktopped and marked for parking and is being used as a parking lot. The entrance to the downstairs store is through the R-1 Zone, it points out. The violation of the R-1 Zone has continued for the past few months, but could have been eliminated by filing of the subdivision map by Mr. Segel, it declared. Also, the report states that the Zoning Committee pointed out to Mr. Segel the leniency shown him by the Planning Dept., and, after due deliberation, denied his application by a vote of 3 to 0, suggesting that the subdivision map be filed.

Glenn A. Rick, Planning Director, told the Council that the Building Inspector had put the notice on the structure in an R-1 zone. He said that there is disagreement as to who did the actual work.

Councilman Dail stated that he had discussions with Mr. Segel, and learned that Mr. Segel will not sit down and discuss the situation with the Planning Director. Neither will he file a proper subdivision map, Councilman Dail said. He pointed out that the expense involved in filing the subdivision map would not be detrimental to Mr. Segel financially.

Councilman Dail wondered if subdivision could be made without engaging an engineer.

Mr. Rick replied that the State law requires an engineer. He said that he could not give the reasons for Mr. Segel's reasons for refusing to comply with the subdivision requirement, but thought it had to do with the expense involved. Also, he said that Mr. Segel thinks the City is being unfair in requiring dedication.

Councilman Winote pointed out that there would be an expense involved in the tearing down of the building, if the rezoning is not made so that it can comply.

Mr. Rick pointed out that the variance had been denied, and although Mr. Segel has declared he has been kicked around such is not the fact.

Russell Segel, who had not been present for the previous discussion on this hearing which he had requested, under the appeal, appeared in the meeting.

Councilman Kerrigan expressed the belief that there is not an appeal involved.

Mr. Rick checked the Clerk's file, and stated that the matter is filed as an appeal.

Councilman Kerrigan said that there is acreage involved, and that the property is not a subdivision and not subdivided.

Russell Segel was heard at this time. He admitted, upon being questioned, that some of the R-1 Zone Property is paved. He said that the situation had not worked out with the Planning Commission as intended. He showed to members of the Council a map which they studied. Mr. Segel referred to the C Zone area which is paved. He stated that



He stated that property for both Euclid Avenue and Federal Boulevard, in C Zone, in return for the C Zoning. He stated that he wanted to have C Zone for the whole block. He stated that after the building (the Mayfair Market) was up it was found that the zone change had not been granted.

Councilman Kerrigan pointed out that all uses were granted, provided that Mr. Segel grants the required rights of way.

Mr. Segel said that he will not go for the 10 feet for right of way on Federal Boulevard, but would on Euclid Avenue. He said that later the Planning Director had then wanted a subdivision to be made and map thereon filed.

Councilman Dail asked about the Federal Boulevard situation.

Harry Haelsig, Asst. Planning Director, showed to Councilman Dail and other members of the Council a map which was not in the Clerk's file. He explained relative to the property as he pointed out the property for the Council's benefit.

Councilman Dail said that Mr. Segel might have to deed more property.

Mr. Haelsig said that Mr. Segel has not committed himself, and the matter had not been taken up with the State relative to the additional right of way.

Mr. Segel said that demands have been made by the Planning Department which were thought to be final; then something else would be sprung on him by the department. He explained why the shed had been up without a permit, resulting from demands made by the Health Department. The Planning Commission now states that Mr. Segel has a smaller area.

Mr. Haelsig told about the description of the property on the petition for rezoning. He said that he did not agree with Mr. Segel regarding the size of the rezoning. Rezoning, he stated, is based upon a 30-foot alley. He referred, also, to a tentative map which would set forth several conditions regarding the Major Street Plan. He spoke of dedication of property across the street from the Segel property. He told about having prepared subdivision maps for Mr. Segel. He did not agree with Mr. Segel about the property size.

Councilman Winote stated that there can be an honest misunderstanding, regarding use of description from the middle of the street.

Mr. Segel said 10 feet of property were taken away without compensation.

Mr. Haelsig spoke about the larger zoning than originally planned for the C Zone.

Mr. Segel spoke about the land in question being worth about \$36,000.00. He said again that the Planning Department is asking for the subdivision map, and making more demands.

Mr. Rick told the Council that Mr. Segel has not been "picked on." He stated that there is no difference in the situation than that required from others. He said that the same clauses were included on other properties. He said that his department has agreed to so many things with Mr. Segel that he cannot say now just what they are.

At this point, Mr. Haelsig went to the Planning Department for a Tentative Map on the property involved.

Councilman Dail declared that the situation has not been done in a fair, businesslike manner.

Mr. Segel told the Council that no matter what he has done, the Planning Department wants more.

The matter was held up temporarily, awaiting the return of Mr. Haelsig - and will be found again on page 238 of these minutes.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance adopting the "Development Plan of La Jolla Community Center" as part of the Park and Recreation Plan of the Master Plan of The City of San Diego, particularly affecting the area lying on the south side of Prospect Street between Cuvier Street and Draper Avenue, the City Planning Director was heard. Mr. Rick explained from a map the changes - including re-arrangement of tennis courts, which will be paid for by La Jolla residents; not the City.

Next, the Mayor recognized Andrew Andeck, of the La Jolla Town Council, and asked if he wished to be heard.

Mr. Andeck told the Council that he is in favor of the proposed plan for the change. There is danger now, he said, from the present arrangement and that the new set up will be of advantage to all.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was introduced.

The hour of 10:00 o'clock A.M. having arrived, being the time set for hearing on the proposed Ordinance incorporating portions of Lots 141 and 142 Morena into "C" Zone, as defined by the San Diego Municipal Code, and repealing Ordinance No. 100 (New Series) insofar as it conflicts, 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 in protest, and the Planning Director was the only one who spoke. He said that the matter includes of effect upon the subdivision, and provides for a changed location of a service station to provide for better appearance and improved access in connection with the new proposed Clairemont Shopping District.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said introduced.

Petition of Marco J. Medin, Jr., 3122 Fairmount Avenue, San Diego 5, asking if the Council would allow him to connect to the City sewer if he would agree to comply with other provisions within a reasonable time in the future. The petition states that

the matter has do with proposed annexation of property south of Alvarado Freeway east of Fremont and north of the Alvarado Subdivision. It refers to letter received from the Assistant to the City Manager setting out conditions, which would be yond the reach of the petitioner.

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

The matter which had been referred to on Page of 237 of these Minutes, being the Russell Segel appeal, was brought up again inasmuch Harry Haelsig had returned to meeting with tracings which he showed to the Council.

A round table fashion discussion was held over the maps.

Mr. Segel intends to park all the way around the building (the Mayfair Market), it was reported to the Council.

Councilman Wincote asked if Mr. Segel mistreated, as he had charged.

Mr. Haelsig replied that he was not, and added that his treatment was just like that of everyone else.

Mr. Segel talked about the State wanting to appraise and buy the 10-foot strip of property. He declared that the State's mind had been changed, after a call from the Planning Department.

Mr. Haelsig said that he had discussed the situation with Mr. Segel over a service road. He showed a map made by Mr. Segel's Engineer, which he maintained had not been changed.

Councilman Wincote asked about the State having had a change of mind regarding the right of way.

There was discussion between Councilman Wincote, Mr. Haelsig and Mr. Segel over the service road purchase.

Mr. Segel said again that the State had wanted to appraise and buy the property; that Mr. Rick had delayed the matter 2 weeks. He asked relief for the store, regarding trucks for loading and unloading. There is no way of getting into the basement, he declared. He stated that he could not get relief for the C Zone to permit the shopping zone. Now he is short property, he said again. Next, he spoke about approval of map regarding CP Zone.

Councilman Schneider asked why Mr. Segel should be required to subdivide. The CP zone can be used for no other purpose than intended, he declared.

Councilman Dail stated that Mr. Segel would not come and talk to him about the situation.

Mr. Rick told the Council that as long as he is hired by the City, he will not sell the City short, and declared that he is trying to protect the City. He said that he has had a lot to do with design of the improvement. When the subdivision map is considered and approved, many things enter into the picture, and several departments other than the Planning Commission are consulted and make needed recommendations.

Councilman Burgener asked Mr. Segel about subdivision.

Mr. Segel asked why subdivide when demands are to be made by the City.

The Mayor pointed out that standard procedure is proposed to be followed.

Councilman asked for a continuance for one week.

Councilman Wincote said that even if the situation is covered by a one week's continuance, he believes the principales get together.

Councilman Schneider said that he wondered if it is the right thing to subdivide the property, in order to take property.

Mr. Rick referred to more than doubling the value of the property, and spoke of a package deal.

Mr. Segel said that he went along with the agreement, but it developed that they Planning Commission was springing something else which is not fair. He had asked for a different description than what was granted, he said, and objected to the cut down in size. He said that he gave 10 feet all around, for nothing.

Mr. Rick stated that it was thought there was an understanding with Mr. Segel, but that he always comes back with another idea. C Zone would not require the subdivision, he stated, and said that perhaps is what should have been asked for.

Mr. Segel told the Council again that he just wants relief for trucks in and out.

Councilman Wincote said that the Council is hearing conflicting stories. He stated that Mr. Segel can accomplish his purpose by giving up something.

Mr. Segel said that he pays engineers to put things down in black and white; and that he does not like changes.

Councilman Schneider declared that Mr. Segel had been given financial advantage by the earlier C Zone.

Councilman Dail said that alot was left up in the air, over the change. He said he thought there should be no side agreements.

Councilman Wincote told Mr. Segel that he is not being penalized.

Councilman Dail said that the matter should be delayed until Mr. Segel complies with ordinances and regulations.

Councilman Wincote said that he wants to go on the Tentative Map, the right of way and map filing.

Councilman Schneider moved to delay the matter 60 days to give Mr. Segel an opportunity to comply with the law.

Councilman Wincote stated that the Council could give a 60-day permit, unless the map is filed, to permit getting into the Mayfair Market.

Mr. Rick said that the Council should table the matter 60 days, and that there are differences in approaches.

Councilman Wincote asked that would be demanded in the map.

Mr. Rick replied what the law requires, and what is needed.

Mr. Segel told the Council that he will then have to tear a hole in the building (Mayfair Market) to provide entrance from Euclid Avenue.

The Mayor said that if Mr. Segel refuses to file the map the Council will deny, and that there are misunderstandings on various points.

Council Wincote told Mr. Segel that the Council act today, and deny his request as of right now.

Mr. Segel stated that, instead of Councilman Wincote's suggestion, he will take the 60-day continuance.

Councilman Wincote seconded the motion for a continuance for a period of 60 days.

The roll was called on the motion - resulting in continuance of the hearing to July 14, 1953.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing 50 tons of Sodium Silicofluoride for water purification purposes received May 6, 1953, from 6 bidders, was presented. It states that the low bidder, E.S. Browning Company of Los Angeles, failed to submit a bid check; that the quotation was approximately 15% under that of other bidders, and he advised that an error had been made and that he could not deliver the product at the price quoted. The communication states that the second bidder, Los Angeles Chemical Company, originally quoted on the basis of 20 tons and subsequently by letter offered 50 tons at a reduced price, but inasmuch as the offer was submitted after official receipt of bids it could not be accepted. The report says that in view of faulty bids from first and second low bidders, it recommended all bids be rejected, and the Purchasing Agent be authorized to re-advertise for bids.

RESOLUTION NO. 112070, recorded on Microfilm Roll No. 64, rejecting all bids received by the Purchasing Agent on May 6, 1953, for tons of Sodium Silicofluoride, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112071, recorded on Microfilm Roll No. 64, authorizing and directing the Purchasing Agent to re-advertise for sealed proposals or bids for furnishing The City of San Diego with approximately 50 tons of Sodium Silicofluoride in accordance with Document No. 468925, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

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

RESOLUTION NO. 112072, recorded on Microfilm Roll No. 64, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing lumber for bridge repairs in accordance with Document No. 468927, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, submitting final map of Cabrillo Heights Business Center, subject to posting of adequate bond to insure installation of the required improvements, and recommending approval - which was before the Council on May 7, 1953 and continued to May 12, 1953, at which time it was continued again until this meeting - was presented.

RESOLUTION NO. 112073, recorded on Microfilm Roll No. 64, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego a contract with Ed Fletcher Company, a corporation, for installation and completion of unfinished improvements and setting of monuments required for Cabrillo Heights Business Center; authorizing 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.

RESOLUTION NO. 112074, recorded on Microfilm Roll No. 64, adopting Map of Cabrillo Heights Business Center and accepting Sandrock Road, Greyling Drive, Larkdale Avenue and portion of Hurlburt and unnamed easements, declaring the same to be public street and easement 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 portion of a street and unnamed easement are accepted on behalf of the public; directing said City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on proposed zoning of portion of Lots 75 and 79, all of Lots 74, 81, 82, 83, 92, 93 of Las Alturas Villa Sites into R-1 Zone, was presented. It states that property is an area annexed to the City on November 30, 1952, and consists of about 24 acres of land unsubdivided but cut into parcels by metes and bounds and occupied by about 28 single-family dwellings, one guest apartment over a garage, and an open-air plumbing supply storage yard. The report states that the area is entirely surrounded by R-1 zoning in the County and in National City, that there were no protests at the hearing, and the Planning Commission voted 6-0 to recommend R-1 zoning.

RESOLUTION NO. 112075, recorded on Microfilm Roll No. 64, requesting the City Attorney to prepare and present the necessary ordinance for zoning portions of Lots 75 and 79, all of Lots 74, 81, 82, 83, 92 and 93 Las Alturas Villa Sites to R-1 Zone, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting petition for placing in R-1 Zone recently annexed land being in Lot 63 and portion of Lot 64 Ex Mission Lands - being about 58 acres of property, all of which is vacant except about one acre occupied by a junk yard. It states that the Commission was unanimous in recommending that the area be zoned R-1 until such time as it may be subdivided and put to an appropriate use. It suggests that the matter be forwarded to the City Attorney's Office for drafting of a proper ordinance prior to setting for a public hearing.

RESOLUTION NO. 112076, recorded on Microfilm Roll No. 64, requesting the



City Attorney to prepare and present the necessary ordinance for zoning Lot 63 and portion of Lot 64 Ex-Mission Lands to R-1 Zone, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by H. C. Haelsig, submitting petition of the Burgener Construction Company being an offer to deed and a request to dedicate corner cutoffs on Lots 7 and 11 Block D and Lots 1 and 3 Block G Tecolote Heights, was presented. The report states that the Commission has recommended that corner cutoffs be accepted and dedicated if improvements to Burgener Blvd., August St., February St. and September St. are improved in accordance with the recommendation of the City Engineer, was presented. (The matter was not listed on the agenda, but was attached to the next item, so it is being listed again on a future agenda.)

Communication from the Planning Director, stating that at its last meeting the members of the Planning Commission recommended an amendment to the Municipal Code relative to development of 3 or more recorded Lots in Zones R-1 and R-1 into a fewer number of residence sites without requirement of a zone variance, and that the same privilege be accorded to owners of Lots in Zones R-1A, R-1B and R-1C, through preparation and adoption of an ordinance to accomplish the results recommended, was presented.

RESOLUTION NO. 112077, recorded on Microfilm Roll No. 64, referring to the City Attorney for preparation and presentation of the necessary Ordinance providing for the same privilege to owners of lots in Zones R-1A, R-1B and R-1C as provided for development of 3 or more recorded lots in Zones R-1 and R-1 into a fewer number of residence sites without requirement of a zone variance, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, recommending classification of use by Edward & Evelyn Panek of Lot 22 Block 6 Loma Alta No. 1 in C Zone on Voltaire Street near Catalina Boulevard, for furniture refinishing, was presented. Said communication sets forth conditions which are set forth in the accompanying Resolution.

RESOLUTION NO. 112078, recorded on Microfilm Roll No. 64, finding that the use by Edward and Evelyn Panek of Lot 22 Block 6 Loma Alta No. 1 (Voltaire near Catalina Blvd.) in C Zone, for repairing and refinishing damaged and used furniture using maximum of 10 h.p., no more than 4 employees and operating between 8 A.M. and 6 P.M. is 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 Wincote, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, transmitting request of F. W. Grund for classification of use to permit business of cleaning Venetian blinds in RC Zone at 7524 La Jolla Boulevard, on portion of Lot 7 Block 4 La Jolla Park, was presented. It states that the property is 125 feet north of Pearl Street on the west side of La Jolla Boulevard; the first 100 feet of the block being C zoning and the next approximately 100 feet being RC zoning. Also, it lists the proposed operation and restrictions therefor. The report states that the Planning Commission denied the request by voting 6-0 that in their opinion the business was not similar to other permitted in the RC Zone.

On motion of Councilman Dail, seconded by Councilman Kerrigan, the matter was continued for one week. (Councilman Burgener reported that he is going to look at the premises.)

Communication from the Planning Commission, signed by P. Q. Burton, forwarding file of papers in connection with request of H. C. Latham of August 12, 1952 (Document No. 454687) for classification of use for construction and operation of a bulk cement transfer plant to be situated on Lots 3 and 4 Block 223 Middletown, with the information that Mr. Latham has requested that his letter be filed, was presented.

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

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on Document No. 463885 being petition to close portion of Potrero Street, formerly Cuyamaca Avenue, was presented. Said communication reports that Potrero Street is entirely unimproved and the closing is required in connection with resubdivision of the adjacent property as proposed by Lomita Village Unit No. 6, and Miguel Vista, that the proposed closing will not adversely affect the Major Street Plan nor traffic circulation in the district. It recommends, since all conditions required by the City have been met, that the petition to close be granted and that the City Attorney be authorized to file disclaimer in Superior Court Case No. 180555 in regard thereto.

RESOLUTION NO. 112079, recorded on Microfilm Roll No. 64, authorizing the City Attorney on behalf of The City of San Diego, to file a disclaimer in that certain action entitled "Cardiff Homes, Inc., a corporation, Plaintiff, vs. The City of San Diego, a municipal corporation, Defendant", No. 180550 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.

Said Resolution refers to action having to do with closing portion of Potrero Street, formerly Cuyamaca Avenue, between Blocks C and K Narragansett Heights.

Communication from the Street Superintendent, bearing signature of approval of the Assistant City Manager, reporting on petition to close Canon Street from a line parallel and 30 feet northerly from the center line of Talbot to the easterly line of the presently improved portion of Canon Street, was presented. It states that there are no utilities in the section proposed to be closed, except 6 inch sewer serving Point Loma Manor, located diagonally across the street. It states that the portion of Canon Street is unimproved and the topography is such that it could be graded and paved, but such improvement would create dangerous intersections at Talbot Street and at Canon Street. The communication points out that the closing does not affect the Major Street Plan of the City, and it recommends that the petition be granted.

RESOLUTION NO. 112080, recorded on Microfilm Roll No. 64, granting petition for closing Canon Street as described in Document No. 467102, 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 Wincote, seconded by Councilman Dail, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition offering to dedicate additional land for Talbot Street through portion of Pueblo Lot 190, and making several recommendations was presented. It states that if the Council concurs with the recommendations, it is recommended that the Property Division be authorized to set up an escrow agreement with the affected property owners in order to handle negotiations involved.

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

Communication from Mrs. Eva Drugal, 2511 Violet Street, San Diego, being a long undated letter relative to Ordinance regulating the keeping of chickens, was presented.

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

Communication from Mike Weibel, Eskimo Pie Distributor, 1898 So. 28th Street, San Diego, dated May 11, 1953, was presented. It requests extension of the time under the new ordinance as to hours of operation for ice cream trucks.

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

Communication from Mrs. John Jones, not dated and no address shown, having to do with expressing opposition to rent decontrol, was presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, said communication was referred to the Conference file on Rent Decontrol.

Communication from A. L. Miller, Member of the House of Representatives, Fourth District, Nebraska, enclosing copy of remarks made by him on the Floor of the House relative to fluoridation water. Among other things, the communication states that as a physician and former health director in Nebraska, he is convinced the Public Health Service has been going too fast on the important problem.

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

Communication from Rev. Paul L. Robison, Pacific Beach Methodist Church, Ingraham at Thomas, San Diego 9, California - residence 1544 Reed Avenue - having to do with needed improvements at the Pacific Beach Community Center, and making other remarks, was presented.

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

Communication from Pacific Indemnity Company, dated May 8, 1953, signed by J. M. MacConnell, recommending denial of claim of James Riley Odom, Jr., inasmuch as the case was closed without payment, was presented.

RESOLUTION NO. 112081, recorded on Microfilm Roll No. 64, denying claim of James Riley Odom, Jr., 2305 C Street, filed in the office of the City Clerk on April 1, 1952, under Document No. 447257, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from F. V. Dunn, 3705 Robinson Place, San Diego 3, expressing views that firemen and policemen should be among the highest paid employees, was presented.

Communication from C. Wernsman, Secretary-Treasurer, Teamsters Council of San Diego County, and listing various locals, recommending grant pay increase for policemen and firemen, was presented.

Communication from San Diego County District Council of Carpenters, signed by Fred L. Applegate, Secretary, announcing the wage rates which apply in all carpenters' classifications in all Southern California Counties, effective date on both old and new work to be June 15, 1953, was presented.

RESOLUTION NO. 112082, recorded on Microfilm Roll No. 64, referring communications from F. V. Dunn, from Teamsters Locals of San Diego County, and from San Diego County Council Carpenters, all having to do with salaries and wages to Council Conference file on the subject, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112083, recorded on Microfilm Roll No. 64, denying application of Dean Davis, 435 - 43rd Street, San Diego, for certificate of necessity to operate one taxicab, as recommended by the City Manager and by the Police Department, on file in the office of the City Clerk as Document No. 465374, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112084, recorded on Microfilm Roll No. 64, denying application of James C. Kay, 3049-1/2 A Street, San Diego, for certificate of necessity to operate one taxicab, as recommended by the City Manager and by the Police Department, on file in the office of the City Clerk as Document No. 465373, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112085, recorded on Microfilm Roll No. 64, 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 Lots 19 to 24 inclusive Block 1 of Subdivision of Lots 8, 9, 10 Skinner's Addition, together with all penalties and other expenses in connection therewith, be cancelled; that all deeds to The State of California for delinquent taxes on said property be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112086, recorded on Microfilm Roll No. 64, approving request of R. E. Hazard Contracting Co., dated August 11, 1952, contained in Change Order No. 2, for extension of 60 days to and including July 1, 1953, heretofore filed with the City Clerk as Document No. 468937 in which to complete contract for resurfacing 33rd Street, 38th Street, and La Jolla Boulevard - being portions thereof - contract contained in Document No. 453553 on file in the office of the City Clerk, extending completion time to July 1, 1953, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112087, recorded on Microfilm Roll No. 64, approving Change Order No. 2, dated April 14, 1953, heretofore filed with the City Clerk as Document No. 468939, issued in connection with contract between The City of San Diego and R. A. Wattson & Sons for installation of Oregon Street Pipe Line Replacement, contract contained in Document No. 456364 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$308.67, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112088, recorded on Microfilm Roll No. 64, authorizing the San Diego Unit No. 6, American Legion Auxiliary for the San Diego Auxiliaries of the American Legion, to conduct its annual sale of poppies on the streets Friday and Saturday, May 22 and 23, 1953, for the purpose of raising funds to replenish the welfare treasury of the American Legion for continuance of rehabilitation work among needy veterans and their families, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112089, recorded on Microfilm Roll No. 64, granting permission to Roy A. Cook, 4035 Promontory Street, San Diego 9, 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 east line of Lot 20 Block 200 Pacific Beach Subdivision, to point of intersection with public sewer, to serve property located at 4536 - 4544 Haines Street, subject to various approvals and conditions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112090, recorded on Microfilm Roll No. 64, granting permission to Theodore J. Lane, 3020 Boundary Street, to install a 2" cast iron sewer line between the property line and the sidewalk, to be placed 1 foot outside the property line and run in a southeasterly direction, parallel to the easterly line of Lots 1 and 10 Block B, Carmel Heights Extension subdivision, to point of intersection with public sewer, to serve property at southwesterly corner of Boundary and Little Flower Streets, subject to various approvals and conditions, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112091, recorded on Microfilm Roll No. 64, granting permission to Adeline C. Stewart, owner, (J. P. Pearson, Jr., General Contractor and Russell Kendall, Inc., Plumbing Contractor) to install a 4" soil pipe from garage apartment now being built, for a distance of 32 feet at a grade of 3/16" fall per foot (instead of 1/4" as presently required), for the reason that it is impossible to install the new line at a fall of 1/4" per foot because of the height of existing sewer line under present house, to serve property at 3520 Texas Street, Lots 19 and 20 Pawleys Addition, subject to various approvals and conditions, was on motion of Councilman Kerrigan, seconded by Councilman Wincoate, adopted.



243

In connection with the next matter, the Mayor made a brief resume of the purpose and the subjects to be considered:

RESOLUTION NO. 112092, recorded on Microfilm Roll No. 64, authorizing the following Deputy City Attorneys, City Prosecutor and Assistant City Prosecutors to attend the Continuing Education of the Bar program sponsored jointly by the State Bar of California and the University Extension Division of the University of California, commencing Tuesday evening, May 19, 1953, registration fee of \$15.00 per persons authorized to be paid by The City of San Diego:

Mona N. Andreen, Richard J. Curran, Douglas D. Deaper, Alan M. Firestone, Howard A. Muehleman, Aaron W. Reese, John S. Rhodes, Robert T. Sjogren, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112093, recorded on Microfilm Roll No. 64, accepting grant deed of Ethel W. Richards, a married woman, executed in favor of the City of San Diego, bearing date November 18, 1946, conveying Lots 16 and 17 Block 8 Bayside; authorizing and directing the City Clerk to file said deed for record in the office of the County 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. 112094, recorded on Microfilm Roll No. 64, accepting deed of Peter Hommes and Sarah Hommes, bearing date April 24, 1953, conveying Lot 8 Block 12 Campo Del Dios Unit 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. 112095, recorded on Microfilm Roll No. 64, accepting deed of W. H. Nichols and Geneva M. Nichols, bearing date April 27, 1953, conveying portion of Lot 21 The Highlands; 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. 112096, recorded on Microfilm Roll No. 64, accepting deed of Lafayette B. Rogers and Marian R. Rogers, bearing date April 28, 1953, conveying Lots 4, 5, 6 and portions of Lots 1, 2, 3 Block 8 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. 112097, recorded on Microfilm Roll No. 64, accepting deed of Fred Sharp and Stella Sharp, bearing date April 8, 1953, conveying portion of Lot 49 Horton's Purchase of Ex-Mission Lands, 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 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. 112098, recorded on Microfilm Roll No. 64, accepting deed of Anna Redd, bearing date April 22, 1953, conveying easement and right of way for public sewer purposes in portion of Lot 23 Block "R" Riviera 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112099, recorded on Microfilm Roll No. 64, accepting deed of Norma C. Schanke and Amanda R. Schanke, bearing date April 28, 1953, conveying easement and right of way for water pipe line in portion of the West Half of the Northeast Quarter and Lot 3 Section 36 Township 12 South, Range 1 East, S.B.B.M.; 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. 112100, recorded on Microfilm Roll No. 64, accepting deed of Effie D. Walters, Charles Buel Walters and Doreen F. Walters, bearing date April 27, 1953, conveying easement and right of way for water pipe line purposes in portion of Lot 78 Valle de Los Amigos; 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.

The reading of the next proposed Ordinance was dispensed with by a vote of not less than four members of the Council, on motion of Councilman Schneider, seconded by Councilman Wincote.

ORDINANCE NO. 5590 (New Series), recorded on Microfilm Roll No. 64, appropriating the sum of \$500.00 from the Unappropriated Balance Fund, and transferring the same to Account 463 Department 5.00 Property Management Fund, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy of said Ordinance.

The reading of the next proposed Ordinance was dispensed with by a vote of not less than four members of the Council, on motion of Councilman Wincote, seconded by Councilman Schneider.

ORDINANCE NO. 5591 (New Series), recorded on Microfilm Roll No. 64, incorporating a portion of Pueblo Lot 1339 into M1-A Zone, as defined by Section 101.0412.1 of the San Diego Municipal Code and repealing Ordinance No. 13455 insofar as the same conflicts, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy of said Ordinance.

Proposed Ordinance, incorporating Lots 37, 38, Lots 47 to 54 Inclusive, Chester Square into "R-2" Zone, and repealing Ordinance No. 35 (New Series), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced - and a hearing set thereon for the hour of 10:00 o'clock A.M., Tuesday, June 9, 1953.

Proposed Ordinance incorporating all of Block 36 Marilou Park into "C" Zone and repealing Ordinance No. 35 (New Series) insofar as it conflicts, was removed from this agenda, and the Clerk was requested to list it under proposed Ordinance to be introduced on the Agenda for Tuesday, May 19, 1953.

Proposed Ordinance incorporating Lot 32 and portion of Lot 33 La Mesa Colony, into "R-1" Zone, "R-2" Zone, and "R-C" Zone, as defined by Section 101.0405, etc., was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced - and a hearing set thereon for the hour of 10:00 o'clock A.M., Tuesday, June 9, 1953.

Proposed Ordinance incorporating Block B Narragansett Heights into "R-2" Zone, as defined by the San Diego Municipal Code, and repealing Ordinance No. 117 (New Series) insofar as the same conflicts was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced - and a hearing set thereon for the hour of 10:00 o'clock A.M., Tuesday, June 9, 1953.

Proposed Ordinance incorporating portions of Pueblo Lot 1235 and C.C.C. Tatum's Bay Hills Mesa, into "R-2" Zone, as defined by the Municipal Code, and repealing Ordinance No. 13456 insofar as the same conflicts, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced - and a hearing set thereon for the hour of 10:00 o'clock A.M., Tuesday, June 9, 1953.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Dail, seconded by Councilman Schneider, at the hour of 11:13 o'clock A.M.

Upon leaving the Council Chambers, the Mayor announced that the Council would go into Conference.

ATTEST:

FRED W. SICK, City Clerk

By August M. Hastings Deputy

John D. Butler  
Mayor of The City of San Diego, California

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, May 19, 1953

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

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

The Minutes of the Special Council Meeting of Monday, May 11, 1953, of the Regular Meeting of Tuesday, May 12, 1953, and of the Regular Meeting of Thursday, May 14, 1953, were presented to the Mayor 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.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of the Alleys in Block 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 of Intention No. 111785, 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 John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York, a corporation, in the sum of \$1,000.00, which bid was given Document No. 469221;

The bid of Lawrence B. Callahan & Richard W. Callahan, a co-partnership dba Callahan Bros., accompanied by bond written by Pacific Indemnity Company in the sum of \$10,000.00, which bid was given Document No. 469222;

Councilman Kerrigan entered the meeting at this time

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$1,100.00, which bid was given Document No. 469223;

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 \$1,500.00, which bid was given Document No. 469224.

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.

Councilmen Dail entered the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Newton Avenue, within the limits and as particularly described in Resolution of Intention No. 111079, 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 Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$2,500.00, which bid was given Document No. 469225;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$2,000.00, which bid was given Document No. 469226;

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 \$2,100.00, which bid was given Document No. 469227;

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 \$2,000.00, which bid was given Document No. 469228;

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 Tonopah Avenue, Asher Street, Lieta Street, Littlefield Street and Morenci Street, within the limits and as particularly described in Resolution of Intention No. 111080, 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 \$7,000.00, which bid was given Document No. 469229;

Councilman Godfrey entered the meeting at this time

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$8,000.00, which bid was given Document No. 469230;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$6,500.00, which bid was given Document No. 469231;

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. 469232;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$8,600.00, which bid was given Document No. 469233;

On motion of Councilman Schneider, seconded by Councilman Burgener, 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. VI, 1952-1953 - Specification No. 44, 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 Frank E. Gastlin, dba Royal Pipeline Construction Company, accompanied by bond written by The Home Indemnity Company in the sum of 10% of bid, which bid was given Document No. 469234;

The bid of Utility Construction Company, accompanied by bond written by United Pacific Insurance Company in the sum of 10% of bid, which bid was given Document No. 469235;

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. 469236;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of 10% of Amount of Bid, which bid was given Document No. 469237;

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 10% of bid, which bid was given Document No. 469238.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed annexation of portion of Lot 47 Rancho Mission of San Diego, 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.

Proposed Ordinance approving annexation to The City of San Diego of a portion of Lot 47 Rancho Mission of San Diego, in the County of San Diego, State of California, to be known and designated as "Lot 47 Rancho Mission Tract", was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2129 for 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 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, the Clerk reported that no 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. 112101, recorded on Microfilm Roll No. 64, confirming and approving the Street Superintendent's Assessment No. 2129 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 12-1/2 Subdivision of Blocks 3, 6, 9, 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; 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 Dail, seconded by Councilman Burgener.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 111566 for the paving and otherwise improving of the Alley in Block 68 Park Villas; Public Rights of Way in Lots 25 and 26 Block 68 Park Villas, within the limits and as particularly described in said Resolution, the Clerk reported that written protest had been received from Charles Stein, which protest was presented.

The City Engineer reported a 3.3% protest.

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. 112102, recorded on Microfilm Roll No. 64, overruling and denying the protest of Charles Stein against 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, within the limits and as particularly described in Resolution of Intention No. 111566, overruling and denying all other protests thereon, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

On motion of Councilman Dail, seconded by Councilman Kerrigan, said proceedings 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. 111567, for the paving and otherwise improving of Winona Avenue and 50th 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 Dail, seconded by Councilman Wincote, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 111684 for the paving and otherwise improving of Island Avenue, 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. 112103, recorded on Microfilm Roll No. 64, determining that the proposed improvement of Island Avenue, within the limits and as particularly described in Resolution No. 111684 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 2, for a period of one year from and including March 16, 1953 to and including March 15, 1954, 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. 112104, recorded on Microfilm Roll No. 64, confirming and adopted as a whole the Engineer's Report and Assessment for University Avenue Lighting District No. 2, filed in the office of the City Clerk April 10, 1953, 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 Ordinance incorporating portions of Blocks 38, 39, 52 and 53 C. L. Carr's Subdivision & Vicinity, Blocks 22 and 23 L. W. Kimball's Addition, into "C" Zone, and repealing Ordinance No. 12942 insofar as the same conflicts, the Clerk read communication from the Planning Commission, signed by P. Q. Burton.

Said communication, which had been presented to the Council at the meeting of April 14, 1953, recommended denial of the petition to rezone the property for the various reasons set forth therein.

Communications favoring the Rezoning were presented to the Council by the Clerk.

Councilman Godfrey referred to the report relative to the signatures on the original petition.

Mrs. Harry Smart referred to withdrawals of signatures for the zone change. She filed two withdrawals from Mr. & Mrs. Frank Castro and from Pearl F. Cooper.

Councilman Schneider referred to the Planning Commission's report which had made comment that some businesses which had been established had been taken out. He wondered how other streets, now developed, were classified as "C" Zone property.

Glenn A. Rick, City Planning Director, said that they were zoned "C". He told of small commercial use on Market Street between 18th and 25th Streets. East of 25th Street, he said, businesses have been abandoned.

Councilman Godfrey asked about the current status of the petition.

Mr. Rick replied that he is checking the matter, and will be able to report soon.

Next a petition in favor was filed.

Mr. Rick referred to it as tax delinquent property, owned by Violet Beck.

An unidentified man (who was later during the hearing learned to be John F. Nobbs) referred to a Mr. Turner, who has a trust deed on the property, as being present.

Mr. Rick next told the Council that there are still 6% to 70% in favor of the rezoning.

Councilman Godfrey told those present that the Council has to go on the petition, not on report relative to absent persons.

At this time, although some persons had spoken a few words, or introduced communications, the Mayor announced that the hearing would be opened with the opposition to be heard first.

Mrs. Elizabeth Stecker told the Council that Block 38 is a big hole; Block 39 is a big hill. She spoke about sewers in Block 39 located high above the alley. She told the Council that has lived there 27 years. The Government, she stated, couldn't budge the hill. Although the remark was not clear, Mrs. Stecker said that there would be another 47th and Market Street situation. She said that the rezoning can go East of 28th Street, but not where it is proposed. There is no way of getting into the Alley east of 25th Street, she stated. Mrs. Stecker told the Council that a gulley is being filled gradually, on the north side of Market Street. She declared that it is costing the City money to zone, rezone and change. The property is not used now, she stated. Then she commented that the sewer in the area excavated at 27th and Market Streets. She stated that objected to the rezoning for all reasons. It will cost property owners to change the property to a business zone, she stated.

Mrs. Smart, who had spoke about signature withdrawals at the beginning of this consideration, was heard at this time. She stated that she is against the rezoning. The Assessor had stated, she declared, that if the C Zone goes in, the taxes would be increased. She said that she does not favor the commercial zone. The taxes will be raised, she declared, without permitting use of the commercial zone. She asked to see a list of property owners' signatures, and contended that only they should sign for the rezoning.

Mr. Rick replied only property owners' names were used in the checking and reporting on the petition. He told of property owners who want their names stricken from the petition for rezoning. There are a lot of people against the zoning who are not here, he stated. They would have to pay for 2 sewers, he said. The property does not lend itself to business use, he declared, and said that the proposal is unfair to taxpayers.

Councilman Schneider told the individuals interested that the Council gives recognition to the majority.

Lyle Bullock was heard next, when he asked about opposition based on statement regarding increase in assessment covering rezoning.

Councilman Schneider said that could be, and amended the statement by saying that the valuation would go up.

Mrs. Lucinda Hater said that she had signed the petition for the rezoning, and that had been done since she was misled. She said that her property is on a sloping hillside, and told the Council that she withdrew her signature. It is not desirable for business or commercial district, Mrs. Hater said.

John F. Nobbs, who resides on Richardson Street was heard next.

Asked by members of the Council if he owns property, Mr. Nobbs stated that he "has interest" in property there.

William Stark, attorney, told of the fill on Market Street - the N-S Alley in Block 23. The property slopes down to 26th Street, he stated, and said that between 25th and 26th Streets on the north side of Market Street is a high bank. The material, he declared, could be used to level the property. There is a sewer coming down the alley, Mr. Stark stated. The south side of Market Street is low, and that there is a drop from the bridge to the canyon. If the property is zoned C, Mr. Stark said, changes are that people would buy on the semi-freeway. It does not lend itself to single-family dwellings, he declared. To rezone the property is for future development of the area, he told the Council, and added that a majority of the houses are old. He recommended that it be zoned for business to provide for development, and stated that all would benefit.

Charles Turner, who told the Council that he holds a mortgage on property at 27th and Market Streets, was heard next. He stated that benefits from the proposed rezoning would be great for the busy Market Street, which will be even busier. The zone should be changed to bring in business, he observed. The zone change would not damage the property, he stated. Mr. Turner questioned the Assessor's statement regarding the increase in taxes, declaring it to be not justified at this time.

Hervy Johnson told the Council that he has had considerable experience in the development of property in the area. He said that he had sold several portions, now developed. He told of having built and moved in houses. The trouble, he declares, lies in the widening and the grading of Market Street, leaving property owners high or low on account of a proposed street car line which was not built. Nothing, he declared, has been done in the area for 50 years. The cost is too great for residential use, in his opinion. Market Street is going to develop into business street as the eastern area of the City is built up Mr. Johnson told the Council. Eventually the property will have to be leveled off for businesses, he declared. Market and 26th Streets is a good place for development, he said, and told about having made plans to purchase there but that he did not on account of the zoning, so he invested elsewhere. Property will stand as of small value until it is rezoned, was Mr. Johnson's contention, and when it is levelled off the property owners will have improved property. The dirt from the present hills can be used on Wabash Extension, he stated. He spoke about the rezoning from several angles, and related the proposed uses, at the request of Councilman Dail. He told about Chadwick's dining room and parking lot, as well as the Filipino Hall as being good developments in which he had had a hand.

A Miss Walker, who did not give her first name or initials, was heard next. Asked if she owns property there, Miss Walker replied that she does not, but that she was speaking as a representative of owners, inasmuch as she is President of the Golden Hill Improvement District. Small businesses, if established in the area, she declared, will mean needed payrolls. She said that the City cannot also reply on its defense industries. Miss Walker told the Council that she has come here before the Mayor was born, and knows the situation. Owners should take advantage of the closer in vacant property, she declared, and pointed out that zone variances don't work.

Mr. Kelley, who did not give his first name or initials, was heard. He spoke about the northwest corner of 27th and Market Streets. It is down in a hole, and its only real use is for some sort of business or commercial development, he stated. It has remained undeveloped, on account of being no business area. In addition, he said, the



property could be brought to level for residences, also. He told about people moving from the South end of the city, where they can obtain inexpensive residences.

John Sedlack spoke next in reference to his property at the northwest corner of Market and 26th Streets, owned 9 years. No one has approached him with the object of selling, he stated. A C Zone would be better, he declared, and added that the soil moving would be no problem.

Councilman Schneider moved to close the already-lengthy hearing.

Lyle Bullock, of the Bullock Carpet Service, located at Market and 28th Streets, spoke next. He referred to his business which he is operating under zone variance. There is need to enlarge the business, he added, but said that he can't on account of the zone variance which restricts him. He said that he has already been informed that he is in violation of the variance. Mr. Bullock read the zone variance which was all right in 1946, but not now. He stated that it has developed into a big business on the worst portion of the street in question.

Councilman Schneider moved again to close the hearing, which motion was seconded by Councilman Burgener. The hearing was thereupon declared closed, by the Mayor.

On motion of Councilman Schneider, seconded by Councilman Wincote the Ordinance incorporating portions of Blocks 38, 39, 52, 53 C. L. Carr's Subdivision & vicinity, Blocks 22 and 23 L. W. Kimball's Addition into "C" Zone as defined by Section 101.0411 of the San Diego Municipal Code and repealing Ordinance No. 12942 insofar as it conflicts, was introduced.

After the Ordinance was introduced, Councilman Godfrey pointed out that there is still a substantial petition for rezoning, despite withdrawals of names therefrom. He asked Mr. Rick why the request was denied by the Planning Commission.

Mr. Rick replied that it had been turned down on account of the terrain, strip commercial zoning, and the trend against the strip commercial zoning being in favor of shopping centers, rather than as requested. Some of the property will have to be rezoned back to residential, he declared, if the C Zoning is done.

Councilman Dail contended that the general value of the property will increase if rezoned. Not more than 1 or 2 houses have been built in the area within 5 or 10 years.

There was no more discussion.

The hour of 10:00 9'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating all of Block 36 Marilou Park into C Zone and repealing Ordinance No. 35 (New Series) insofar as it conflicts, was presented.

When the matter came before the Council earlier on report from the Planning Commission, and at which time the drafting of the Ordinance was ordered, the Council was informed of the Commission's recommendation for denial.

The report of said Commission was read to the Council again at this time. It states that the application for rezoning from R-2 to C Zone is near the intersection of Home Avenue and Federal Boulevard, being bounded by "A", Ash, Parrot and 38th Streets. None of the streets is improved, according to the report, and "A" Street which is the only approach to the property is also unimproved and there are no curbs or sidewalks on any of abutting streets. It reports that the block immediately to the east was zoned for commercial use May 3, 1951, when it was occupied by a large number of stored automobiles which are no longer there and the land is vacant, and that none of the C Zoning in the area is used for commercial purposes. It states that Henry J. Waters, owner and petitioner, has stated that he is the owner of the Nehi Bottling Company at 18th and C Streets, that the business is too large for the existing building and that the building is poorly adapted for a bottling plant. The report pointed out that Mr. Waters understands that if the zone change is granted he would have to seek a zone variance to build a bottling plant, and he has stated that he must then have the existing public alley closed in order to build the plant. It states that Mr. Waters has given no valid reasons for the change, and stated to the Commission that he was looking for cheap land on which to build, and that Block 42 adjacent which abuts Home Avenue was too high priced. The report declares that the property and surrounding area are residential in character as well as zoning, as evidenced by new residential construction around it: Fairmount Park, Ridge View, etc., and the adjacent C Zone is still vacant. The statement is made that the Planning Commission found several reasons for voting 5-0 to recommend denial, which reasons are listed in the communication.

At this point Harry C. Haelsig, Assistant Planning Director, showed maps to the Council relative to the re-routing of Highway 94. There was a conference over the map, during which he told the Council about the traffic changes. Mr. Waters joined the in discussion relative to proposed use of the property, in connection with the traffic pattern.

Councilman Wincote declared that the third paragraph in the report is mis-written. He pointed out, too, that it is Mr. Water's property.

Mr. Rick said that if it is not clear he would show the area on a map, which he did, and explained the situation further. He said that it is not ripe for consideration of the map today regarding the traffic change. There is an error, now, he declared, and that a better road can be made. It should be replatted first, Mr. Rick said, and there is need to get the street change first before "freezing" the area. Why should the City provide for waiving under the law to botch up the situation, he asked.

Mr. Rick's question was not answered.

Mr. Waters told the Council that the area covers an open, flat piece of ground.

Mr. Haelsig showed the grade to the Council from a map.

Mr. Rick declared that under the method proposed planning is done without action in regard to the necessary easements.

Mr. Waters replied that there will be the necessary streets eventually in the area.

Mr. Rick spoke for need to consider the street pattern first, and told about other ownerships involved. Mr. Waters might find a way out, he declared. Mr. Rick said

he does not want the City to tell property owners that they can use the property, then have an overhead built which will shut out use of the property for ingress and egress.

Councilman Schneider declared that long-term planning is important.

Mr. Rick said that about 2 months would be needed to study and recommend in the matter.

Councilman Wincote stated that the City has bought the Fenton property for highway purposes. He said that it may not have bought the right property.

Mr. Waters next told about the details which go into his business of bottling, and the subsequent moving which would be involved.

The Mayor pointed out that there is the matter of millions of dollars involved in the freeway, as weighed against a two months' delay for Mr. Waters.

The City Manager told the Council that the City had bought the Fenton property - more than is needed for the purpose indicated for highway - at a good price.

Mr. Waters showed a plan for the highway location.

The City Manager then spoke about the matter of access roads, rather than the freeway alone.

Mr. Rick showed a map of the Home Avenue connection, over which there was further discussion.

Mr. Haelsig spoke about the preliminary plan as a "tight movement."

There was more discussion, resulting in no decision.

The matter was held temporarily, and will be found again on page 255 of these Minutes.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing 23 7-Person Lockers and 1 8-Person Locker, for the new City Public Library, received from 4 bidders on May 8, 1953, was presented. It recommends award to Worley & Company of Pico, California, low bidder, at \$1,658.84 plus State Sales Tax.

RESOLUTION NO. 112105, recorded on Microfilm Roll No. 64, accepting bid of Worley & Co. for the furnishing of 23 7-Person Lockers and 1 8-Person Locker; awarding contract, authorizing and instructing the City Manager to enter into and execute the same on behalf of The City of San Diego pursuant to specifications on file in the office of the Purchasing Agent, 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 the City's requirements of clay sewer pipe and accessories for a period of six months beginning May 1, 1953, received from 5 bidders on April 28, 1953. It states that Industries Supply Company and Mission Pipe and Supply bid identical prices in accordance with City specifications, due to a single manufacturer of the pipe and prices set by the maker. The report says that Mission Pipe and Supply has furnished pipe under contract for the 6 months past, and it recommends award to Industries Supply Company for the next 6 months period. It states that in the meantime testing of the Gladding McBean pipe - bidder on another pipe at a slightly lower price - will be carried on and evaluated prior to the end of the period.

RESOLUTION NO. 112106, recorded on Microfilm Roll No. 64, accepting bid of Industries Supply Company of San Diego for furnishing requirements of Clay Sewer Pipe and accessories for a period of 6 months beginning May 1, 1953; awarding contract, authorizing and instructing the City Manager to enter into and execute 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, reporting on bids for furnishing 7 Compound Water Meters, Fire Service Type, 6"x3"x3/4" received May 6, 1953, from 2 bidders, was presented. It recommends award to Squires-Belt Material Co., of San Diego, second low bid - for meter which meets specifications - thereby becoming the lowest responsible bidder.

RESOLUTION NO. 112107, recorded on Microfilm Roll No. 64, accepting bid of Squires-Belt Material Co. for furnishing 7 Model FM Hersey Detector Water Meters, at \$1,056.00 each, plus state sales tax; awarding contract, authorizing and instructing the City Manager to enter into and execute the same, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Director of Public Works, addressed to the Assistant City Manager, forwarded with stamps of approval from the Acting City Manager and Purchasing Agent, reporting on bids received for Street Resurfacing Work, Units I, II, III of Specification No. 393; recommending award under Unit I to Hazard Company and under II and III to Daley Corporation, was presented.

RESOLUTION NO. 112108, recorded on Microfilm Roll No. 64, declaring bid submitted by R. E. Hazard Contracting Company for resurfacing streets under Unit I to be the lowest bid received therefor, declaring said Company to be the lowest, responsible and reliable bidder for said work, at a total estimated sum of \$45,936.52; declaring bid submitted by Daley Corporation for resurfacing streets under Units II and III to be the lowest bid received therefor, declaring said Company to be the lowest, responsible and reliable bidder for said work, at a total estimated sum of \$68,435.15; awarding contract to said Company and Corporation; authorizing and empowering the City Manager to execute for and on behalf of the City contracts therefor upon execution by said companies of the contracts, execution, delivery, filing and approving of the bonds required, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Proposed Resolution accepting bid of Daley Corporation, lowest of 7 bidders, for construction of Wabash Boulevard, Section B, Market Street and Imperial Avenue, being one of 7 bidders, for \$1,121,324.80 - 15.5% below the estimate - was presented.

The City Manager recommended that the award be continued one week.

On motion of Councilman Wincote, seconded by Councilman Schneider, said proposed Resolution was continued to the meeting of May 26, 1953.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on sale by public auction of 18 1948 model Police Sedans, held May 2, 1953, sold to 12 successful bidders for \$6,825.00 was presented. The report states that money received has been deposited to the credit of proper funds in the office of the City Treasurer.

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

RESOLUTION NO. 112109, recorded on Microfilm Roll No. 64, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for alterations to the Harbor Department Building, 1040 West Broadway, bearing Document No. 469039; authorizing and directing the Purchasing Agent to proceed to publish notice to contractors calling for bids therefor, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112110, recorded on Microfilm Roll No. 64, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of traffic signals and safety lighting at intersections of Grape Street and Kettner Boulevard, and at India Street at intersection of traffic signals on Grape Street, bearing Document No. 469034; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112111, recorded on Microfilm Roll No. 64, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of traffic signals and safety lighting at the intersections of B Street at State Street, First and Third Avenues, and C Street at First and Third Avenue, bearing Document No. 469035; 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.

RESOLUTION NO. 112112, recorded on Microfilm Roll No. 64, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of traffic signals and safety lighting at the intersections of "B" Street and 7th and 8th Avenues; "C" Street at 8th and 9th Avenues; and Broadway at 9th Avenue, bearing Document No. 469036; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112113, recorded on Microfilm Roll No. 64, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for reconstruction of safety lighting and traffic signal systems on Pacific Highway - Cedar Street to Laurel Street, bearing Document No. 469037; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112114, recorded on Microfilm Roll No. 64, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for small water main replacements, Group No. VII, 1953-53, bearing Document No. 469038; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Lomita Village Unit No. 6, subject to posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 112115, recorded on Microfilm Roll No. 64, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego, a contract with Cardiff Homes Inc., a corporation, subdivider, and Security Title Insurance Company, a corporation, as trustee, for installation and completion of unfinished improvements and setting of monuments required for Lomita Village Unit No. 6 subdivision; directing the City Engineer to present ordinance establishing official grades of all streets



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

RESOLUTION NO. 112116, recorded on Microfilm Roll No. 64, adopting Map of Lomita Village Unit No. 6, being subdivision of portion of Blocks "C" and "K" and portion of Potrero Street, formerly Cuyamaca Avenue, all in Narragansett Heights; accepting on behalf of the public Billow Drive, San Felipe Street, San Vicente Street, Skyline Drive, Wade 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 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 him to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 3 sections of the Municipal Code in connection with the subdivision of the Hotel Block in Morena, was presented.

RESOLUTION NO. 112117, recorded on Microfilm Roll No. 64, suspending Secs. 102.16-8, 102.18, 102.17-c of the Municipal Code in connection with the Tentative Map of the Hotel Block in Morena, 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 for subdivision of the Hotel Block in Morena, subject to 6 conditions, was presented.

RESOLUTION NO. 112118, recorded on Microfilm Roll No. 64, approving the Tentative Map of the Hotel Block in Morena, a proposed subdivision of 14 lots, located between Jellett and Kane Streets and between Frankfort and Galveston Streets, on 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, submitting petition of Burgener Construction Company, being an offer to deed and a request to dedicate corner cutoffs on Lots 7 and 11 Block D, and Lots 1 and 3 Block G Tecolote Heights, was presented. The report states that offer for cutoffs is preparatory to the filing of Record of Survey maps for redivision of Lots 6 to 11 Block D, and Lots 1 and 2 and 12 and 13 Block G into parcels fronting on Burgener Blvd. It states that under the record of survey procedure no street improvements can be required other than for drainage. In addition to various reports in the matter, it states that the Planning Commission has recommended that corner cutoffs be accepted and dedicated if improvements to Burgener Blvd., August St., February St. and September St. are improved in accordance with the recommendation of the City Engineer.

RESOLUTION NO. 112119, recorded on Microfilm Roll No. 64, adopting recommendation of the City Planning Commission, signed by Harry C. Haelsig, that corner cutoffs be accepted and dedicated in Lots 7 and 11 Block D and Lots 1 and 3 Block G Tecolote Heights if improvements to Burgener Blvd., August St., February St. and September St. are improved in accordance with the recommendation of the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Street Superintendent, signed by the Assistant City Manager, reporting on petition for closing the Alley adjacent to Lots 19 and 22 Block M Montclair, and Block 22 City Heights, was presented. The report says that because of an existing sewer and utility poles in the Alley and a 1911 Improvement Act proceedings in progress, and because there may be property acquisition required and possibility a turn-around may be required in connection with the future construction of the Nile Street connection to Wabash Boulevard, it is recommended that no portion of said alley be closed.

RESOLUTION NO. 112120, recorded on Microfilm Roll No. 64, denying petition for closing Alley adjacent to Lots 19 and 22 Block M Montclair, and Block 22 City Heights, filed in the office of the City Clerk under Document No. 466674 as recommended by the Street Superintendent, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, signed by the Assistant City Manager, reporting on petition for closing the southerly half of Hendricks Avenue adjacent to Lots 4 to 11 Block 187 University Heights, and the northerly half of Hendricks Avenue adjacent to Lots 32 to 36 and adjacent to the easterly 15.98 feet of Lot 37 Block 182 University Heights, was presented.

RESOLUTION NO. 112121, recorded on Microfilm Roll No. 64, granting petition for closing portion of Hendricks Avenue, easterly of a line connecting the southwesterly corner of Lot 37 Block 182 to the northwesterly corner of Lot 5 Block 187 University Heights, adjacent to Lots 33 through 37 Block 182 and Lots 5 through 11 Block 187 University Heights, filed under Document No. 466429; 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 the Street Superintendent, signed by the Assistant City Manager, reporting on petition to close 15 feet on the north side of Beech Street between Gregory Street and the east line of San Diego Property Union, was presented. In addition to a lengthy report, said communication recommended that no street closings be approved before the streets are improved or until an approved resubdivision of the property is assured, and that the request be denied.

RESOLUTION NO. 112122, recorded on Microfilm Roll No. 64, denying petition for closing the northerly 15 feet of Beech Street easterly from Gregory Street in San Diego Property Union, filed in the office of the City Clerk under Document No. 465285, as recommended by the Street Superintendent, was on motion of Councilman Schneider, seconded by Councilman Winco te, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition to close the southerly 40 feet of Ivy Street between the easterly line of Pacific Highway and the westerly line of California Street, was presented. In addition to a detailed report, said communication states that the proposed closing would affect the Major Street Plan, and recommends that the closing be denied.

RESOLUTION NO. 112123, recorded on Microfilm Roll No. 64, denying petition for closing of the southerly 40 feet of Ivy Street between Pacific Highway and California Street, filed in the office of the City Clerk under Document No. 454230, as recommended by the Street Superintendent, was on motion of Councilman Godfrey, seconded by Councilman Winco te, adopted.

Notice and Affidavit of Publication of Notice of Intention to circulate Initiative Petition, for submission to the voters of an ordinance prohibiting the Fluoridation of the Municipal Water Supply, was listed on the agenda for information of the Council.

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

Communication City of El Cajon, signed by Nelson M. Fleming, Mayor, dated May 14, 1953, inviting the Mayor and City Officials to attend the open house at the new Fire and Police Stations to be held on Saturday May 23rd between the hours of 11:00 A.M. and 5:00 P.M. at 210 and 240 Highland Avenue, was presented.

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

Communication from the Coast Security Corporation, 418 Land Title Building, San Diego 1, dated May 12, 1953, signed by Harold LaFleur, president, was presented. Said communication offers to sell to the City of San Diego Lots 2 to 18 Block 91 Ocean Beach Subdivision and Lot 4 Block 104 Wonderland Beach. It offers the property for either \$37,500.00, plus pro-rating the property's share of the expense, which is \$4,370.00, being the amount incurred improving the property since original offer to sell, and completion of improvements set forth in Improvement Plan No. 9907-L at no expense to said Corporation, or will sell at a price to be determined by a board of appraisers, or at the average price of the appraisals made by each of said appraisers. It states that the offer is good until thirty (30) days from date (May 12, 1953) only, and that after that time it is automatically withdrawn and of no further force and effect.

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

Communication from James Hervey Johnson, Box 2832, San Diego 12, Calif., dated May 13, 1953, favoring decontrol of rents, and making various observations on the rent situation, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was referred to the "rent file" - and sent by the Clerk to the Council Secretary.

Communication from San Diego City & County Convention Bureau, dated May 12, 1953, signed by Forrest M. Raymond, President, relative to appointment of a permanent coordinating committee, to study worthwhile projects, and making other observations, was presented.

RESOLUTION NO. 112124, recorded on Microfilm Roll No. 64, referring communication from the San Diego City & County Convention Bureau, filed in the office of the City Clerk under Document No. 468973 suggesting appointment of a permanent coordinating committee to undertake extensive study of various projects now under discussion, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communications from John J. McCloskey and Thomas W. Sefton favoring the granting of higher salaries to members of the Police Department and Firemen, were presented. In addition, other communications which had arrived in the form of telegrams after the agenda had been prepared and distributed, and several which were handed in during the meeting, were presented also.

RESOLUTION NO. 112125, recorded on Microfilm Roll No. 64, referring to the Budget Conference, on salaries, communications from John J. McCloskey and Thomas W. Sefton, relative to granting higher salaries to members of the Police Department and Fire-

men, together with other telegrams on the same subject, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Cardiff Homes, Inc., and Republic Dev. Co., by John R. Neece, was presented. It requested permission to submit map of proposed "Freeway" at Catdiffe and Jamacha Road and to discuss acquisition of same by the City of San Diego. It states that the matter is urgent, since the Map of Lomita Village Unit #5 is being held up from filing until the matter is decided, was presented.

The City Manager made a report on the situation.

Councilman Dail stated that the Council is not the negotiating body of the City.

The petition referred to was read to the Council by the Clerk.

Councilman Godfrey stated that the City Manager is trying to negotiate the matter.

Councilman Dail said that he failed to see what negotiation the Council can make.

John R. Neece, one of the owners, was heard. He said that the map will make a reservation for freeway, if the City will file the map. He declared that owners of the property are entitled to a fair deal.

Councilman Dail said that if the property is developed, the property cost will then increase.

Mr. Neece spoke about a 160 foot strip, costing \$7,900. to pave Cardiff across the freeway.

The City Manager stated that he did not know what Mr. Neece is talking about.

Mr. Neece stated that Cardiff Street is already there.

The City Manager told the Council that the matter has been negotiated by E. W. Blom, Assistant City Manager.

Councilman Dail declared that it is not fair to discuss the matter when Mr. Blom is not here.

There was discussion between Councilman Wincote and Mr. Neece relative to the building of the freeway.

Mr. Neece told the Council that Cardiff is an existing street, and that the City is demanding 20 feet on each side.

The City Manager said that it is no different than others, he assumed.

The City Manager telephoned to Mr. Blom, and asked him to come to the Council meeting.

Harry C. Haelsig, Assistant Planning Director, showed the Council a map regarding Cardiff Street. There is a little less than required in other subdivisions.

Mr. Neece stated that objection is made to the paving of the freeway.

Mr. Haelsig said that he wants to check the engineer's (Neece's) engineer's figures.

There was discussion between Mr. Haelsig and Councilman Wincote about the cost.

Mr. Blom, who had appeared at the meeting, was heard. He talked about Cardiff Street, and the 20-foot road which exists. He stated that plans include widening. He spoke regarding the fill cost which is included. Work would have to be taken out, he stated, and the cost of widening included. He told the Council that the freeway building is a thing in the future. No check has been made to determine quantities, he said. He repeated the statement as Councilman Godfrey was reviewing Mr. Neece's engineer's figures.

Councilman Wincote pointed out that negotiations should be carried out with the City Manager.

Mr. Neece told the Council that an impasse has been reached. He said that he feels that the Council is preventing him from filing the map.

The City Manager spoke about the Engineer having dedicated, free of charge on the preliminary map.

There was discussion between the City Manager and Mr. Neece.

The City Manager spoke of a change, between the City Planning Commission and Mr. Neece's engineer.

Mr. Haelsig spoke of the "Reserved for future street" matter, and told about its meaning. He stated that the City Attorney's office had said that the City could not take reservation and access rights. He stated that the dedication should be made, and thinks that Mr. Neece knew about it. Under reservation, he pointed out, the Council could take it. There would then be no compensation, Mr. Haelsig declared. He referred to the matter as being "dedicated hereon", on the final map.

Mr. Neece said that he would not file the map when he found that the change relative to the dedication had been made.

Councilman Wincote declared that there is no coercion on the City's part. It was dedicated on the map, he said, and declared that the City got overly-liberal.

Mr. Blom spoke of a figure of about \$6,000.00.

Mr. Neece referred to an original figure of \$30,000.00 for the property.

The City Manager stated that the Attorney for the City had offered \$10,000.00.

Mr. Neece told the Council that he will take \$10,000.00.

The City Manager agreed that it is "a deal."

Mr. Haelsig said that the matter needs to go back to the Planning Department.

The City Manager said that dedication will be on the map.

Councilman Schneider moved to refer the matter back to the Planning Department.

The City Manager stated that the matter can be had for Thursday, and that it is basically the same map.

Councilman Schneider moved to refer the matter to the City Manager and to the Planning Department, which matter was seconded by Councilman Kerrigan and the roll called.

RESOLUTION NO. 112126, recorded on Microfilm Roll No. 64, referring communication from Cardiff Homes, Inc. and Republic Development Co. filed in the office of the



City Clerk under Document No. 469130 requesting permission to submit map of proposed "Freeway" at Cardiff Street and Jamacha Road, and discuss acquisition of same by the City in connection with map of Lomita Village Unit #5 to the City Manager and to the City Planning Director, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

(The matter was retained by the Clerk, and placed in the Council's matter for consideration at the May 21, 1953 Council meeting, inasmuch as it was listed again on the agenda for consideration at that meeting).

Communications from various organizations, in the form of mimeographed Resolutions, urging the dredging of the Mission Bay Channel and restoration of the beach area at Mission Bay entrance and at Ocean Beach; suggesting construction of groin at the foot of Saratoga Avenue, initiation of action to secure the necessary funds therefor, etc., were presented.

RESOLUTION NO. 112127, recorded on Microfilm Roll No. 46, referring Resolutions adopted by various organizations relative to dredging of Mission Bay Channel and restoration of beach area at Mission Bay Entrance and at Ocean Beach, etc., filed in the office of the City Clerk under Documents Nos. 468971 and 468978, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The next matter, which was a continuance of hearing shown on page 250 of these Minutes - having to do with the zoning in Marilou Park - was brought up again at this time.

Mr. Haelsig, who had gone to the Planning Department's office to check, reported no record of a dedication.

Mr. Waters replied that the situation is vague and uncertain.

The Clerk read a portion of the Planning Department's report again, at the request of the Council.

Mr. Rick referred to 1. of the report, having to do with hearing for property owners to come in.

Mr. Waters declared that he has 100% of the property owners in favor of his request.

There was discussion between Councilman Godfrey and Mr. Rick over distances involved, and property owners' consenting to the change.

Herbert Kelly appeared at the microphone, but was not asked to be heard at this time.

Mr. Rick stated that the owner has to make a finding regarding public need.

There is a relation between supply and demand, Mr. Rick told the Council.

Councilman Schneider stated that the cost of M-1 use property is terrific.

Councilman Godfrey told the Council that the demand is in San Diego, the supply in National City. He stressed the need to make more light industrial zoned property available.

Councilman Wincote wondered if the information on the realignment map could be done in one week.

Mr. Rick pointed out that once the Council grants the permission requested, many facilities will be needed. He declared that it would be freezing the situation. He referred to the need for the alley closing, which leads from one thing to another. He also told about many services which would have to be furnished.

Councilman Godfrey said that if there is cause for the change now, it should have been sound long ago.

Mr. Rick pointed out that he cannot do advance planning.

Councilman Dail said that it does not look good to the petitioner not to bring up the problem. The City, he said, should mention the points involved, which are many.

Mr. Haelsig stated that the matter got to the Planning Department before it reached State planning, which is the reason he knew of the route change. He spoke about request to hold the matter for information inasmuch as it is preliminary.

Mr. Waters contended that the matter might develop into 6 months, instead of 2 months.

Councilman Godfrey pointed out that Mr. Waters has a dead line to meet for his change over. He asked that the City not hold up the property owner when there are serious economic problems.

Mr. Haelsig declared that there are many things to be settled, other than those of Mr. Waters.

Councilman Wincote declare if it did not touch the Waters property (presumably the route alignment) he would vote for it.

Mr. Haelsig told about subdivisions handled in a similar matter in the past which have resulted in difficulty through older parts of the City having to do with incorrect alignments and the like.

Councilman Dail stated that a variance, if granted, would be on conditions imposed relative to the right of way.

Councilman Schneider asked that the rezoning matter be held over until Thursday of this week.

Councilman Godfrey stated that the Manager, and the Planning Department should have a change to evaluate regarding "Morgan's" providing of right of way.

The City Manager advised holding the matter until Thursday of this week.

Councilman Burgener was excused from the meeting at this time.

Councilman Godfrey moved to continue the hearing until Thursday, and requested that the Manager look at it.

5/19/53

John Castro, who stated that he owns property in the area, was heard. He spoke about the A and Ash Streets entrances, and told about not having been in the discussion. At this point there was discussion between Mr. Castro and Mr. Haelsig regarding entrance into Home Avenue in relation to A and Ash Streets. The question of going south from Federal Boulevard where it goes into Home Avenue was brought up in some detail relative to A and Ash Streets. Councilman Godfrey and Mr. Castro entered into discussion on the A and Ash Streets question, also.

The Mayor pointed out that the situation which was being discussed cannot be settled here by the Council.

Mr. Castro stated that he has property adjoining that of Mr. Waters, and said that it would be an asset if Waters gets the variance.

Herbert Kelly, who had appeared earlier, told the Council that he owns several blocks, which he had acquired before Home Avenue was put in. He stated that the property has been held for a great many years, for commercial use. C or M-1 Zone is needed, Mr. Kelley declared, and added that the property is not suitable for residential use. Streets should be realigned, Mr. Kelley stated, and added that he is willing to cooperate. He showed a map to the Council, over which there was a discussion. The area adjoining the highway should go into commercially zoned district, he stated. Realigning the highway is not much of a problem, Mr. Kelley declared. He said that the question is regarding the proper use of the property now.

During the last preceding discussion, Councilman Kerrigan was excused.

The entire matter was continued to Thursday of this week.

On motion of Councilman Schneider, seconded by Councilman Wincote, the Council took a recess until 1:30 o'clock P.M. this date, at the hour of 12:50 o'clock noon.

Upon reconvening, at the hour of 1:55 o'clock P.M., the roll call showed the following:

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

Absent---Councilmen Burgener, Wincote, Godfrey.

RESOLUTION NO. 112128, recorded on Microfilm Roll No. 64, directing notice of filing of the Street Superintendent's Assessment No. 2132 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 7 City Heights Annex No. 2, within the limits and as particularly set forth in Resolution of Intention No. 108279, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112129, recorded on Microfilm Roll No. 64, directing notice of filing of the Street Superintendent's Assessment No. 2133 made to cover the costs and expenses of the work done upon 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, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112130, recorded on Microfilm Roll No. 64, directing notice of filing of the Street Superintendent's Assessment No. 2134 made to cover the costs and expenses of the work done upon 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 Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 112131, recorded on Microfilm Roll No. 64, for the furnishing of electric current for the lighting of the ornamental Street Lights 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, in accordance with the Engineer's Report and Assessment filed in the office of the City Clerk March 2, 1953 - to San Diego Gas & Electric Company, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 112132, recorded on Microfilm Roll No. 64, 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, in accordance with the Engineer's report and assessment filed in the office of the City Clerk March 2, 1953 - to San Diego Gas & Electric Company, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 112133, recorded on Microfilm Roll No. 64, 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 - to San Diego Gas & Electric Company, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112134, recorded on Microfilm Roll No. 64, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 9 La Jolla Park, and the Alley between Blocks 9 and 21 La Jolla Park; approving Plat No. 2438 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 map upon passage of the Resolution of Intention, in the office of the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112135, recorded on Microfilm Roll No. 64, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Opal Street and Dawes Street; approving Plat No. 2439 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 map upon passage of the Resolution of Intention, in the office of the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112136, recorded on Microfilm Roll No. 64, approving plans, drawings, typical cross-sections, profiles and dedications for the paving and otherwise improving of Redwood Street; approving Plat No. 2420 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 map upon passage of the Resolution of Intention, in the office of the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112137, recorded on Microfilm Roll No. 64, approving plans, drawings, typical cross-sections, profiles and specifications for the installation of sewers in Littlefield Street, Knoxville Street; approving Plat No. 2405 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 map upon passage of the Resolution of Intention, in the office of the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112138, recorded on Microfilm Roll No. 64, ordering work for the paving and otherwise improving of the Alleys in Block 43 Normal Heights, within the limits and as particularly described in Resolution of Intention No. 111457, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 112139, recorded on Microfilm Roll No. 64, for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 2, for a period of one year from and including March 5, 1953, to and including March 4, 1954, in accordance with the Engineer's Report and Assessment filed April 3, 1953, in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112140, recorded on Microfilm Roll No. 64, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 2, for a period of one year from and including March 1, 1953, to and including February 28, 1954, in accordance with Engineer's Report and Assessment filed March 27, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 112141, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of 37th Street, T Street and Jewell Drive, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 112142, recorded on Microfilm Roll No. 64, for the furnishing of electric current for the lighting of the ornamental street lights located in Loma Portal Lighting District Number One, for a period of one year from and including June 28, 1953, to and including June 27, 1954, was on motion of Councilman Kerrigan, adopted, by Councilman Dail, adopted.



RESOLUTION OF PRELIMINARY DETERMINATION NO. 112143, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of the Alley in Block 9 La Jolla Park, and the Alley between Blocks 91 and 21 La Jolla Park, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112144, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of Opal Street and Dawes Street, within limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112145, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of Redwood Street and Haller Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112146, recorded on Microfilm Roll No. 64, for construction of sewers in Littlefield Street and Knoxville Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Councilman Wincote entered the meeting at this time.

RESOLUTION NO. 112147, recorded on Microfilm Roll No. 64, appointing time and place for for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Hermosa Lighting District No. 1, for a period of one year from and including May 1, 1953, to and including April 30, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112148, recorded on Microfilm Roll No. 64, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 52 Park Villas, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112149, recorded on Microfilm Roll No. 64, 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 1 and 2 City Heights, and Dwight Street, within the limits and as particularly described in Resolution of Intention No. 107024, and to be assessed to pay the expenses thereof; directing the City Clerk to certify the fact and date thereof, and immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112150, recorded on Microfilm Roll No. 64, 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 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; directing the City Clerk 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 Wincote, adopted.

RESOLUTION NO. 112151, recorded on Microfilm Roll No. 64, approving diagram of the property affected or benefited by the work of improvement to be done on the installing of sewer mains in Catoctin 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; directing the City Clerk 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 Wincote, adopted.

RESOLUTION NO. 112152, recorded on Microfilm Roll No. 64, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Commercial Street, within the limits and as particularly described in Resolution of Intention No. 108356, and to be assessed to pay the expenses thereof; directing the City Clerk 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 Wincote, adopted.

RESOLUTION NO. 112153, recorded on Microfilm Roll No. 64, approving diagram of the property affected or benefited by the work of improvement to be done on the installation of sewer mains in 44th and C Streets, within the limits and as particularly described in Resolution of Intention No. 109663, and to be assessed to pay the expenses thereof; directing the City Clerk 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 Wincote, adopted.

RESOLUTION NO. 112154, recorded on Microfilm Roll No. 64, approving diagram of the property affected or benefited by the work of improvement to be done on the installation of paving and otherwise improving Landis Street, within the limits and as particularly described in Resolution of Intention No. 108351, and to be assessed to pay the expenses thereof; directing the City Clerk 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 Wincote, adopted.

RESOLUTION NO. 112155, recorded on Microfilm Roll No. 64, approving diagram of the property affected or benefited by the work of improvement to be done 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; directing the City Clerk 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 Wincote, adopted.

\* RESOLUTION NO. 112156, recorded on Microfilm Roll No. 64, approving diagram of the property affected and benefited by the work of improvement to be done on 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, and to be assessed to pay the expenses thereof; directing the City Clerk to certify the fact and date thereof, and immediately deliver said diagram so certified, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

\*(Corrected).

The Resolution directs, the City Engineer to furnish diagram of the assessment district of the property to be affected and benefited by said work.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending amendment to proceedings for addition of a curb under Resolution No. 110177 which granted petition to grade and pave the Alleys in Blocks 2 and 7 Alhambra Park, was presented.

RESOLUTION NO. 112157, recorded on Microfilm Roll No. 64, adopting recommendation of the City Engineer filed in the office of the City Clerk May 12, 1953, under Document No. 468882; authorizing the City Engineer to amend proceedings for improvement of the Alleys in Blocks 2 and 7 Alhambra Park in accordance with said recommendation, 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 amendment to proceedings for the paving and otherwise improving of Curtis Street and Poinsettia Drive, by addition of a guard fence, was presented.

RESOLUTION NO. 112158, recorded on Microfilm Roll No. 64, adopting recommendation of the City Engineer filed in the office of the City Clerk May 12, 1953, under Document No. 468881; authorizing the City Engineer to amend proceedings for improvement of portions of Curtis Street and Poinsettia Drive, in accordance with said recommendation, 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 amendment to proceedings, to include sidewalks on Poole and Azul Streets, under Resolution No. 109428, was presented.

RESOLUTION NO. 112159, recorded on Microfilm Roll No. 64, adopting recommendation of the City Engineer filed in the office of the City Clerk under Document No. 468883; authorizing and directing the City Engineer to amend proceedings for improvement of portions of Poole Street and Azul Street in accordance with his recommendation, 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 amendment to proceedings under Resolution No. 109676 to include portion of the Alley in Block 274 Pacific Beach, and Public Rights of Way in Lots 16 and 17 Block 274 Pacific Beach, was presented.

RESOLUTION NO. 112160, recorded on Microfilm Roll No. 64, adopting recommendation of the City Engineer under Document No. 468880; authorizing the City Engineer to amend proceedings for improvement of Thomas Avenue in accordance with said recommendation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that proceedings started under Resolutions Nos. 105932 and 111577 for paving Santa Cruz Avenue, Dixon Place and Washington Street, was presented. It states that the owner of portion of Lloyd's Subdivision of P.L. 197 has decided to go ahead with resubdivision of portion of his property, and that it is recommended that the Santa Cruz Avenue portion be done under separate proceedings.

RESOLUTION NO. 112161, recorded on Microfilm Roll No. 64, repealing Resolutions Nos. 105932 and 111577 for improvement of portions of Santa Cruz Avenue, Dixon Place, Warrington Street, and Chatsworth Boulevard; abandoning all proceedings thereunder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending granting petition for grading and otherwise improving of La Jolla Hermosa Avenue northerly from La Canada, by private contract under City inspection according to plans and specifications filed under Document No. 467963, underplans and specification and inspection will be at no cost to the City, was presented.

RESOLUTION NO. 112162, recorded on Microfilm Roll No. 64, granting permission to Robert J. Stirnkerb for the paving and otherwise improving of La Jolla Hermosa Avenue northerly from La Canada, by private contract, under Document No. 467963, and on conditions set forth therein, was on motion of Councilman Schneider, 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 portion of Thorn Street by private contract, in accordance with plans and specifications filed under Document No. 466790, at no cost to the City, was presented.

RESOLUTION NO. 112163, recorded on Microfilm Roll No. 64, granting Cosimo A. Cutri permission to pave and otherwise improve portion of Thorn Street by private contract, by private contract, under Document No. 466790, and on conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112164, recorded on Microfilm Roll No. 64, setting hearing on the matter of Rent Decontrol for Thursday, June 11, 1953, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

(The hour and the place of said hearing are to be set later).

The agenda showed a proposed Resolution, which was not prepared or submitted, naming Councilman Clair Burgener to serve as a Director of the San Diego-California Club.

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

Proposed appointment of Clair Burgener, to be named by the Council, to serve as a Director of the San Diego-California Club, determined from the reading of the Council Conference Minutes, was presented to the Council.

On motion of Councilman Schneider, seconded by Councilman Wincote, said proposed appointment was referred to the City Attorney for report thereon to the Council.

RESOLUTION NO. 112165, recorded on Microfilm Roll No. 64, appointing Councilman Charles B. Wincote as the Council's representative on the Board of Examiners, under the provisions of Section 93.0201 of the San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112166, recorded on Microfilm Roll No. 64, appointing Councilman George Kerrigan to continue to serve as the Council representative on the San Diego City-County Camp Commission, as provided in Section 26.61 (b) of the San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112167, recorded on Microfilm Roll No. 64, appointing Councilman Chester E. Schneider (nomination by the Council) to serve as a member of the Shore Line Planning Association of California, Incorporated, Board of Directors, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112168, recorded on Microfilm Roll No. 64, authorizing and directing the City Attorney to enter into stipulation for judgment as to Parcels 1 and 2 in the cast of The City of San Diego vs. S. B. Miller et al, Superior Court No. 158792 - in connection with Camino del Rio - for the purpose of acquiring fee title to said parcels for the sum of eight thousand dollars, and to protect the rights, if any, which the owner, W. B. Miller, may have in a cause of action against The City of San Diego for



damages accruing to the portion of the property not sought to be condemned by reason of the manner of the construction of the improvements by The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112169, recorded on Microfilm Roll No. 64, establishing parking time limit of one hour between the hours of 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted on 30th Street between the north line of Thorn Street and the south line of Upas Street, EXCEPT that parking of automobiles is prohibited 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) in accordance with Resolution No. 109857 adopted December 30, 1953; establishing Parking Meter Zones upon said street as above described; directing the City Manager to cause parking meters to be installed and parking meter spaces to be designated; authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112170, recorded on Microfilm Roll No. 64, approving Change Order No. III-A-1 dated May 5, 1953, heretofore filed with the City Clerk as Document No. 469169, issued in connection with contract between The City of San Diego and Harry L. Foster for construction of San Vicente Conduit, contract contained in Document No. 466136 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$45.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112171, recorded on Microfilm Roll No. 64, approving Change Order No. 1 dated May 7, 1953, heretofore filed with the City Clerk as Document No. 469171, issued in connection with the contract between The City of San Diego and C. E. Rathbun for installation of street name signs, and which contract is Document No. 467548 on file in the office of the City Clerk; changes amounting to increase in the contract price of approximately \$238.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112172, recorded on Microfilm Roll No. 64, authorizing The Veterans of Foreign Wars of the United States, First District, Department of California, permission to sell Buddy Poppies on the streets of The City of San Diego on Friday and Saturday, May 22 and May 23, 1953, for the purpose of raising funds to continue the welfare and veteran rehabilitation work, etc., pursuant to recommendation of the City Manager on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112173, recorded on Microfilm Roll No. 64, granting permission to Arthur V. Anderson, 9290 Hillside, Spring Valley, California (Howerton Plumbing Company, plumbing contractors), to install a 6" ceramic tile sewer line at 1/8" fall per foot, from six units located in the rear of 3060 Sunset Drive, to the present sewer line; the 1/8" grade instead of 1/4" fall per foot due to the fact that the existing sewer is too shallow; upon the various conditions contained in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112174, recorded on Microfilm Roll No. 64, granting permission to Sam O. Houston, 2065 Chatsworth Boulevard, San Diego, to install a 40-foot driveway, as measured at the top of the full-height curb, on the southerly side of Fenelon Street west of Carleton Street, adjacent to Lot 59 Fleetridge Unit No. 1, upon condition that removal of curb and construction of driveway shall be in accordance with all rules, regulations and ordinances of the City governing same, to provide access to two-car garage in connection with house under construction at 3617 Fenelon Street - petitioner has 90 foot frontage and extra-width driveway will make possible access to non-conventional location of garage on lot, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112175, recorded on Microfilm Roll No. 64, referring the proposed Resolution granting F. E. Young Construction Company special driveways permits on 7th Avenue, 8th Avenue, and Ash Street, all adjacent to Block 12 Bayview Homestead, subject to various conditions, to the City Manager, was on motion of Councilman Schneider, seconded by Councilman Schneider, seconded by Councilman Dail, adopted.

(A Resolution granting permission was listed on the agenda, but not adopted.)

RESOLUTION NO. 112176, recorded on Microfilm Roll No. 64, accepting deed of Union Title Insurance and Trust Company as trustee, for Lots 13, 14, 15, 16, 18, 20 and 22 Block 4 J. M. DePuy's Subdivision of the West Half of the Northwest Quarter of Pueblo Lot 206, excepting portions of Lots 14 and 16, reserving to the City right of access from and to Wabaska Drive; authorizing and directing the preparation and presentation of ordinance authorizing and directing the City Auditor and Comptroller to pay to T. N. Faulconer real estate broker's commission for sale of the 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 Kerrigan, seconded by Councilman Schneider, adopted.

Said Resolution recites that T. N. Faulconer, licensed real estate broker, requested the City to put up said property for sale and accompanied the request by a \$100.00 to cover the costs, that the Property Supervisor advertised said property for sale and makes other statements in connection therewith, and declares that said trustee through its agent submitted the only bid in the sum of \$3,000.00 which was the minimum amount fixed for sale of said property.

RESOLUTION NO. 112177, recorded on Microfilm Roll No. 64, authorizing Paul Beerman, Director of the Water Department, to attend and participate in the program of the California Municipal Utilities Association Annual Conference, to be held in San Francisco, June 10, 11, 12, 1953; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112178, recorded on Microfilm Roll No. 64, designating Councilman Clair W. Burgener and a City officer (not named) to be designated by the City Manager, to attend the State Beaches and Park Commission meeting in Monterey, California, May 22nd and 23rd, 1953; authorizing the incurring of the necessary expenses therefor, was on motion of Councilman Kerrigan, seconded by Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112179, recorded on Microfilm Roll No. 64, authorizing Frederick C. Smith, Business Manager, Water Accounting Division, Water Department, to attend the California Municipal Utility Association Convention, and present a paper on "Punched Card Method of Billing", to be held in San Francisco, June 10, 11, 12, 1953; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112180, recorded on Microfilm Roll No. 64, 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 Reg Stalmer, of the southerly 50 feet measured at right angles to the south line thereof, of Lot 1 of the Subdivision of the east half of Pueblo Lot 1215; 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 the Property Supervisor shall have received \$1,900.00 together with deed granting to the City it requires, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City requires acquisition of easement for highway purposes over portions of Lots 5 and 6 New Riverside; that Reg Stalmer, owner of the property, is willing to deed easement to the City and pay to the City \$1,900.00 in exchange for quitclaim deed for portion of Lot 1 Subdivision of the East One-Half of Pueblo Lot 1215; that value of the easement to be granted is \$100.00; that value of the City property which is no longer required by the City is \$2,000.00.

RESOLUTION NO. 112181, recorded on Microfilm Roll No. 64, accepting deed of Clairemont Company, Carlos Tavares and Louis C. Burgener, partners, P.O. Box 569 La Jolla, 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 Clairemont Unit No. 6, being subdivision of portions of Pueblo Lots 1207 and 1209, and all of Lot 9, portions of Lots 8 and 10 Eureka Lemon Tract; 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.

On motion of Councilman Schneider, seconded by Councilman Dail, the reading of proposed Ordinance was dispensed with by a vote of not less than four members of the Council, and there was available for consideration of each member of the Council prior to the day of its passage a written or printed copy.

ORDINANCE NO. 5592, recorded on Microfilm Roll No. 64, appropriating the sum of \$3,975.00 from the Unappropriated Balance Fund, for the purpose of providing funds to cover the costs of the improvement of 64th Street, between Mesita Drive and Catoctin Drive, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener and Godfrey.

On motion of Councilman Schneider, seconded by Councilman Dail, the reading of proposed Ordinance was dispensed with by a vote of not less than four members of the Council, and there was available for consideration of each member of the Council prior to the day of its passage a written or printed copy.

ORDINANCE NO. 5593 (New Series), recorded on Microfilm Roll No. 64, appropriating the sum of \$1,900.00 from the Unappropriated Balance Fund, for the purpose of

providing funds to cover the cost of Sewer Replacement in West Point Loma Boulevard and Muir Avenue, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas-Councilmen Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays-Councilmen None. Absent-Councilmen Burgener and Godfrey.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the proposed Ordinance was dispensed with by a vote of not less than four members of the Council, and there was available for consideration of each member of the Council prior to the day of its passage a written or printed copy.

ORDINANCE NO. 5594 (New Series), recorded on Microfilm Roll No. 64, appropriating the sum of \$1,750.00 from the Unappropriated Balance Fund, for the purpose of providing funds to cover the cost of the construction of a sanitary sewer in 63rd Street and Imperial Avenue, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Butler. Nays--Councilmen None. Absent--Councilmen Burgener and Godfrey.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the proposed Ordinance was dispensed with by a vote of not less than four members of the Council, and there was available for consideration of each member of the Council prior to the day of its passage a written or printed copy.

ORDINANCE NO. 5595 (New Series), recorded on Microfilm Roll No. 64, appropriating the sum of \$750.00 from the Unappropriated Balance Fund of the City of San Diego, for the purpose of providing funds for installation of Sewer Outfall for Imig Park Unit No. 2, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Proposed Ordinance appropriating the sum of \$75,000.00 from the Capital Outlay Fund for providing funds to pay the City's share of the cost of the construction of Wabash Boulevard Section "B", Market Street and Imperial Avenue, was on motion of Councilman Schneider, seconded by Councilman Wincote, introduced.

On motion of Councilman Schneider, seconded by Councilman Dail, the proposed Ordinance transferring the sum of \$45,000.00 from the Harbor Operating and Maintenance Fund to the Harbor Development Trust Fund, for providing funds for development of the Harbor for the fiscal year 1952-1953, was introduced.

Proposed Ordinance appropriating the sum of \$1,000.00 from the Unappropriated Balance Fund for providing funds to pay the City's share of the cost of installing adequate heating for the House of Pacific Relations, Balboa Park, was on motion of Councilman Wincote, seconded by Councilman Dail, introduced.

Proposed Ordinance appropriating the sum of \$500.00 from the Unappropriated Balance Fund for providing funds to pay the City's contribution to The City of Petaluma in connection with the case of the City of Petaluma vs. Pacific Telephone & Telegraph Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, introduced.

Proposed Ordinance authorizing and directing the City Auditor and Comptroller to pay the sum of \$150.00 out of the money received as the purchase price of Lots 13, 14, 15, 16, 18, 20, 22 Block 4 excepting portions of Lots 14 and 16 of DePuy's Subdivision of the West Half of the Northwest Quarter of Pueblo Lot 206 to T. N. Faulconer, Licensed Real Estate Broker, as Real Estate Broker's Commission for sale of said property, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced.

Proposed Ordinance establishing grade of the North and South Alley in Block 2 Alhambra Park, between the north line of the East and West Alley in said Block, was on motion of Councilman Schneider, seconded by Councilman Wincote, introduced.

Proposed Ordinance establishing grade of the East and West Alley in Block 2 Alhambra Park, between the east line of 52nd Street and the west line of Dawson Avenue, was on motion of Councilman Schneider, seconded by Councilman Wincote, introduced.

Proposed Ordinance establishing the grade of the Alley in Block 7 Alhambra Park, between the north line of Monroe Avenue and the southwesterly line of Contour Boulevard, was on motion of Councilman Schneider, seconded by Councilman Wincote, introduced.



Proposed Ordinance establishing the grade of the Alley in Block 9 Subdivision of Blocks 3, 6, 9, 12 City Heights Annex No. 1, between the northerly line of Landis Street and the southerly line of Wightman Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, introduced.

Proposed Ordinance establishing the grade of the Alley in Block 58 Park Villas, between the southerly line of Myrtle Avenue and the northerly line of Upas Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, introduced.

Proposed Ordinance establishing the grade of Cass Street between the southerly line of Van Nuys Street and the northerly line of Agate Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, introduced.

Proposed Ordinance establishing the grade of Curtis Street between the northwesterly line of Point Loma Villas and the easterly line of Poinsettia Drive, was on motion of Councilman Schneider, seconded by Councilman Wincote, introduced.

Proposed Ordinance establishing the grade of Poinsettia Drive, being in Point Loma Villas, was on motion of Councilman Schneider, seconded by Councilman Wincote, introduced.

Proposed Ordinance establishing the grade of Poinsettia Drive, in the vicinity of Lot 62 Point Loma Villas, was on motion of Councilman Schneider, seconded by Councilman Wincote, introduced.

Proposed Ordinance establishing the grade of Streamview Drive, between the easterly line of 54th Street and the northerly boundary line of Hubner Park, was on motion of Councilman Schneider, seconded by Councilman Wincote, introduced.

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

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of Allied Gardens Unit No. 1, subject to posting of an adequate bond to insure installation of required improvements, was presented.

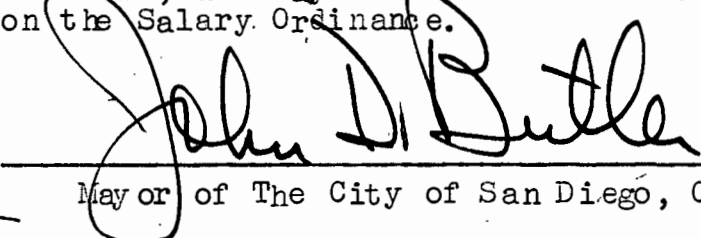
RESOLUTION NO. 112182, recorded on Microfilm Roll No. 64, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Maxson Corporation, a corporation, Bonwood Corporation, a corporation, and Fineview Corporation, a corporation, for installation and completion of the unfinished improvements and setting of the monuments required for Allied Gardens 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 Kerrigan, adopted.

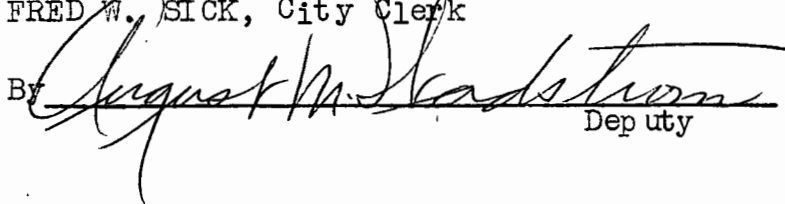
RESOLUTION NO. 112183, recorded on Microfilm Roll No. 64, adopting Map of Allied Gardens Unit No. 1, being subdivision of portion of Lot 67 Rancho Mission of San Diego, , being portions of Section 16 T. 16 S., R. 2W., S.B.M; accepting on behalf of the public Twain Avenue, Estrella Avenue, Louelton Circle, Loukelton Way, 48th Street, Elsa Road, Fenimore Way and unnamed easements for public purposes; declaring the same 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, 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 Wincote, seconded by Councilman Kerrigan, adopted.

There being no further matters 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 2:02 o'clock P.M.

Upon leaving the Council Chambers, the Mayor announced that the Council would go into Conference in two minutes on the Salary Ordinance.

ATTEST:  
FRED W. SICK, City Clerk

  
Mayor of The City of San Diego, California

By   
Deputy

5/21/53 200

REGULAR MEETING

Chamber of the Council of the City of San Diego, California,  
Thursday, May 21, 1953

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.

Butler Present--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor  
Absent---Councilman Burgener (on business for the City of San Diego, out of the City)  
Clerk----Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Nathaniel M. Orteiz, 4189 Monroe Street, from the action of the Zoning Committee in denying by its Resolution No. 7346 permission to A. R. Burrows, owner, and Nathaniel M. Orteiz, purchaser, for zone variance to the provisions of Ordinance No. 12989 to permit operation of a body and fender shop and paint shop at abandoned service station at 4189 Monroe Avenue, Lots 45 and 46 Block 8 Wilshire Place, in Zone R-4, which business which now exists to be removed within one date from said Resolution adopted April 29, 1953, report from the Committee signed by D. E. South, was presented by the Clerk and read.

Glenn A. Rick, City Planning Director, showed the Council a map of the area.

The Mayor asked Mr. Rick if the action to deny the application included requirement for removal within one year.

Mr. Rick replied "Yes". He reviewed the background as far back as 1940, relative to the conversion of the property, and the subsequent use to which it had been put. He stated that the question is on the changed use from a service station to a body and fender use. Mr. Rick said that in talking about the service station on the front of the lot at the corner, is not the one under consideration, and that is apparently another operator.

The Mayor invited the appellant to be heard at this time.

Nathaniel M. Orteiz responded, and told about no new building on the property. He referred to their having been there over 30 years. He said that he did not know that a service station had to be operated in connection with the previously-granted zone variance. He said that he thought it did not make any difference if the service station was or was not operated. He said that he had taken down the pumps to improve the appearance of the place. Now, he said, he is running a little repair shop, without the service station. He said that he is now running an operation confined to 8:00 A.M. to 5:00 P.M. use, with no Saturday afternoon or Sunday use. Mr. Orteiz stated that the people affected had encouraged use of the property, and have given him their cars to be repaired. There are a lot of protests, he added, in the County and beyond the 300-foot affected area. The garage has been there as a non-conforming use, Mr. Orteiz stated.

Mr. South, whose report had been read earlier, stated that the fender work has apparently been done in conjunction with the garage.

Mr. Rick said that the structure at the rear of the property was for a garage, not a body and fender operation. No mention thereof was made of its use in connection with application for the variance.

There was a conference held between Councilman Wincote, Mr. Rick over the application.

Councilman Godfrey stated that the question is not one involving the garage use, but is apparently one having to do with expanded use.

A discussion was held between Councilman Godfrey and Mr. Rick, following which Mr. Rick showed the Council a map showing the opinions expressed by affected property owners over the property's use.

Mr. Orteiz related what had been stated by a Mr. Horton, whose first name or initials he did not give, regarding claim that attempt is being made to rezone. He stated that he is paying \$18,000 for the 50' x 100' corner, and that he has been there over 2 years. He took the pumps down about 2 years ago, Mr. Orteiz said, and added that he has not changed the character of the use of the property.

Councilman Wincote said that in his opinion it makes no difference if the pumps had been taken out.

Mr. Orteiz told the Council again that the business has not expanded, and that there are no more cars than when the service station was operated. He has cleaned up the Place, Mr. Orteiz stated, and said that he has cut down the work on the property on account of being in a "neighborhood", and that he had eliminated wholesale work for that reason.

Mr. Horton, who did not give his first name or initials, was heard at this time. He said that he wants to build a nice home on the property across the street, but wants to know what the situation is, first. He told about the pumps having been abandoned over a year, and added that Mr. Orteiz is pounding out fenders at the location. He said that he had not made any false statements, and told about the petition of protest. Mr. Horton spoke about a big objection, involving about 3/4 of the property owners. He looked at the map which covered expression of views on the part of property owners against the variance. He declared that someone else in the neighborhood is repairing cars in a back yard. He declared that he has nothing against Mr. Orteiz, and that he thinks he is a "swell guy", but insisted that he does not like the operation. He answered Councilman Wincote about a quonset hut which had been moved in for painting cars.

Dr. Bill McCall, 4458 - 52nd Street, who had injected a few words here and there, previously, and who had been told by the Mayor that he would be given an opportunity to speak, was heard at this point. Dr. McCall told about the garage which has been used for years. It has never been a fender repair place, legally, he declared. He told about the use as a service station.

Mr. Horton spoke from his seat, and stated, that there is an illegal operation.

Councilman Wincote stated that he was not sure that it is illegal, on account of the prior nonconforming use.

Mr. Horton said that it looked like "11th and Island" until a complaint had been made, resulting in some improvement.

Councilman Godfrey referred to the matter being divided into 2 parts, 2 operations, and a nonconforming use. He pointed that changes are subject to review under zoning regulations. The body and fender use is out illegal, he declared.

The Mayor said that the pounding is going on in the garage.

Councilman Godfrey declared that the quonset hut and the body & fender shop are not a legal use.

Councilman Schneider stated that if it can be shown that the zoning took effect, and the garage not used, he wondered about the legality. He declared that the property might not have been used legally, and that the operators might have no permit.

Mr. Horton told about the service station use, and about its not having been operated for 3 years. He referred to illegal operation for 2 years. He said that the present operator (Mr. Orteiz) had moved in with his eyes wide open to pound fenders. He added that the lot is long, that the service station and the quonset hut had been moved in, also that the garage is old.

Councilman Wincote stated that part of the permit is legal.

Councilman Godfrey declared that the matter has to be weighed on the legal requirement and evidence.

Douglas Deaper, Deputy City Attorney, said that he does not see if the issue regarding the nonconforming enters into the picture. Variance is not needed if operation is under a nonconforming use, he declared. He added that it cannot be expanded or the use changed. If there is a nonconforming use depends on the Council action. Action on the application for the variance is independent, he declared.

Mr. Rick stated that there is no record regarding the quonset hut having been moved, and its subsequent use.

Councilman Dail stated that he feels sorry for Mr. Orteiz, that he has no personal feeling against him, but that he feels that the Council has to deny the appeal.

Councilman Dail moved to deny the appeal and sustain the action of the Zoning Committee, which motion was seconded by Councilman Wincote.

Before the vote was taken there was discussion between Councilman Godfrey and Mr. Rick.

Mr. Rick said that he wonders about the right to shrink back to the original use (under the first nonconforming use, apparently.)

Mr. Deaper stated that assuming that it was in effect, the property could revert back to its former use.

RESOLUTION NO. 112184, recorded on Microfilm Roll No. 64, overruling and denying the appeal of Nathaniel M. Orteiz, purchaser, for himself, and A. R. Burrows, owner, from the decision of the Zoning Committee in denying by its Resolution No. 7346 application for variance to the provisions of Ordinance No. 12989 to operate a body and fender shop and paint shop at abandoned service station, 4189 Monroe Avenue, on Lots 45 and 46 Block 8 Wilshire Place, in Zone R-4, and removal of business within one year from date of said Resolution, and sustaining said Zoning Committee decision, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

After the vote was taken, and the Resolution adopted, the Mayor told Mr. Orteiz that he can continue for one year, under the terms of the Resolution.

There was further discussion, after the action and after the Mayor's announcement, inasmuch nothing further was to be done. The Mayor referred the various individuals who had expressed opinions and asked questions to the City Attorney for clarification.

The hour of 10:00 o'clock A.M. having arrived, the continued matter which had been heard by the Council on May 19, 1953, the hearing was taken up again.

The City Manager, in speaking about the petition for placing the area into C Zone and repealing Ordinance No. 35 (New Series) from the present R-2 Zone, stated that the area has been revised and that a tentative subdivision has been made. He referred to the right of way not having been granted.

There was discussion between Henry J. Waters, who seeks to have the area rezoned and install a bottling plant in Block 36 Marilou, a Mr. Morgan who did not give his first name or initials, members of the Council, and others.

Councilman Schneider moved to continue the hearing for one week.

Mr. Morgan spoke regarding the survey as it affects his property.

Councilman Godfrey stated that one week would give a chance to work out details.

The City Manager told the Council that the City is working on the matter, which is being expedited.

On motion of Councilman Godfrey, seconded by Councilman Dail, the matter of said hearing was continued for one more week - to May 26, 1953.

Petition of Fischer Bankrupt Liquidators, dated May 18, 1953, signed by Sam Fischer, was presented.

Councilman Schneider moved to refer the petition to the City Manager, stating that it was a new matter, and needed the Manager's recommendation.

Mr. Fischer was heard. He told the Council that the permit had already run overtime. He wondered when it would come back from the Manager.



Douglas Deaper, Deputy City Attorney stated that it is the Council which grants, and he referred to the time element involved, also.

Mr. Fischer told the Council that he has been operating about 80 days (already about 20 days over the allowable period under the Ordinance). He said that Mory Levenson, his attorney, was supposed to have taken care of the matter but that he had not. He stated that the decision to go out of business, involved in the period, was sudden. He differed with the Ordinance which was read by Councilman Schneider.

Councilman Schneider said that one could go out of business forever.

The Mayor asked Mr. Deaper to check in the matter.

Councilman Wincote declared that Mr. Fischer is in violation of the Ordinance, now.

The Mayor ordered the matter continued temporarily.

(The matter will be found again on this page of the minutes).

Communication from the Planning Commission, recommending denial of the request of F. W. Grund for classification of use of operation to permit the business of cleaning Venetian blinds in an RC Zone at 7524 La Jolla Boulevard, on portion of Lot 7 Block 14 La Jolla Park - which had been before the Council on May 14, 1953, was brought up again at this time, having been continued until this date.

The Clerk read the zoning report and resolution again, which had been denied by said committee by a vote of 6-0.

The Planning Director reviewed the uses allowed in an RC zone, from the ordinance. He declared that there is a key lot involved, to the R-4 zone. He told about the nearby C Zone uses. The building is there now, he said, when questioned by the Council.

Councilman Wincote stated that Councilman Burgener who had looked at the property but was not present at this meeting, had stated that the proposed use is no more objectional than a laundry or laundromat.

Mr. Grund spoke about other uses, and told about the the nearby laundry.

Councilman Schneider moved to adopt a Resolution making finding that the use of the property is no more objectional than other permitted uses, which motion was seconded by Councilman Dail.

Councilman Godfrey stated that he did not want to vote until a record on the laundry referred to was produced.

Instead of voting on the matter at this time, Glenn A. Rick, City Planning went to the Planning Department to secure the record relative to the laundry.

(The matter will be found again on next page of the minutes).

At this time the Fischer matter, shown at the beginning of this page, was resumed.

Mr. Fischer referred to the Ordinance in connection with a 60-day permit.

Mr. Deaper referred to division 10 of the Municipal Code, from which he read.

RESOLUTION NO. 112185, recorded on Microfilm Roll No. 64, granting petition of Fischer Bankrupt Liquidators, filed in the office of the City Clerk on May 19, 1953, under Document No. 469243, requesting additional 30 days within which to continue the "closing out sale" now being carried on pursuant to the provisions of Section 33.1006.1 of the San Diego Municipal Code, effective date of the 30 day extension being from the date of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Director relative to the Trailer Park Survey, was presented.

RESOLUTION NO. 112186, recorded on Microfilm Roll No. 64, referring communication from the City Planning Director, filed in the office of the City Clerk under Document No. 469245 regarding trailer park survey, to Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Cardiff Homes, Inc. and Republic Development Company, signed by John R. Neece, which had been before the Council on May 19, 1953, and continued to this date, was presented again.

The City Manager reported that map (apparently regarding the freeway) is in process.

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

Communication from Alfred Abrevaya, 4545 - 59th Street, San Diego 15, dated May 15, 1953, favoring the abolishing of Rent Control, was presented.

Communication from The Independent Progressive Party, 2744 Imperial Avenue, dated May 19, 1953, signed by Helen Dugale, asking to be placed on the agenda for the hearing on rent de-control for June 11, 1954, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, both communications were referred to the "rent file"

Communication from Beck & Klitgaard, attorneys at law, suite 407 Southern Title & Trust Building, dated May 15, 1953, signed by R. J. Klitgaard, was presented. It states that they are attorneys for the San Diego Auto Lease Company, organized for the purpose of leasing automobiles and trucks to businesses or individuals on a long term basis. It reports that it is contemplated that approximately 500 vehicles would be leased out under the arrangement, that the partnership had gone to the City Treasurer to obtain a business, the Treasurer proposed to license under Section 31.0347 of the Municipal Code, which would mean an annual license fee of \$15,000.00, which is obviously more tax than the new business can stand. It asks that the Council consider amending the Municipal Code to set forth a reasonable license fee for said type of business.

Mr. Klitgaard spoke in connection with his communication, having to do with the leasing of automobiles on a long-term basis, which he stated is becoming popular. He told the Council that Convair and Ryan are leasing them now from Los Angeles. He spoke about the section under which the Treasurer proposed to license, which would be a "U-Drive".

The Mayor replied to Mr. Klitgaard that the request should be reviewed by the City Manager and the City Attorney before discussion, inasmuch as the Council is in no position to discuss the details at this time.

Councilman Godfrey moved to refer the matter to the City Manager and to the City for review and report back to the Council, which motion was seconded by Councilman Schneider.

Before the roll was called, Mr. Klitgaard stated that what is proposed for said leasing would be passenger cars and light trucks.

RESOLUTION NO. 112187, recorded on Microfilm Roll No. 64, referring the request of Beck and Klitgaard, attorneys, filed in the office of the City Clerk May 18, 1953, under Document No. 469208, for amendment to the San Diego Municipal Code to provide reasonable license fee for leasing automobiles and trucks to businesses or individuals on a long term basis, to the City Manager and the City Attorney for review and report back to the Council, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The F. W. Grund matter, referred to on Page 267 of these Minutes, having to do with use of property for Venetian Blind cleaning, was brought up at this time.

Glenn A. Rick reported to the Council that the Laundromat referred to by Mr. Grund had been granted under a zone variance. He stated that in face of that operation, this one appeared to be all right.

RESOLUTION NO. 112188, recorded on Microfilm Roll No. 64, finding that the proposed use of property by F. W. Grund, 5919 Beaumont Avenue, La Jolla, on portion of Lot 7 Block 14 La Jolla Park, at 7524 La Jolla Boulevard, in RC Zone - which property is approximately 125 feet north of Pearl Street on the west side of La Jolla Boulevard, the first 100 feet of the block being C Zoning and the next approximately 100 feet being RC zoning - for the business of cleaning Venetian blinds involving use of 1/3 h.p. motor for a circulating pump, no other employees other than Mr. and Mrs. Grund, operation of said cleaning service to be limited to 8:00 A.M. to 6:00 P.M., is similar to other permitted uses in the RC Zone and is no more obnoxious or detrimental than other permitted uses in RC Zone, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

At this time the question was brought up, although not listed on the agenda, about the zoning committee situation, after Mr. Grund stated that he had been given no opportunity to be heard.

Both Councilmen Godfrey and Schneider spoke about the Zoning Committee's crowded activity, and of the great amount of work which has to handle.

Councilman Godfrey expressed the opinion that perhaps the system needs to be changed. He pointed out that sometimes members do not hear property owners affected.

The Mayor declared that the Council cannot change the situation immediately; it is in the Charter, he pointed out.

Councilman Dail recognized the fact that unpaid members of the Committee cannot afford to take a couple of days a week for the work involved. He stated that it seemed like a good idea to add at least 5 members to the Planning Commission, then let them rotate.

Councilman Godfrey moved to refer the matter of revision of the Planning Commission and the Zoning Committee for consideration in conference next Tuesday morning, which motion was seconded by Councilman Schneider.

RESOLUTION NO. 112189, recorded on Microfilm Roll No. 64, referring to Council Conference, for consideration on Tuesday morning, May 26, 1953, the matter of the Planning Commission and the Zoning Committee, with a possible view to amending the Charter to provide changes, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from H. R. Paine, attorney-at-law, 1944 Cable Street, Ocean Beach, San Diego 7, asking questions in behalf of the Ocean Beach Chamber of Commerce, requesting the Council to instruct the City to render a legal opinion relative to Assembly Bill No. 2240 commonly known as the "Parking Law of 1949", was presented. It asks if the Council can authorize creation of a parking district in Ocean Beach within the provisions of Assembly Bill No. 2240, and if revenue from the meters in the parking lot and upon the streets of the business district could be applied to discharge bonds issued for the purpose of financing the project.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the communication was referred to the City Attorney for reply, together with information thereon for the Council.

Communication from G. P. Taylor, 950 South Euclid, San Diego 13, dated May 15, 53, was presented. It mentions having wanted to come into the City of San Diego, and that the Council had to override the Planning Commission in order that they could get into the City. It states that something of that sort is going to have to happen again. The communication refers to having invested in the property in National City inasmuch as it was M-1 zone and expressed the opinion that he cannot see any reason why it should not stay M 1 property.

Glenn A. Rick, City Planning Director, made a verbal report in which he said that the property should be residential when annexed, but that continued use would be permitted. He referred to the property as being an M-1 spot. He showed a map to Councilman Wincote. The ordinance, he stated, has been referred to the City Attorney.

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

Resolutions, identical in form, having been adopted by North Park Lions Club, San Diego Junior Chamber of Commerce; Walker's Toastmaster Club 623 Walker's Dept. Store, 5th and Broadway, San Diego Club; Golden Age Club, all having to do with urging that the Mission Bay Channel be dredged and grown at the foot of Saratoga Avenue in Ocean Beach, restoration of the beach, requesting the Council to urge the Legislature to initiate action to obtain funds from tideland oil moneys therefor, were presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said resolutions were ordered filed.

(A Resolution on the subject follows)

RESOLUTION NO. 112190, recorded on Microfilm Roll No. 64, urging the Senators and Assemblymen representing the people of The City of San Diego and Representatives in the State Legislature to initiate action to obtain sufficient funds from impounded tidelands oil moneys, or from some other source, for the dredging of the Mission Bay Channel and for the construction of a groin at the foot of Saratoga Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112191, recorded on Microfilm Roll No. 64, directing the expenditure of \$10,000.00 for the purchase of property for right of way for purposes in connection with the Encanto Freeway, from funds heretofore appropriated by Ordinance No. 5465 (New Series), for purchase of real property for public improvements, authorizing and approving the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112192, recorded on Microfilm Roll No. 64, granting permission to the Mission Beach Company to hold a public display of fireworks at the beach area opposite the golf course at the Mission Beach Amusement Center, May 30, 1953, from 10:00 P.M. to 10:30 P.M., on condition that the Mission Beach Company comply with all laws of the State of California, ordinances of The City of San Diego, and rules and regulations adopted by the State Fire Marshal pertaining to the public display of fireworks, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112193, recorded on Microfilm Roll No. 64, authorizing and empowering the Mayor and City Clerk to execute a grant deed, conveying to the United States of America 4.013 of Tidelands near the United States Marine Corps Recruit Depot, subject to conditions set forth in Resolution No. 71118 adopted April 23, 1943, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said Resolution refers to the matter as having been Proposition 2 on the ballot of April 20, 1943.

Prior to adoption of the Resolution, the City Manager explained to the Council about the property which had been voted for transfer to the U. S. Marine Corps and to the United States Navy.

Councilman Schneider declared that authorization does not mean that the City must grant the property. He felt that it was optional.

The Planning Director stated that the matter had been ratified by the people, and that the "Council is up to its neck".

In connection with the next Resolution, the Planning Director's verbal report applied, as it had to the preceding Resolution.

RESOLUTION NO. 112194, recorded on Microfilm Roll No. 64, authorizing and empowering the Mayor and City Clerk to execute a grant deed, conveying on behalf of The City of San Diego to the United States of America, Parcel 2 described in Resolution No. 78118 adopted on April 23, 1943, which declared results of election held April 20, 1943, a 6,154 square foot triangle of tidelands being formerly portion of Belt Street, located between Harbor Drive and the United States Naval Station (Destroyer Base), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.



RESOLUTION NO. 112195, recorded on Microfilm Roll No. 64, accepting subordination agreement, executed by H. H. Peterson, beneficiary, and Land Title Insurance Company, trustee, bearing date May 6, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 7 Block 6 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112196, recorded on Microfilm Roll No. 64, accepting deed of Raymond B. Talbot, as Tax Collector for the County of San Diego, bearing date May 6, 1953, conveying various parcels of property in Bonnie Brae, Fairhaven Acres, Fairmount Add. to City Heights, Fairmount Addition Resub. of Blocks 1 to 12, Park Villas, Rancho Ex Mission Segregated Int.; Talmadge Park Unit No. 3; Treat Addition Und 1/2, more particularly set forth in said Resolution; 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. 112197, recorded on Microfilm Roll No. 64, accepting deed of Raymond B. Talbot, as Tax Collector for the County of San Diego, bearing date May 6, 1953, conveying various parcels of property in City Heights, more particularly set forth in said Resolution; 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. 112198, recorded on Microfilm Roll No. 64, accepting deed of San Diego Unified School District of San Diego County, conveying easement and right of way for street purposes in portion of Lots 27 and 28 Waterville Heights, and Blakely Avenue, closed to public use, setting aside and dedicating the same to the public use as and for a public street, and naming the same Hughes 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. 112199, recorded on Microfilm Roll No. 64, accepting deed of Elsie M. Lester, bearing date May 6, 1953, conveying portion of Lot M La Mesa Colony, setting aside and dedicating the same to the public use as and for a public street, and naming the same 70th 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. 112200, recorded on Microfilm Roll No. 64, accepting deed of Ruth F. Disney, bearing date April 22, 1953, conveying portions of Lots 13, 14, 15 Block 20 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112201, recorded on Microfilm Roll No. 64, accepting deed of Otto R. Maupin and Marguerite R. Maupin, bearing date May 11, 1953, conveying easement and right of way for public street purposes in portion of Lots 1, 2, 3, 4 Block 192 City Heights, 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 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. 112202, recorded on Microfilm Roll No. 64, accepting deed of Robert S. Teague and Dorothy H. Teague, bearing date May 6, 1953, conveying easement and right of way for public sewer purposes in portion of Lot 1 Block 9 T. J. Higgins 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 Godfrey, adopted.

5/21/53 271

RESOLUTION NO. 112203, recorded on Microfilm Roll No. 64, accepting Deed of R. M. Lieberman and Pearl E. Lieberman, bearing date May 7, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 7 Block 6 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 Schneider, seconded by Councilman Godfrey, adopted.

In connection with the next Ordinance, on motion of Councilman Kerrigan, seconded by Councilman Schneider, the reading was dispensed with by a vote of not less than four members of the Council; and there was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5596 (New Series), recorded on Microfilm Roll No. 64, adopting the "Development Plan of La Jolla Community Center" as part of the Park and Recreation plan of the Master Plan of The City of San Diego, particularly affecting the area lying on the south side of Prospect Street between Cuvier Street and Draper Avenue, was on motion of Councilman Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgence.

In connection with the next Ordinance, on motion of Councilman Schneider, seconded by Councilman Wincote, the reading was dispensed with by a vote of not less than four members of the Council; and there was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5597 (New Series), recorded on Microfilm Roll No. 64, incorporating portions of Lots 141 & 142 Morena into "C" Zone, as defined by Section 101.0411 of San Diego Municipal Code, and repealing Ordinance No. 100 (New Series), adopted December 12, 1932, insofar as the same conflicts, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Proposed Ordinance establishing Schedule of Compensation for officers and employees of The City of San Diego, providing uniform compensation for like service in the Classified Service, for the fiscal year beginning July 1, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, introduced.

Proposed Ordinance amending Sec. 33.0701.5 of the San Diego Municipal Code, having to do with hours for sound trucks' amplification, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, introduced.

In connection with the next matter, being proposed Ordinance to amend sub-section "(h)" of Section 72.02 of the San Diego Municipal Code - having to do with rates - Councilman Godfrey asked if interested parties can be heard. He expressed the opinion that if there is to be discussion, it should not be discussed later.

Councilman Wincote referred to any questions coming next week, and thought the public might not be protected.

If there are questions, it was said during discussion, perhaps the proposed Ordinance action should be reconsidered (The Council had moved and seconded that the Ordinance be introduced in the same motion with the two previous ordinance).

Next there was discussion over taxi rates, individual members of the Council stating that it appears that charges for the same rides are not uniform.

The City Manager explained the matter, relative to the rates, and reviewed from the schedule present in the Ordinance.

There was discussion between Councilman Godfrey and the City Manager regarding computation. Councilman Godfrey expressed the belief that the rate set up is not correct.

Councilman Wincote told about "funny business" in taximeters. The City should check to see if the meters are right, he stated.

The Mayor told about the Yellow Cab Co.'s checking into charges any time a customer keeps the receipt.

The City Manager told about having paid \$3.00 for a 10-mile ride. Anyone can come down, or write protest before the Ordinance's adoption, he stated.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said Ordinance was introduced.

Proposed Ordinance appropriating \$4,000.00 from the Unappropriated Balance Fund, and transferring the same to Account 214 (Travel Expense), General Appropriations, Department No. 40.34, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, was introduced.

Proposed Ordinance appropriating \$575.00 from the Capital Outlay Fund for the purpose of providing additional funds for construction of a sewer for the Witherby Street Pumping Station, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, introduced.

Proposed Ordinance dedicating lands, being portions of Lot 32 La Mesa Colony, and portions of Alice Street closed to Public Use, deeded for street purpose, and naming the same Bowman Lane and Alice Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, introduced.

Proposed Ordinance establishing the grade of Camino Del Rio, between the southerly prolongation of a line parallel to and distant 200.00 feet westerly from the westerly line of Lot 4 Pueblo Lot 1105, and the southerly prolongation of a line parallel to and distant 275.00 feet easterly from the westerly line of said Lot 4, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, introduced.

Proposed Ordinance establishing the grade of Florence Street, between the easterly line of Wabash Boulevard and a line drawn at right angles northerly from the southerly line of Florence Street, distant 8.77 feet easterly from the intersection of the southerly line of Florence Street with the easterly line of Wabash Boulevard, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, introduced.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending granting petition for grading Illion Street adjacent to Lot 128 Morena, by private contract, under City specifications, inspection, and at no cost to the City, was presented.

Said matter was presented under unanimous consent granted by the Council to the City Manager, after which the Manager explained the situation.

RESOLUTION NO. 112204, recorded on Microfilm Roll No. 64, granting permission to the Most Reverend Charles F. Buddy to grade by private contract Illion Street, adjacent to Lot 128 Morena, in accordance with plans, drawings, typical cross-sections and specifications filed in the office of the City Clerk under Document No. 469284, and in further accordance with said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

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

Proposed Ordinance establishing grade of Illion Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, introduced, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Schneider, seconded by Councilman Dail, the reading in full was dispensed with by a vote of not less than four members of the Council; there was available for the consideration of each member of the Council prior to the day of its passage a written or printed copy of said Ordinance.

ORDINANCE NO. 5598 (New Series), recorded on Microfilm Roll No. 64, establishing the grade of Illion Street, between the northwesterly prolongation of the southwesterly line of Clairemont Heights Unit No. 1, and the northerly line of Gardens Avenue, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

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

RESOLUTION NO. 112205, recorded on Microfilm Roll No. 64, approving a appointment by the Mayor of Dr. Emily Brownell as a member of the Social Workers Commission, to succeed Dr. Bernice I. Stone, resigned, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The City Manager made a brief verbal report on the matter of proposed Elections, for the Council's information, in connection with notice in connection with proposed initiative.

The City Manager made a verbal report relative to the Health Department's consolidation with the County of San Diego, in connection with inspection fees. He spoke about the fact that the City can pay out of funds directly if it chooses, and stated that the Health Department wants a reaffirmation of the City's policy. A statement should be made to the Health Department, he declared.

RESOLUTION NO. 112206, recorded on Microfilm Roll No. 64, requesting the City Manager to make a public statement relative to policy in connection with inspection fees, following consolidation of City of San Diego Health Department with the San Diego County Health Department, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.



The City Manager presented, under unanimous consent granted by the Council a verbal statement relative to request which had been made by the Starlight Opera for ticket booth construction, and for expansion of the parking area north of the Ford Bowl (Balboa Bowl). The booth, he stated, would cost \$2500.00, and the parking together with lighting would be \$3000.00, he added.

Councilman Godfrey said that he felt that the City Manager should negotiate on a 50-50 basis.

Councilman Wincote said that in ticket sales there is a great deal of inconvenience. He told about complaints from patrons who cannot get to their seats on account of not being able to buy tickets in time to be seated.

The City Manager said that the simplest method is to split the cost.

The Council took no action.

John McQuilken, City Auditor and Comptroller, spoke about the San Diego Transit System's annual report, and made a statement about having heard from Clarence A. Winder, the City's rate consultant.

Arron Reece, Deputy City Attorney, spoke about a discrepence which he said is larger than before.

Councilman Schneider stated that he thought the City Manager should get Mr. Winder down.

RESOLUTION NO. 112207, recorded on Microfilm Roll No. 64, determining that Clarence A. Winder shall appear on the City's behalf before the Public Utilities Commission in the San Diego Transit System application for rate increase, with the City acting as an interested party, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Mr. McQuilken told the Council about audit regarding San Diego Gas & Electric Company, and mentioned the conferences which have been held in connection with disagreements. He spoke about the agreement regarding the basic 35 kilowatt exception. He said that he wants to go in and discuss the situation with the company.

RESOLUTION NO. 112208, recorded on Microfilm Roll No. 64, instructing the City Manager to open negotiations in connection with matters having to do with San Diego Gas & Electric Co. audit presented verbally this date by the City Auditor and Comptroller, was on motion of Councilman Godfrey, seconded by Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Mr. McQuilken spoke again; this time about a report in connection with the State pension system.

The City Manager suggested that the Council take the report (report was not filed at this time), and set a discussion thereon for next Tuesday, regarding the old Police and Fire retirement. He made reference, also, to the City Employees' retirement.

No decision was reached, and no action was taken.

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 12:07 o'clock Noon.

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, May 26, 1953

Present--Councilmen Burgener, 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 10:10 o'clock A.M.

The Minutes of the Regular Council Meetings of Tuesday, May 19, 1953, and of Thursday, May 21, 1953, were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said Minutes were approved, after which they were signed by the Mayor.

At this time Mayor Butler recognized student body officers and the student senate who were visitors at the meeting, from Horace Mann Junior High School, accompanied by Miss Anne Dirksmeier, teacher.

The visitors arose, at the invitation of the mayor.

Next, the Mayor asked Miss Dirksmeier to introduce officers, which she did.

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 Keats Street and Scott Street, within the limits and as particularly described in Resolution of Intention No. 111209, 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 Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$2,000.00, which bid was given Document No. 469664;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$2,000.00, which bid was given Document No. 469665;

The bid of V. R. Demis, 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 \$1,700.00, which bid was given Document No. 469666;

The bid of Callahan Bros., accompanied by bond written by Pacific Indemnity Company in the sum of \$2,000.00, which bid was given Document No. 469667.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 1, for a period of one year from and including March 1, 1953, to and including February 28, 1954, 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 written by San Diego Trust & Savings Bank in the sum of \$53.04.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 111679, 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, the Clerk reported that written protest had been received from R. T. MacDougall, which protest was presented to the Council.

The City Engineer made a verbal report in which he said that there was a 3.3% protest, based upon statement that the work is unnecessary.

Thereupon, the Mayor inquired if any interested affected property owners were present.

No one appeared to be heard verbally, and no written protest were presented in addition to the one named.

RESOLUTION NO. 112209, recorded on Microfilm Roll No. 64, overruling and denying the protest of R. T. MacDouglass against the work of improving the Alley in Block 88 E. W. Morse's Subdivision, within the limits and as particularly described in Resolu-

tion of Intention No. 111679, overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 111680 for the paving and otherwise improving of Pacific Beach Drive, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

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

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

Councilman Dail asked about the use of the specifications provided (1-1/2" a.c. surface course laid upon a 2-1/2" a.c. base course).

The City Engineer replied that the City uses that improvement about 55% of the time, and that it is a standard specification.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed assessment for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 4, for a period of one year from and including April 1, 1953, to and including March 31, 1954, 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. 112210, recorded on Microfilm Roll No. 64, confirming and adopting as a whole the Engineer's Report and Assessment for Talmadge Park Lighting District No. 4, filed in the office of the City Clerk April 17, 1953, 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. 111793 of Preliminary Determination for the paving and otherwise improving of the Alley in Block 55 City 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. 112211, recorded on Microfilm Roll No. 64, determining that the proposed improvement of the Alley in Block 55 City Heights, within the limits and as particularly described in Resolution No. 111793 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 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. 111794 of Preliminary Determination for the paving and otherwise improving of the Alleys in Blocks 15 and 42 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. 112212, recorded on Microfilm Roll No. 64, determining that the proposed improvement of the Alleys in Blocks 15 and 42 Ocean Beach, within the limits and as particularly described in Resolution No. 111794 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 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 Lots 1 to 141 inclusive and Lots 144 to 158 inclusive, and portions of Lots 142 and 143 Glencraft Subdivision, 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, the Mayor requested the City Clerk to read report from the Planning Commission, which he did.

Said report, addressed to the Council, signed by P. Q. Burton, concerns the rezoning from R-1 to R-2 of Glencraft Subdivision, except portion now in C Zone, at the northeast corner of 47th and Market Streets. It mentions that the petition is necessitated by the fact that the Superior Court has held that the previous ordinance rezoning the property to R-2 was invalid for lack of due process. The report states that objection was raised by the Court that no public notice was given and no hearing held subsequent on the proposal to rezone the property R-2.



The report pointed out that the property is bounded on the west by R-1, R-2 and C Zoning, the R-1 zoning being occupied by Chollas View, a Federal Housing Project consisting mainly of duplexes with some single-family dwellings. To the northwest is R-2, north is R-2, occupied by an elementary school, east of that an R-1 zone unsubdivided, northeast and east is all R-1 and unsubdivided. It says that property abutting on the south is R-2 and C, not subdivided, to the southwest is C and R-2 much being vacant. In addition, the report states that the Planning Commission Office reported that protests had been received from approximately 365 persons, but that only 23 signatures could be identified within 500 feet of the property proposed to be rezoned. It states that a list attached to the report shows approximately where and how many signatures were represented. Also, it states that the Planning Commission conducted a public hearing May 6 and heard several people speak in protest, with approximately 72 persons in the audience who indicated opposition. The report states that attorneys for the petitioners stated they had established in Court that protestants were led by one Jack Kingery who stated that his opposition was because he felt that minority groups would be housed and such housing would devalue his property. Ben Fish, who owns property at the southwest corner of 47th and Market Streets, protested the rezoning, according to the report, with fear that colored people in the housing project would devalue his property as well as that of others. It says that those who were opposed to the rezoning denied any racial question entered into objection to duplexes and pointed out that it would be a large rental project occupied by more or less transient people. It states that in their opinion transients are not as desirable as occupants in an area, and that they increase delinquency problem substantially, citing Chollas View Housing Project as evidence. The Planning Commission voted 6-0 to recommend adoption of the proposed R-2 Zoning, and recommended reference to the City Attorney's office for drafting Ordinance prior to setting public hearing.

The Mayor asked the City Attorney to give a review of the background of the matter.

The City Attorney reviewed the record of the Planning Commission, from the petition, the hearing, holding until Map of the subdivision filed, reference back regarding the revised map, then reference back to the Planning Commission regarding the subdivision, the Hobart Homes Letter about the rezoning, then the Planning Commission's action and hearing. C Zone had been set for hearing, he said, then R-2 recommended. Adoption of R-2 recommendation took place, the matter referred for preparation of ordinance, ordinance adopted, followed by the Court holding that the Ordinance was invalid, the subdivider referred back to Planning Commission for hearing on R-2 Zone, hearing held, the Attorney reported, followed by the hearing today before the Council on a new petition following which notice had been posted on advertised.

Councilman Dail referred to the R-2 application which had been passed on by the Planning Commission, which he said was to validate proceedings rather than having the long wait under appeal.

The City reviewed the situation regarding the zoning change. He said that the property owner had been put in the position by the City. He said that owners could put in less than called for, instead of going up.

Glenn A. Rick, City Planning Director, analyzed a map of the area which had been posted on the Council chamber wall. He reviewed the proposal from the map, told about the surrounding R-1, R-2 and C Zoning adjoining the property, and also about the areas farther out. He said that he did not know if it went back to the R-1 Zoning when declared invalid by the Court.

Councilman Schneider made reference to wishes of owners in the surrounding area.

Mr. Rick stated that it is the purpose of the Planning Commission not to determine the feeling, but rather to determine the property zoning, and declared that it is not a popularity contest. The Commission, he stated, is guided by property owners in the neighborhood.

After the preliminaries just mentioned, the Mayor declared the hearing opened and invited protestants to be heard first.

Morrey Levenson, attorney, told the Council that he is representing the protestants. Mr. Levenson told about the development of the property, and stated that when the petition for the zone change had come in from Guymon, who had given an option on the property, there was a beautiful plan submitted of the apartment development. He stated that on the basis of development proposed, petition had been signed to change the zoning R-4. A man, whose name was understood to be Wertheimer, had not taken up the option referred to, but had used the same plan before the Planning Commission. He stated that property owners had recommended change to R-4 based on said plan. He spoke about the zoning, but holding of the same awaiting the subdivision map. The property changed hands, he stated, and Hobart Investment Co. had become the owners. They did not want the R-4 zone, but R-2 instead, he stated. Hobart Investment Co. representatives favored the change and thought that the Planning Commission had jurisdiction. The zoning, based on the original zoning had been declared invalid - as had been stated. Mr. Levenson disagreed with the Planning Department's statement in its report, on the racial question. He declared that the property owners want to keep the highest development. He declared that the property owners should not be ignored, but that the Planning Commission had ignored them. He told of the petition of protest, with 23 of the 25 immediately adjoining the area having protested the plan. Better than 50% of the property abutting the property is in R-1 zone, he stated. Mr. Levenson referred to a La Jolla application for a veterinary hospital adjoining (across the alley) from a C Zone, but stated that the application had been denied. He stated that reason for the notice and hearing is regarding the effect, and stated that wishes are not to be ignored. Petitions are here to correct a procedural error, he declared. Property owners in the area should not be penalized, Mr. Levenson said, and referred to notice having been given for change from R-1 to R-2. Except for the School Board and Guymon, all had opposed, he declared.

Councilman Dail asked how the project would be financed.

Mr. Levenson replied that there is various financing.

Rev. Howard Rosine, pastor of the Chollas Heights Church, 47th Street and Hilltop Drive, spoke next. He wondered about the establishment of the question in court, and about having it clarified.

The Mayor stated that there was brought up what was determined in Court.

Rev. Rosine said that he already has various races which come to his church, and that no issue is being made of that. He spoke about 60% of housing projects being single-family in Chollas View. He spoke from the map which was posted, and referred to zoning which had been done almost 21 years ago. Almost all are single family dwellings, he declared, except for a few multiple dwellings, and except for the Chollas View Housing

He told about investors' money which has been contracted for, and mentioned that lots are selling from \$2,000.00 to \$3,000.00, and about the good homes which are owned not by the rich but by the carpenters class. He talked about juvenile delinquency, and mentioned the problem which arises from transient people, but admitted that we need both. He said that he "does not know much about it", but related the crowded conditions proposed. As a community concerned, he stated that he does not want what is proposed. Rev. Rosine pointed out that there is a moral issue involved, and that he did not know why the action had been taken.

Lee Dawes, who told the Council that he heard a little later than most people, was heard next. He told about the nearby beautiful homes and duplexes. He referred to the proposed duplexes on an area of 40 acres, which would be solid duplexes. The usual owners of duplexes in the area live right next door, and keep their property, Mr. Dawes stated. He expressed fear over the large rental units. Renters are not as responsible as owners, he stated, and said that he was afraid of tenement housing coming in. He stated that he lives about 1/2 mile from the proposed project, that his children would have to walk through it even in 10 years, which he did not like.

Councilman Wincote asked if these are going to be rentals, or if they are going to be sold.

An unidentified man in the audience said "sale".

Mrs. Donald Fisher, representing the Beverly Hills Civic Club, was heard. She stated that the project will have hundreds of children going to the Chollas School. The City will not help the owners now, she said, referring to sidewalks and the like, so she takes children to school in the morning. She expressed the belief that there will be another 500 children of transients to crowd the school. All signed the petition, she said, not clarifying that statement. Mrs. Fisher said she did not if action had been taken by the Association itself on the issue, since she had not attended a meeting. She said that she did not live "out there" for the former zoning. Mrs. Fisher stated that while she favors children, she does not want so many children.

Councilman Godfrey wanted to know about the proposed rentals.

The Mayor said that proponents will be evaluated.

Mr. Higgs answered Councilman's Godfrey, by stating that the average rental would be \$76.00 per month unfurnished. He added that they would be 1,600 square feet (800 feet per unit) and garage.

Ben Fish told the Council that the Planning Commission's report had misquoted him in regard to minority group. He told about having sold 10 lots to a builder in R-2 zone, which is being used as R-1. He said, also, that he has 4 acres to sell, but that he would not sell the property. He told the Council that he had stated he is not in favor of changing, to bring in minority group - but that he does not oppose the minority group.

Councilman Wincote asked Mr. Levenson regarding the R-4 application.

Mr. Levenson did not say.

Mr. Fish said that Mr. Levenson had explained earlier that he does not know the answer to Councilman Wincote's question regarding the apartment houses and duplexes.

The Mayor stated that the owners can show any building, and can put in anything desired.

Councilman Dail asked Mr. Fish in March of 1952, he stated, and referred to no objection then. He wondered if R-4 would bring in more transients.

Mr. Fish replied that it is true that it would. He spoke about the few people who had signed regarding the change.

Councilman Dail stated that the petition had been circulated and that the development were handled in the regular manner. He added that he has had many protests.

Mr. Fish called for democratic procedure.

Mrs. Gottmeyer, who did not give her first name or initials, spoke next. She told about having bought her home in the R-1 zoning area, which provides for single-family Home development, and added that she assumed that the Chollas Housing is temporary. She told the Council that when there is a company-controlled project, there is the lack of personal interest. It can't always be kept up, she added.

Councilman Wincote asked if the company can't keep up the property.

Mrs. Gottmeyer said that she spoke for neighbors, many of whom cannot keep up their properties, on account of age, working conditions, etc. She referred to type proposed for families with fewer children.

Councilman Burgener asked if the property can be sold, in separate units to individuals.

An unidentified voice in the audience replied "yes".

Mr. Levenson told the Council that the only reason property owners signed the petition to change to R-4 was for the specific type of development presented to them on the drawing. What had been proposed would have been an asset, he added, but that is changed now and stated that a low-type development is proposed.

Councilman Godfrey asked Mr. Levenson about the size of the R-4 units which had been proposed.

Mr. Levenson replied that he could not answer the question.

Councilman Godfrey wanted to know if you cannot get \$76.00 per month, how can you get more.

P. Q. Burton, speaking for the Planning Department, told about the 2 and 3 bedroom units being proposed, with 800 and 1000 square feet each.

Betty Jackson asked if the project is "program housing". If so, she stated that units cannot be sold immediately.

The Mayor stated that the matter is not under the Federal regulation.

Mr. Jackson expressed the belief, however, that it is being privately-built for the government.

Councilman Burgener pointed out that it can be sold immediately upon completion.

At this time the Mayor declared the hearing closed for the opposition, after having asked if others wished to be heard, and there was no response.

DeWitt A. Higgs, attorney, spoke for the owners and the developers, he told the Council. He referred to Mr. Levenson having said that the original change had been made by Hobart and clients. It was by the Guymon Company, Mr. Higgs said. He declared that his clients were not involved in the early proceeding. They had become interested after the question had been raised as to when the request was made



for change from R-4 to R-2. He said he thinks all had been in error. He stated that if appeal were made from the Court decision, it would take more than a year, that in the meantime the commitment for financing funds will have expired. The money is already spent - nearly a quarter million dollars - based on the change, he said. He wants the thing determined on its merits, he stated - not on the protest. He said that he had talked to the protestants and had been told that they do not want colored people. The people wanted to know what is going in, he added. He told about the conversations held. Mr. Higgs related the protests about colored people and transients. The prosperity of the community depends on the transients, he emphasized as he referred to their part in the defense effort. Many of those persons who are here on a temporary basis cannot spend money to purchase homes, he added. The developers, Mr. Higgs told the Council, are going to put in 158 duplexes. He asked Mr. Burton to show a drawing, which Mr. Burton did. Mr. Higgs that there are 17 or 18 variations to the design, so that all will not be alike. It is not temporary development, or public housing, the speaker stated, but that it will be permanent. He added that the owners will keep up the landscaping, and referred to an investment of \$2,500,000.00 or \$3,000,000.00. It will be an asset to the community, Mr. Higgs declared. He spoke about pressure and influence, which was not amplified.

Councilman asked Mr. Higgs if the units can be sold.

Mr. Higgs replied that there is no interest in selling, but that the owners have the legal right to do so. Answering an earlier question, he stated that the project is being financed by the Bank of America, under a title 9 Government insurance. He stated that there will be resident operators on the property to maintain. Tenants can be evicted, under other limitations, he added. He stated that it is not a "minority housing - is now "open classification". There is no right to refuse to rent to anyone if he qualifies. He said that the Council does not have the right to consider the occupancy question.

Councilman Kerrigan pointed out that if there an R-4 zone, anything provided in the Ordinance could be built, but if R-2 the developers are bound.

Mr. Higgs said that was true.

The Mayor declared the hearing closed at this time, after inquiring if anyone else wished to speak in favor of the rezoning whereupon he received no reply.

Morrey Levenson addressed the Council at this time, and asked about funds spent.

Mr. Higgs replied that they had been spent in connection with the purchase of property and the plans.

Councilman Dail stated that would be a total loss if the new owner loses the property.

Mr. Higgs stated that the land will always have the same value.

Councilman Schneider referred to change from R-1, and told the Council that effect on the whole neighborhood needs to be considered; not how much has been invested.

Mr. Higgs said that it is the Council's job to provide for orderly development. He agreed that it should take into consideration the surrounding property owners, but that it is not bound thereby, and added that it is a proper development.

Councilman Wincote stated that the developers went ahead with the expenditure under the right to do so.

Councilman Burgener told the Council that protestants had said there is no objection regarding the race matter, and reviewed the R-1 zone instead of the R-2. He said he thinks he is being asked to be a party to discrimination.

Councilman Dail maintained, also, that the question has arisen regarding race. It has caused apprehensiveness on the part of the City as a whole, he declared. The protestants are in order, today, he added. Mr. Dail said that this is the first time he had heard the argument about transients as a basis for protest. He pointed to the map, and told of where he lives, which is in an R-2 zone also, and declared that there is no apprehensiveness regarding breaking down. The Housing projects will be cleared, Councilman Dail stated. He declared that there had been an error by the City (in the proceedings declared invalid by the Court), and said that as a result Hobart Homes is in a bad position. He added that there is hysteria injected into the proceedings. He stated that he does not object to too many sprawling, large type housing development, but added that there are many of them in the area, and does not know if it can stand another.

On motion of Councilman Dail, seconded by Councilman Wincote, Ordinance incorporating Lots 1 to 141 inclusive, and Lots 144 to 158 inclusive, portions of Lots 142 and 143 Glencliff Subdivision 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 introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen Schneider, Dail.

Petition from San Diego Neon Sign Company, requesting permission to erect a Neon sign at the Bird Rock Pharmacy, 5701 La Jolla Boulevard, was presented.

P. Q. Burton, of the Planning Department said that he did not know if the matter had been before the Planning Commission.

As a result of Mr. Burton's comment the petition was held temporarily. It will be found again on page 292 of these Minutes.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing approximately 20,000 feet of six inch Class 150 Cement Asbestos Pipe for stock, received by the Purchasing Agent May 21, 1953, from 2 bidders, was presented. It recommended award to Crane Company of San Diego, low bidder, at the price of \$1.4017 per foot, plus State Sales Tax.

RESOLUTION NO. 112213, recorded on Microfilm Roll No. 64, accepting bid of Crane Co., for furnishing approximately 20,000 feet of 6" Class 150 Cement Asbestos Pipe; awarding contract, 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 Schneider, seconded by Councilman Wincote, adopted.



Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received April 30, 1953, pursuant to request of the Director of Public Works for furnishing one Surface Material Spreader for the Public Works Department, stating that said Director had advised that due to insufficient manpower to operate a seal coating program at this time the bids be rejected. Said communication submitted such a Resolution.

RESOLUTION NO. 112214, recorded on Microfilm Roll No. 64, rejecting all bids received April 30, 1953, for furnishing one Surface Material Spreader, was on motion of Councilman Schneider, seconded by Councilman Godfrey, 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 furnishing Copper Pipe, Copper Stops, Fittings and Valves for the Storeroom as per specifications on file in the office of the City Clerk bearing Document No. 469505, was presented.

RESOLUTION NO. 112215, recorded on Microfilm Roll No. 64, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Copper Pipe, Copper Stops, Fittings and Valves in accordance with Document No. 469505, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112216, recorded on Microfilm Roll No. 64, 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 fire station building for Fire Engine Company No. 25, at 1972 Chicago Street, San Diego, filed in the office of the City Clerk under Document No. 469500; authorizing and directing the Purchasing Agent to publish notice calling for bids therefor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the next matter, the City Manager made a verbal explanation relative to the area, its development and a statement that the cost would be about \$60,000.00.

RESOLUTION NO. 112217, recorded on Microfilm Roll No. 64, approving plans, material, tools, equipment, transportation and other expense necessary or incidental for the improvement of Gleason Point, from Ventura Boulevard northerly (including grading, paving, construction and curbs and asphalt concrete berms, and drainage chutes, filed in the office of the City Clerk under Document No. 469499; authorizing and directing the Purchasing Agent to publish notice calling for bids therefor, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112218, recorded on Microfilm Roll No. 64, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for the improvement of the north section of Yacht Harbor Drive, Shelter Island, bearing Document No. 469498; authorizing and directing the Purchasing Agent to publish notice calling for bids therefor, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The next matter, which had been continued from the Meeting of May 19, 1953, to this date, was considered at this time:

RESOLUTION NO. 112219, recorded on Microfilm Roll No. 64, declaring the bid of Daley Corporation for the construction of Wabash Boulevard Section "B" between Harbor Drive and Federal Boulevard; Market Street, between 33rd Street and 36th Street; and Imperial Avenue, between 33rd Street and 35th Street, to be the lowest bid received (opened May 12, 1953); declaring said Daley Corporation to be the lowest, responsible and reliable bidder; rejecting all bids received for said work except said bid; awarding said contract to Daley Corporation at the unit prices set forth in its bid which amount to a total estimated sum of \$1,121,324.80; authorizing and empowering the City Manager to execute, for and on behalf of the City, a contract with said Daley Corporation therefor, upon execution by Corporation of said contract, and upon execution, delivery, filing and approval of the bonds required, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 2 sections of the Municipal Code, in connection with the tentative map of Muirlands Estates, was presented.

RESOLUTION NO. 112220, recorded on Microfilm Roll No. 64, suspending Sections 102.18 and 102.17-C of the Municipal Code in connection with the Tentative Map of Muirlands Estates, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Muirlands, subdivision of 19 large lots located in Pueblo Lot 1256, easterly of the Muirlands and south of LaCumbre Drive, subject to 9 conditions, was presented.

RESOLUTION NO. 112221, recorded on Microfilm Roll No. 64, approving the Tentative Map of Muirland Estates, subject to the conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Rodefer Hills subject to acceptance of the required improvements, was presented.

RESOLUTION NO. 112222, recorded on Microfilm Roll No. 64, adopting Map of Roderfer Hills-View Point Division and accepting on behalf of the public portions of streets and unnamed easements, shown as Bandini Street, Guy Street, Miller Street, Rodelane, portion of Linwood Street, a portion of Alameda Place, and unnamed easements; declaring the same to be public streets, portions of public streets and unnamed easements and dedicated to the public use; authorizing and directing the City of the City 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 Dail, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for the proposed rezoning to R-2 of portions of Pueblo Lots 1257 and 1262 and portion of Block G Starkey's Prospect Park, from R-1 zone, was presented.

Said report states that the proposed area to be rezoned is adjacent to and easterly of the La Jolla High School, and is for a proposed Junior High School, at the intersection of Nautilus Street and Fay Avenue. It states that portion of the property is not owned by the School Board owned by Tavares, et al., and is to be acquired by the City and the School Board mostly for street purposes. It points out that the tentative map of Muirlands Village, covering the unsubdivided area all around the proposed site, made provisions for said area to be used as a school site. The report suggests that the matter be forwarded to the City Attorney's office for the drafting of a proper ordinance prior to setting for a public hearing before the Council.

RESOLUTION NO. 112223, recorded on Microfilm Roll No. 64, adopting recommendation of the City Planning Commission filed under Document No. 469513 for rezoning portions of Pueblo Lots 1257 and 1262 and portion of Block G Starkey's Prospect Park, from R-1 Zone to R-2 Zone (as proposed site of a Junior High School) in the vicinity of Nautilus Street and Fay Avenue; directing the City Attorney to prepare and present the necessary Ordinance, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for the proposed rezoning of Lot 3 C. C. Seaman's Addition, from R-1 to R-2 zone, was presented.

Said report states that the proposed rezoning affects a 5-acre lot two blocks east of 54th Street at Olive Street, bounded on the west by 55th Street, on the south by Seifert Street and on the north and east by City property. It states that the entire district is R-1, except for the school on the west side of 54th Street and the small business center at Redwood Street, and some R-2 and R-4 zoning on a few lots on 54th Street. The report says that the Reverend Edward A. Johnson explained to the Planning Commission that the proposed rezoning from R-1 to R-2 would permit construction of a church and school. It points out that there is some objection to churches and schools in purely R-1 zones because of additional traffic load, noises, congestion, debris and accidents. In addition to other matters, it was pointed out that the City-owned land to the north and to the east is not being used in a manner that would induce the residential development in the immediate vicinity. However, it says that it is expected that the objectionable uses will cease in the not too distant future with the possibility of the land being developed for subdivision purposes. In addition to further reports, it states that the Planning Commission voted 6-0 to recommend that the proposed rezoning from R-1 to R-2 be approved - but only after a subdivision map has been filed of record on Lot 3 C.C. Seaman's Subdivision.

RESOLUTION NO. 112224, recorded on Microfilm Roll No. 64, adopting recommendation of the City Planning Commission, filed in the office of the City Clerk under Document No. 469514 for rezoning Lot 3 C. C. Seaman's Addition from R-1 Zone to R-2 Zone, and providing that said rezoning as shown on Plat B-543 shall become effective only after a subdivision map has been filed of record on said lot; directing the City Attorney to prepare and present to the City Council the necessary ordinance, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

A majority of the members of the Council executed undertakings, with San Diego Gas & Electric Company for the furnishing of current for the lighting of the ornamental street lights located in the following:

Seventh Avenue Lighting District No. 1;  
Eighth Avenue Lighting District No. 1;  
La Jolla Lighting District No. 1.

In connection with the next two matters, having to do with plans of proposed Residence at Crespo and Mecca Drives, and plans for Real Estate Office at 424 Playa del Norte, Harry Haelsig, Asst. Planning Director made a verbal explanation. He stated that the Planning Department did not want to take the responsibility involved in the matter inasmuch as architectural approval was involved, and the Attorney's Office has ruled that out as being ineffective.

Douglas Deaper, Deputy City Attorney, said that the Council can treat the matter as appeals or re-refer the subject to the Planning Commission to grant or deny.

Councilman Wincote stated that it had been hoped that persuasion would work, but felt that the Council could do nothing but grant.

RESOLUTION NO. 112225, recorded on Microfilm Roll No. 64, approving plans of Jon L. Burrison for residence to be built on Lot 18 Block 1 Resubdivision of portion of Villa Tract, at the corner of Crespo Drive and Mecca Drive, submitted to the Planning Commission and referred to the City Council for consideration, having been before the Planning Commission on May 20, 1953, said plans being attached to communication from the City Planning Commission and signed by P. Q. Burton under date of May 22, 1953, and which communication bears Document No. 469519, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

(See Page 280 of these Minutes for discussion of said matter).

RESOLUTION NO. 112226, recorded on Microfilm Roll No. 64, approving plans of E. W. Smith, 424 Playa del Norte for a real estate office at said address, submitted to the Planning Commission and referred to the City Council for consideration, having been before the Planning Commission on May 20, 1953 - on Lot 46 Block 1 La Jolla Strand, at said address - plans being attached to communication from the City Planning Commission and signed by P. Q. Burton under date of May 22, 1953, which communication bears Document No. 469517, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

(See Page 280 of these Minutes for discussion of said matter).

Communication from the Planning Commission, signed by P. Q. Burton, submitting letter from J. W. McBee requesting ruling under Section 101.0411 of the San Diego Municipal Code that the Planning Commission and the Council find that a mattress factory is permitted use in the C Zone, at 6334 El Cajon Boulevard on Lot 5 Acacia Park, stating one 3 h.p. motor in a cotton shredding machine and two or three sewing machine-size motors are employed in other equipment used, also that there are 4 or 5 employees engaged, was presented. It states that the Commission made the finding that the business of renovating and manufacturing mattresses at 6334 El Cajon Boulevard is a business similar to and not more objectionable than other permitted uses in the same zone and in the same vicinity.

RESOLUTION NO. 112227, recorded on Microfilm Roll No. 64, finding that the use by J. W. McBee of the property at 6334 El Cajon Boulevard, in the C Zone, for renovating and repairing mattresses and manufacturing mattresses, is a business similar to and not more objectionable than other permitted uses in the same zone and in the same vicinity, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Telegram from G. T. McCoy, State Highway Engineer, stating that the California Highway Commission requested the State Highway Engineer to advise the City Council that adoption of a Freeway routing between Pacific Coast Highway and the Cabrillo Freeway is under consideration, that said Engineer has been requested to consult with the Council prior to further attention of said matter by the Commission, and that explanatory letter from the Division of Highways will follow, was presented.

RESOLUTION NO. 112228, recorded on Microfilm Roll No. 64, referring telegram from the State Highway Engineer, G. T. McCoy, filed in the office of the City Clerk on May 22, 1953, under Document No. 469473, relative to proposed Freeway routing between Pacific Coast Highway and the Cabrillo Freeway, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Telegram from G. T. McCoy, State Highway Engineer, stating that the California Highway Commission requested the State Highway Engineer to advise the City Council that adoption of a Freeway routing in San Diego County between 0.1 mile west of Home Avenue and Palm Avenue is under consideration, that said State Highway Engineer has been requested to consult with the Council prior to further action by the Commission, and that explanatory letter from the Division of Highways will follow, was presented.

RESOLUTION NO. 112229, recorded on Microfilm Roll No. 64, referring telegram from the State Highway Engineer, G. T. McCoy, filed in the office of the City Clerk under Document No. 469472, relative to Freeway routing in San Diego County between 0.1 mile west of Home Avenue and Palm Avenue, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from J. H. Mack, County Surveyor and Road Commissioner, signed by James M. Finch, Assistant Right of Way Agent, in connection with final plans for realignment of portion of Mission Gorge Road over land owned by the City indicating that riprap section, three ditches for culvert outlets, and one driveway realignment will encroach on City property outside of the right of way, et al, and stating that there will be necessity for permission from the City to perform work, etc., was presented.

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

Communication from Tudor Engineering Company, 74 New Montgomery Street, San Francisco 5, California, dated May 19, 1953, signed by C. A. Trexel, was presented.

Said communication refers to a proposed comprehensive survey of the highways of San Diego County, with particular reference to a low-level route east to Imperial Valley, including consideration of tunnel or tunnels, was presented. It refers to Council's possible consideration of said Company to make such a study, and submits record of qualifications.

RESOLUTION NO. 112230, recorded on Microfilm Roll No. 64, referring communication from Tudor Engineering Company, filed in the office of the City Clerk May 25, 1953 under Document No. 469519 relative to proposed comprehensive survey of highways of San Diego



County, with particular reference to low-level route east to Imperial Valley, including consideration of tunnel or tunnels, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Glen Funcheon and Ruth S. Funcheon, 3404 Kellogg Way, San Diego 6, California, stating that they own a business block on the north side of West Washington Street between Goldfinch and Falcon Streets in Mission Hills, that across from 807 West Washington Street is a beer tavern owned and operated by Ed Gentles who also owns the Bull Pen at 501 Market Street, was presented. It refers to apartments above the stores and severe financial loss during the past four years as tenants keep moving on account of noise, etc., from said establishment. It refers to appeals which have been made, relative to the anti noise ordinance, etc., and money which has been spent modernizing the building which has improved the entire area.

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

Communication from Mrs. J. C. Krabill, 6155 Estelle Street, objecting to the fluoridation of drinking water in San Diego, and making a long statement of her reasons for protesting, as well as requesting the City to "let our water alone and stop doping it up", was presented.

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

Communication from Mrs. Kathryn Stranghn, El Rey Hotel, San Diego, and others, protesting any raise of bus fares, was presented.

**RESOLUTION NO. 112231, recorded on Microfilm No. 64, referring communication from Mrs. Kathryn Stranghn and other residents, protesting any raise of bus fares, to the City Attorney, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.**

Communication from MSgt. & Mrs. Raymond T. Kaiser, Route 4, Box 1948, Vista, California, relative to the recently enacted ordinance having to do with regulations for the keeping of chickens (referred to as the proposed Chicken Ordinance), was presented. It states that they would be most thankful to see an ordinance passed prohibiting the keeping of any chickens or rabbits within residential areas.

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

**RESOLUTION NO. 112232, recorded on Microfilm Roll No. 64, directing notice of filing of the Street Superintendent's Assessment No. 2135 made to cover the costs and expenses of the work done upon 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 Schneider, seconded by Councilman Godfrey, adopted.**

**RESOLUTION OF AWARD NO. 112233, recorded on Microfilm Roll No. 64, accepting bid of John B. Henry, and awarding contract 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 Resolution of Intention No. 111078, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.**

A written report from the City Engineer states that the low bid is 10.0% below the estimate.

**RESOLUTION OF AWARD NO. 112234, recorded on Microfilm Roll No. 64, 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., for the paving and otherwise improving of Newton Avenue, within the limits and as particularly described in Resolution of Intention No. 111079, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.**

A written report from the City Engineer states that the low bid is 19.6% below the estimate.

**RESOLUTION OF AWARD NO. 112235, recorded on Microfilm Roll No. 64, accepting bid of Cox Bros. Construction Co., a corporation, 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 Resolution of Intention No. 111080, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.**

A written report from the City Engineer states that the low bid is 23.3% below the estimate.

RESOLUTION NO. 112236, recorded on Microfilm Roll No. 64, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 2 Chester Park Addition, and Plat No. 2441 showing the exterior boundaries of the district to be included in the assessment for the work upon the said alley; directing the City Clerk upon passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman ~~Godfrey~~, ~~was on motion of~~ Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112237, recorded on Microfilm Roll No. 64, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 178 Pacific Beach, and Plat No. 2455 showing the exterior boundaries of the district to be included in the assessment for the work upon the said Alley; directing the City Clerk upon passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112238, recorded on Microfilm Roll No. 64, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Beaumont Avenue, and Plat No. 2445 showing the exterior boundaries of the district to be included in the assessment for the work upon said Avenue; directing the City Clerk upon passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112239, recorded on Microfilm Roll No. 64, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Cass Street, and Plat No. 2437 showing the exterior boundaries of the district to be included in the assessment for the work upon the said street; directing the City Clerk upon passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112240, recorded on Microfilm Roll No. 64, 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, within the limits and as particularly described in Resolution of Intention No. 111566, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112241, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of Winona Avenue and 50th Street, within the limits and as particularly described in Resolution of Intention No. 111567, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112242, recorded on Microfilm Roll No. 64, for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 2, for a period of one year from and including March 16, 1953, to and including March 15, 1954, said work to be done strictly in accordance with plans and specifications contained in the report of the City Engineer filed April 10, 1953 in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112243, recorded on Microfilm Roll No. 64, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 2, for a period of one year from and including March 5, 1953, to and including March 4, 1953, work to be done strictly in accordance with report of the City Engineer filed April 3, 1953 in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 112244, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of the Alley in Block 52 Park Villas, 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. 112245, recorded on Microfilm Roll No. 64, for the closing of portion of Wright Street, determining that it is not deemed necessary that any land be taken therefor, setting out the exterior boundaries of the district of lands in the City to be affected by said work and improvement and to be assessed to pay the damages, costs and expenses thereof, electing to proceed under the provisions of the "Street Opening Act of 1889", was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 112246, recorded on Microfilm Roll No. 64, for the furnishing of electric current for the lighting of the ornamental street lights located in College Park Lighting District Number One, for a period of one year from and including June 1, 1953, to and including May 31, 1954, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 112247, recorded on Microfilm Roll No. 64, for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District Number One, for a period of one year from and including June 15, 1953, to and including June 14, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 112248, recorded on Microfilm Roll No. 64, for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District Number Two, for a period of one year from and including July 1, 1953, to and including June 30, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112249, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of the Alley in Block 2 Chester Park Addition, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112250, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of the Alley in Block 178 Pacific Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112251, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of Beumont Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112252, recorded on Microfilm Roll No. 64, for the paving and otherwise improving of Cass Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112253, recorded on Microfilm Roll No. 64, ascertaining and declaring the wage scale for the paving and otherwise improving of Island Avenue, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112254, recorded on Microfilm Roll No. 64, 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 North and South Alley in Block 244 University Heights, within the limits and as particularly described in Resolution of Intention No. 105900, and to be assessed to pay the expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that proceedings be amended to include installation of drainage structures as required, etc., in connection with Resolution No. 110201 which granted petition for paving and otherwise improving of the Alley in Block 58 Park Villas, was presented.

RESOLUTION NO. 112255, recorded on Microfilm Roll No. 64, adopting recommendation of the City Engineer, filed in the office of the City Clerk on May 20, 1953 under Document No. 469318; authorizing the City Engineer to amend proceedings for the improvement of the Alley in Block 58 Park Villas, in accordance with said recommendation, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending amendment to proceedings for paving Roslyn Lane, to include additional work, necessary to properly connect the paving on Roslyn Lane to that on Ivanhoe Avenue, was presented.

RESOLUTION NO. 112256, recorded on Microfilm Roll No. 64, adopting recommendation of the City Engineer filed in the office of the City Clerk May 20, 1953, under Document No. 469320; authorizing the City Engineer to amend proceedings for improvement of Roslyn Lane in accordance with said recommendation, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.



Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending that proceedings for the paving and otherwise improving Venice Street, and consolidated with others for improvement of Mendocino Boulevard and adjacent area, under Resolution No. 111281, be amended to include sewer system to serve various blocks in Loma Alta No. 1 and in Sunset Grove, was presented.

RESOLUTION NO. 112257, recorded on Microfilm Roll No. 64, adopting recommendation of the City Engineer filed in the office of the City Clerk on May 21, 1953, under Document No. 469326; authorizing the City Engineer to amend the proceedings for the improvement of Venice Street and Mendocino Boulevard and adjacent area, in accordance with said recommendation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that the Council initiate proceedings for improvement of Dixon Place, Warrington Street, Chatsworth Boulevard, stating that Document No. 440236 was a petition representing 70.3% of the property frontage asking for improvement of Dixon Place, and Document No. 466787 was petition asking for improvement of Warrington Street, was presented.

RESOLUTION NO. 112258, recorded on Microfilm Roll No. 64, 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 paving and otherwise improving of Dixon Place, Warrington Street, and Chatsworth Boulevard, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that the Council initiate proceedings for improvement of Santa Cruz Avenue, stating that Document No. 445341, a petition signed by the owners of 64.0% of the property frontage, was previously submitted for said improvement, was presented.

RESOLUTION NO. 112259, recorded on Microfilm Roll No. 64, 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 paving and otherwise improving of Santa Cruz Avenue, within the limits particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the next matter, being the Resolution concerned with the rent decontrol hearing, Councilman Schneider asked who would make decisions, and pointed out that influence could be made in connection with the TV's camera activity. The City Manager should make the arrangements, he said.

The Mayor said that it would be no different than other hearings. He stated that KFMB-TV has offered to grant time "straight through" the hearing, on the public proceedings, as a public service.

Councilman Wincote wanted to check relative to the number of seats available in the studio.

The Mayor stated that the station will knock out a partition to give additional seating space, and that there will be seating for overflow crowds in other rooms, where proceedings may be viewed on television sets. It can be determined fully well what will be needed, he added. The Mayor told the Council that the station will give time for the hearing of both sides of the issue.

Councilman Godfrey stated that he believed the maximum time should be determined as three hours, that the Mayor should preside, and the City Manager work out the mechanical details.

The City Manager told the Council that he has delegated Les Earnest, of his office is working out the details.

Councilman Godfrey asked for a progress report from the City Manager.

RESOLUTION NO. 112260, recorded on Microfilm Roll No. 64, setting a public hearing upon the question of whether or not there exists in The City of San Diego such a shortage in rental housing accommodations as to require rent control in the City, for the 11th day of June, 1953, at the hour of 8:00 o'clock P.M., to be held in KFMB-TV Auditorium, Fourth Floor, 5th Avenue and Ash Street; directing the City Clerk to publish or cause to be published in the official newspaper of the City, a Notice of said Public Hearing at least 10 (10) days prior to the date of the hearing, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112261, recorded on Microfilm Roll No. 64, authorizing and empowering the City Manager to do all the work in connection with installation of about 250 feet of connecting sewer from the Alvarado Filtration Plant to the existing La Mesa sewer in Rasonia, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the Director of the Water Department has recommended installation of said sewer, 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. 112262, recorded on Microfilm Roll No. 64, authorizing and empowering the City Manager to do all the work in connection with connecting various small water mains installed under contract, and designated as Group 7, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the Director of the Water Department has recom-

mended said work, and 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. 112263, recorded on Microfilm Roll No. 64, authorizing the City Manager to employ V. R. Dennis Construction Company to replace curb and sidewalk return at the northwest corner of Marine Street and Vista Del Mar Avenue; cost of work not to exceed \$92.45, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City has entered into contract with V. R. Dennis Construction Company for the paving and otherwise improving of Vista Del Mar Avenue northerly of Marine Street to the dead end, under a 1911 Street Improvement Act proceeding; that sidewalk return will have to be replaced, which work was to have been done by City forces, that said contractor has offered to do the same at the price of \$92.45.

RESOLUTION NO. 112264, recorded on Microfilm Roll No. 64, authorizing and directing the City Attorney to abandon action commenced in the Superior Court of the State of California in and for the County of San Diego, Superior Court No. 173959, entitled "The City of San Diego vs. W. H. Nichols et al", and take whatever action is necessary to obtain order of the Court assessing costs, authorized by law, to be paid by the City of San Diego to the defendants, and dismissing said action, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Said Resolution recites that it has developed that the public interest, convenience and necessity of The City of San Diego no longer require acquisition of land for reservoir and facilities upon Lot 3 and 4 New Riverside, on which action had been commenced in eminent domain.

RESOLUTION NO. 112265, recorded on Microfilm Roll No. 64, authorizing and directing the City Treasurer to exchange \$2,000,000 par value of 1-7/8% U. S. Certificates of Indebtedness purchased from inactive funds in the City Treasury, due June 1, 1953, for \$2,000,000 2-5/8% U. S. Certificates of Indebtedness to be issued June 1, 1953; 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 said City, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112266, recorded on Microfilm Roll No. 64, authorizing and empowering the City Manager and City Clerk to execute agreements with the San Diego & Arizona Eastern Railway Company for agreement over portion of Lot 6 Block 87, and Lots 1 and 2 Block 86, and Lot 3 Block 83, all in San Diego Homestead Union, for relocation and improvement of the Francis Street Grade crossing, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112267, recorded on Microfilm Roll No. 64, authorizing and empowering the City Manager and City Clerk to execute agreement with San Diego & Arizona Eastern Railway Company, for easement for construction and maintenance of flood control channel along Chollas Creek crossing La Mesa Branch at Bridge No. 3139 (the number is as is written in the Resolution), was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112268, recorded on Microfilm Roll No. 64, authorizing and empowering the City Manager to execute, for and on behalf of The City, agreements with the San Diego & Arizona Eastern Railway Company for construction and maintenance of the Francis Street grade crossing and of the Wabash Freeway overhead structure, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112269, recorded on Microfilm Roll No. 64, authorizing and empowering the City Manager and City Clerk to execute with the San Diego & Arizona Eastern Railway Company, for easement and construction agreement for widening and improving of the 32nd Street grade crossing, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112270, recorded on Microfilm Roll No. 64, authorizing and empowering the Mayor and City Clerk to execute agreement for purchase of the State's title to Lot 11 Block 1 Electric Line Addition in The City of San Diego, which is tax deeded property, as provided by Division 1, Part VI, Chapter VIII of the Revenue and Taxation Code of the State of California, waiving the option of The City of San Diego to purchase said property and consenting and agreeing to the selling price provided in said agreement, a copy of which is filed in the office of the City Clerk as Document No. 469714, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

(The Resolution does not so state, but the Agreement is with the State of California Department of Public Works, and with the County of San Diego).

Proposed Resolution authorizing a cooperative drainage agreement with W. S. Stroud on Lot 4 Lomas de La Jolla No. 1, was listed on the agenda at the request of the City Manager, and was adopted by the Council, although not in the Clerk's file.

The Council returned to the item, at the request of the City Manager who asked that it be filed.

On motion made and seconded the action was reconsidered, followed by motion and second which resulted in the filing of the proposed resolution.

RESOLUTION NO. 112271, recorded on Microfilm Roll No. 64, approving request of Ace Pipeline Construction Company, dated May 12, 1953, contained in Change Order No. 4, for extension of 15 days to and including May 10, 1953, heretofore filed with the City Clerk as Document No. 469564, in which to complete contract for installation of Small Water Main Replacements, Schedule B-1, contract contained in Document No. 455104 on file in the Office of the City Clerk, extending said completion time to May 10, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112272, recorded on Microfilm Roll No. 64, approving Change Order No. 9 dated April 27, 1953, heretofore filed with the City Clerk as Document No. 469566, 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 approximately \$199.67, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112273, recorded on Microfilm Roll No. 64, approving request of Ets-Hokin & Galvan, dated May 8, 1953, contained in Change Order No. 3, for extension of 30 days, to and including June 7, 1953, heretofore filed with the City Clerk as Document No. 469568, in which to complete contract for installation of traffic signals and safety lights at Sunset Cliffs Boulevard and Midway Drive, contained in Document No. 459502; extending time of completion to June 7, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112274, recorded on Microfilm Roll No. 64, approving request of Griffith Company, dated May 7, 1953, contained in Change Order No. 2, for extension of 30 days to and including June 7, 1953, heretofore filed with the City Clerk as Document No. 469570, in which to complete contract for improvement of E. Tecolote Road and Wellington Street, contract contained in Document No. 458067 on file in the office of the City Clerk; extending time of completion to June 7, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112275, recorded on Microfilm Roll No. 64, approving request of Rogers Construction Co., dated May 8, 1953, contained in Change Order No. 3, for extension of 60 days, to and including August 5, 1953, heretofore filed with the City Clerk as Document No. 469572, in which to complete contract for construction of Pump Station on De Anza Point, contract contained in Document No. 460140 on file in the office of the City Clerk; extending time of completion to August 5, 1953, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112276, recorded on Microfilm Roll No. 64, approving request of Royal Pipeline Construction, dated May 12, 1953, contained in Change Order No. 1, for extension of 30 days to and including May 9, 1953, heretofore filed with the City Clerk as Document No. 469574, in which to complete contract for installation of Small Water Main Replacements, Group III, contract contained in Document No. 460317 on file in the office of the City Clerk; extending time of completion to May 9, 1953, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112277, recorded on Microfilm Roll No. 64, granting permission, in accordance with application and the recommendation of the City Manager, on file in the office of the City Clerk, to Jewish War Veterans of the United States, Ladies' Auxiliary of the San Diego Post #185, to conduct annual sale of poppies on the streets of The City of San Diego Friday, August 14, 1953, for raising funds for charitable work carried on by said organization in behalf of veterans of all creeds in the tuberculosis ward of the United States Naval Hospital in San Diego, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112278, recorded on Microfilm Roll No. 64, authorizing and empowering 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 San Diego Unified School District,



portion of Haines Street vacated April 14, 1939 by the City Council - Resolution No. 69138 - being strip of land 10 feet wide, 5 feet on each side of a line 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 said San Diego Unified School District when the Property Supervisor shall have received easement required by the City, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that The City is desirous of acquiring easement for water main purposes over portion of Block 163 Pacific Beach, and portion of Haines Street vacated, that the San Diego Unified School District is willing to deed said easement in exchange for quitclaim deed quitclaiming to said District a water main easement no longer required and not used, and that the value of each is \$10.00, and that the City Manager has recommended that said exchange be made.

RESOLUTION NO. 112279, recorded on Microfilm Roll No. 64, accepting Quitclaim Deed executed on the 12th day of May, 1953, by Louis C. Burgener and Patricia W. Burgener, 1150 Silverado, La Jolla, 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 "Burgener's Holly Glen Unit No. 1", being portion of Pueblo Lot 1256; 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 Kerrigan, adopted.

RESOLUTION NO. 112280, recorded on Microfilm Roll No. 64, approving claim of Ronal Kayser, on file in the Office of the City Clerk under Document No. 468043 in the amount of \$67.00; directing the City Auditor to draw his warrant in favor of said Ronal Kayser in the amount of \$67.00 in full payment of said claim, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112281, recorded on Microfilm Roll No. 64, approving claim of the Mundet Cork Corporation, on file in the Office of the City Clerk under Document No. 466711, in the amount of \$158.35; directing the City Auditor to draw his warrant in favor of said Corporation in said sum in full payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112282, recorded on Microfilm Roll No. 64, approving claim of F. E. Steele, on file in the Office of the City Clerk under Document No. 468979 in the amount of \$139.92; directing the City Auditor to draw his warrant in favor of F. E. Steele in the amount of \$139.92 in favor of F. E. Steeles in full payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112283, recorded on Microfilm Roll No. 64, authorizing the City Attorney to settle for \$70.00 the claim of Emma Heaton on file in the Office of the City Clerk under Document No. 454087, claiming the amount of \$500.00; directing the City Auditor to draw his warrant in favor of Emma Heaton in the sum of \$70.00 in full payment of said claim; rescinding Resolution No. 109205 on file in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112284, recorded on Microfilm Roll No. 64, denying claim of Lee Black, on file in the Office of the City Clerk under Document No. 468218, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112285, recorded on Microfilm Roll No. 64, denying claim of John W. Bolen, Jr., on file in the Office of the City Clerk under Document No. 468742, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112286, recorded on Microfilm Roll No. 64, denying claim of The Fidelity and Casualty Company of New York, on file in the Office of the City Clerk under Document No. 468975, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112287, recorded on Microfilm Roll No. 64, denying claim of Amos J. Fuson, on file in the office of the City Clerk under Document No. 468908, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112288, recorded on Microfilm Roll No. 64, denying claim of Mrs. Walter M. Gumoski, on file in the office of the City Clerk under Document No. 467698 was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112289, recorded on Microfilm Roll No. 64, denying claim of Robert L. John, on file in the office of the City Clerk under Document No. 467915, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112290, recorded on Microfilm Roll No. 64, denying claim of Mrs. Harlan Pearson, on file in the Office of the City Clerk under Document No. 468915, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112291, recorded on Microfilm Roll No. 64, denying claim of Alfred S. Wilkins, on file in the Office of the City Clerk under Document No. 468388, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5599, (New Series), approving the annexation to The City of San Diego of a portion of Lot 47 Rancho Mission of San Diego, to be known and designated as "Lot 47 Rancho Mission Tract", was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas-- Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Wincote, seconded by Councilman Burgener, the reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5600 (New Series), recorded on Microfilm Roll No. 64, incorporating portions of Blocks 38, 39, 52 and 53 of C. L. Carr's Subdivision & Vicinity, Blocks 22 and 23 L. W. Kimball's Addition, into "C" Zone as defined by Section 101.0411 of the Municipal Code and repealing Ordinance No. 12942 approved September 4, 1930, insofar as the same conflicts, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Dail, the reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5601 (New Series), recorded on Microfilm Roll No. 64, appropriating the sum of \$75,000.00 from the Capital Outlay Fund, for the purpose of providing funds to pay the City's share of the cost of the construction of Wabash Boulevard, Section "B" between Harbor Drive and Federal Boulevard; Market Street between 33rd Street and 36th Street; Imperial Avenue between 33rd Street and 35th Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilmen None.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5602 (New Series), recorded on Microfilm Roll No. 64, transferring the sum of \$45,000.00 from the Harbor Operating and Maintenance Fund to the Harbor Development Trust Fund, for the purpose of providing funds for development of the Harbor of San Diego for the fiscal year 1952-1953, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted by the following vote, to-wit: Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5603 (New Series), recorded on Microfilm Roll No. 64, appropriating the sum of \$1,000.00 from the Unappropriated Balance Fund, for the purpose of pro-

viding funds to pay the City's share of the cost of installing adequate heating for the House of Pacific Relations in Balboa Park, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next ordinance in full prior to the final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5604 (New Series), recorded on Microfilm Roll No. 64, appropriating the sum of \$500.00 from the Unappropriated Balance Fund of the City of San Diego, for the purpose of providing funds to pay the City's contribution to the City of Petaluma in connection with the case of City of Petaluma Vs. Pacific Telephone & Telegraph Company, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the next ordinance in full prior to the final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5605 (New Series), recorded on Microfilm Roll No. 64, authorizing and directing the City Auditor and Comptroller to pay the sum of \$150.00 out of the money received as the purchase price of Lots 13, 14, 15, 16, 18, 20 and 22 Block 4, excepting portions of Lots 14 and 16, of DePuy's Subdivision of the west half of the northwest quarter of Pueblo Lot 206 to T. N. Faulconer, licensed real estate broker, as real estate broker's commission for the sale of said property, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to the final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5606 (New Series), recorded on Microfilm Roll No. 64, establishing the grade of the North and South Alley in Block 2 Alhambra Park, between the north line of the East and West Alley in said Block 2, and the south line of Monroe Avenue, was adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to the final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5607 (New Series), recorded on Microfilm Roll No. 64, establishing the grade of the East and West Alley in Block 2 Alhambra Park, between the east line of 52nd Street and the west line of Dawson Avenue, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to the final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5608 (New Series), recorded on Microfilm Roll No. 64, establishing the grade of the Alley in Block 7 Alhambra Park, between the north line of Monroe Avenue and the southwesterly line of Contour Boulevard, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to the final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5609 (New Series), recorded on Microfilm Roll No. 64, establishing the grade of the Alley in Block 9 Subdivision of Blocks 3, 6, 9 and 12 City Heights Annex No. 1, between the northerly line of Landis Street and the southerly line of Wight-



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

On motion of Councilman Schneider, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to the final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5610, (New Series), recorded on Microfilm Roll No. 64, establishing the grade of the Alley in Block 58 Park Villas, between the southerly line of Myrtle Avenue and the northerly line of Upas Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to the final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5611 (New Series), recorded on Microfilm Roll No. 64, establishing the grade of Cass Street between the southerly line of Van Nuys Street and the northerly line of Agate Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to the final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5612 (New Series), recorded on Microfilm Roll No. 64, establishing the grade of Curtis Street between the northwesterly line of Point Loma Villas, and the easterly line of Poinsettia Drive, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to the final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5613 (New Series), recorded on Microfilm Roll No. 64, establishing the grade of Poinsettia Drive, between the southwesterly line of Elliott Street and a line drawn westerly at right angles to the westerly line of Poinsettia Drive from a point on the easterly line of Poinsettia Drive distant 150.00 feet northerly from the southwesterly corner of Lot 67 Point Loma Villas, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to the final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5614 (New Series), recorded on Microfilm Roll No. 64, establishing the grade of Poinsettia Drive between the easterly line of Alcott Street and a line drawn southeasterly at right angles to the northwesterly line of Poinsettia Drive from a point on the northwesterly line of Poinsettia Drive, distant 222.15 feet southwesterly from the most easterly corner of Lot 62 Point Loma Villas, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to the final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5615 (New Series), recorded on Microfilm Roll No. 64, establishing the grade of Streamview Drive, between the easterly line of 54th Street and the northerly boundary line of Hubner Park, was on motion of Councilman Godfrey, adopted, by

the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilmen None.

Proposed Ordinance appropriating the sum of \$1,200.00 from the Unappropriated Balance Fund, and transferring the same to Maintenance and Support, Department 03.00, the City Clerk's Fund, was on motion of Councilman Schneider, seconded by Councilman Godfrey, introduced.

Proposed Ordinance changing the name of a portion of Florence Street to Wabash Boulevard, was on motion of Councilman Burgener, seconded by Councilman Godfrey, introduced.

Proposed Ordinance establishing the Grade of Sterne Street, between the southeasterly line of Willow Street and the northwesterly line of Evergreen Street, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Proposed Ordinance incorporating portion of Las Alturas Villa Sites into R-1 Zone, was on motion of Councilman Schneider, seconded by Councilman Burgener, introduced.

On motion of Councilman Schneider, seconded by Councilman Burgener, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., Tuesday, June 16, 1953.

Proposed Ordinance incorporating Lot 63 and portion of Lot 64 Ex-Mission Lands of San Diego into R-1 Zone, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced.

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., Tuesday, June 16, 1953.

The City Manager requested, and was granted unanimous consent to present the next matter; not listed on the agenda:

RESOLUTION NO. 112292, recorded on Microfilm Roll No. 64, declaring that Assembly Bill No. 3320 of the State Legislature amending Government Code by adding Section 35102.5 providing for exclusion of Inhabited Territory for Cities by Petition, to be inimicable to the interests of The City of San Diego and an unfortunate and dangerous precedent to future legislation; opposing passage of said Bill and authorizing the Mayor of The City of San Diego to communicate such opposition to divers legislators by telegram because of the immediate urgency of the matter, 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:

RESOLUTION NO. 112293, recorded on Microfilm Roll No. 64, authorizing and directing the City Attorney to file disclaimer in the Superior Court action numbered 181242 entitled "R. E. Tyson, A.I. Lynds, and H. H. Johnson, doing business as Hobart Investment Company, a co-partnership, Plaintiffs, vs. City of San Diego, a municipal corporation, and John Doe I to X, Defendants", in portions of Lot 31 Ex-Mission Lands on which owners are filing a new subdivision map known as "Glencleft" in connection with storm drain, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

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

RESOLUTION NO. 112294, recorded on Microfilm Roll No. 64, authorizing and directing the Mayor and the City Clerk to execute for and on behalf of The City of San Diego, the certificate of ownership on the final map of La Jolla Shores Terrace, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The Resolution states that The City of San Diego is the owner of certain reversionary rights in and to the real property being subdivided in said map. (Although the Resolution does not so state, The City of San Diego was the owner of said property which had been sold to the subdivider.)

At this time the Council returned to the matter listed earlier on page 278 of these Minutes, being petition of San Diego Neon Sign Company for permission to erect a Neon sign at the Bird Rock Pharmacy, 5701 La Jolla Boulevard.

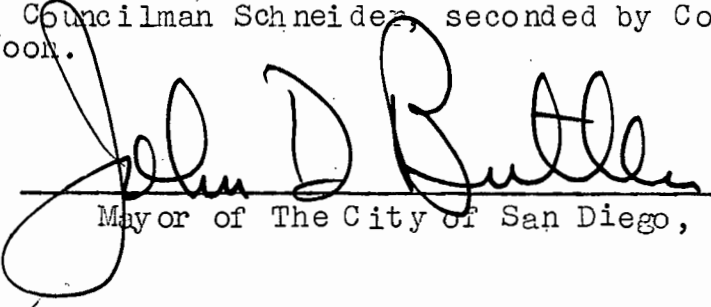
Harry C. Hael sig, Assistant Planning Director, read copy of letter from said department (not in the Clerk's file) addressed to A. W. Harper who had signed the original request, giving reasons for the denial. He then read Mr. Harper's reply to the objections which he stated has been approved by the Merchants Association of Bird Rock for the granting of the sign.

RESOLUTION NO. 112295, recorded on Microfilm Roll No. 64, granting permission to San Diego Neon Sign Company, 452 - 8th Avenue, San Diego 1, to erect a Neon sign at the Bird Rock Pharmacy, 5701 La Jolla Boulevard, as petitioned for in Document No. 469469, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

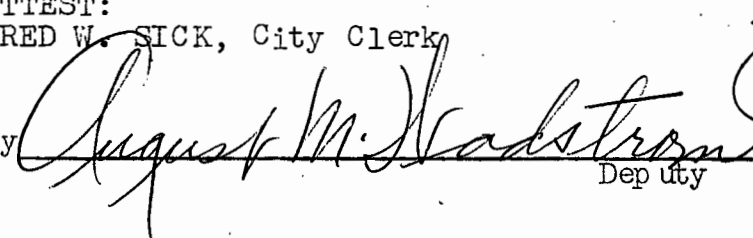
There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Godfrey, at the hour of 12:12 o'clock Noon.

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,  
May 28, 1953

Mayor Butler.

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey,

Absent---Councilmen None

Clerk----Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, the time set for the hearing on the continued Ordinance amending sections of the San Diego Municipal Code and adding sections thereto, defining, licensing, regulating and zoning Trailer Parks and Trailers, the proposed Ordinance was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said hearing which had been continued heretofore from the meeting of April 28, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Schneider continued one more week (to June 4, 1953).

The hour of 10:00 o'clock A.M. having arrived, the time set for the hearing on the continued Ordinance incorporating all of Block 36 Marilou Park, into "C" Zone, which had been before the Council on May 19, 1953, and continued to this date, was presented.

A written request was received from Henry J. Waters, affected property owner who is seeking the zone change, for continuance of the hearing for one week, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said continued hearing was continued for one week (to June 4, 1953).

Communication from Griffith Company, Box G Hillcrest Station, San Diego, for extension of 30 days on contract for resurfacing of Lila Drive, et al (a City cash job), was presented. The communication asks for 30 days extension, that the work is 98% completed, that the remaining 2% is held up by reason of the San Diego Gas and Electric Company's decision to do some underground work in Crosby Street within the area covered, was presented.

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

RESOLUTION NO. 112296, recorded on Microfilm Roll No. 64, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the roughening and chemical staining of Tennis Courts at Morley Field, under official Document No. 469715; 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 Schneider, adopted.



Communication from the Planning Commission, signed by Harry C. Haelsig, refers to Resolution 110341 which was requirement that all streets within the subdivision in the Tentative Map of Delta Heights be graded full width, was presented. It states that the same Resolution also required dedication of the rights of way for Chollas Parkway. The report points out that the subdivider is willing to dedicate rights of way for the Parkway, but a strict interpretation of the resolution would also require grading of the Parkway. It points out that was not the intent of the original Resolution, and the Planning Commission has recommended that Resolution No. 110341 condition No. 1 be amended.

Prior to consideration of said Communication, Councilman Kerrigan questioned the "Freeway" matter, whereupon, Harry Haelsig read the report referred to above.

RESOLUTION NO. 112297, recorded on Microfilm Roll No. 64, amending Resolution No. 110341 approving Tentative Map of Delta Heights, Condition No. 1, as follows: "That all streets within the subdivision be graded full width, except the Chollas Parkway, and that the portion of Bailey Avenue adjacent to the subdivision be graded from the property line to the southerly curb lines--all to grades to be established by the City Engineer", 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 Final Map of Englestad's Aztec Manor Unit No. 1, subject to posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 112298, recorded on Microfilm Roll No. 64, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Elmer Engelstad and Geneva Engelstad for installation and completion of unfinished improvements, and setting of monuments required for Englestad's Aztec Manor Unit No. 1; directing the City Engineer to present Ordinance establishing official grades of all streets within said subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112299, recorded on Microfilm Roll No. 64, adopting Map of Engelstad's Aztec Manor Unit No. 1, being subdivision of portions of Lots 27 and 28 La Mesa Colony; accepting in behalf of the public Gary Street, Gary Court, portion of Montezuma Road and unnamed easements shown thereon for public purposes, declaring the same to be public streets, portion of public street and unnamed easements and dedicated to the public use; rejecting as a dedication for public street, land shown as "Reserved for Future Street"; authorizing and 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, portion of public street and unnamed easements are accepted on behalf of the public, and that portion marked "Reserved for Future Street" is rejected on behalf of the public as heretofore 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.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of La Jolla Shores Terrace, subject to posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 112300, recorded on Microfilm Roll No. 64, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego a contract with William Scripps Kellogg, for installation and completion of unfinished improvements and setting of monuments required for La Jolla Shores Terrace; directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112301, recorded on Microfilm Roll No. 64, adopting Map of La Jolla Shores Terrace, being subdivision of portion of Pueblo Lot 1297; accepting on behalf of the public Camino del Oro, Calle del Cielo, Calle Corta, Avenida de las Ondas, Calle Chiquita 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; rejecting as a dedication for public street the land 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 streets and unnamed easements are accepted on behalf of the public; and that portion marked "Reserved for Future Street" is rejected; 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 Harry C. Haelsig, submitting amended Tentative Map of Lomita Village Unit No. 5, essentially the same as that approved by the City Council under Resolution No. 109532, on which it was required that the Encanto Freeway through the property be dedicated. It states that at the Council meeting on December 19, 1952, it was agreed that the City Council would purchase the right of way from the subdividers, and the amendment shows the Encanto Freeway right of way as lots A and B, which are to be reserved as a future street. The report says that the reservation for future street and offer of dedication is placed upon the tentative map as insurance to the Council that street right of way will be provided to conform to the Major Street Plan with State Law; also is to be deeded slope rights on the northerly 15 feet of Lot 898 and access rights along the adjacent Freeway as indicated on the map attached. It suggests that condition No. 9 of Resolution 109532 be amended.

The City Manager made a verbal report and read to the Council Mr. Haelsig's communication referred to above.

Councilman Kerrigan said that the map should not be approved until "wrapped up".

The City Manager, and Deputy City Attorney Douglas Deaper both said that the matter is "wrapped up", and that the City cannot be hurt.

The City Manager, referring to the freeway right of way said it "is now our property."

RESOLUTION NO. 112302, recorded on Microfilm Roll No. 64, amending Resolution No. 109532 dated December 9, 1952, approving Tentative Map of Lomita Village Unit No. 5, condition No. 9, to read "That street alignments and dedications, lot and street design, setbacks, easements, and access rights be provided on Lots 900 and 901 as shown on the amended map; and that Lots "A" and "B" be dedicated as a reservation for a future street", was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, transmitting recommendations of the Planning Commission on the Tentative Map of Muirlands Vista, being subdivision of the north half of Pueblo Lot 1774 westerly of La Jolla Mesa Drive, and mentioning that the Planning Department had included requirements for sidewalks; that such was occasioned by considerable delay and discussion on the Tentative Map, was presented. It stated that the Commission reconsidered its original recommendation and deleted the sidewalk requirement.

RESOLUTION NO. 112303, recorded on Microfilm Roll No. 64, amending Resolution No. 109847 approving Tentative Map of Muirlands Vista by omission of Condition 5 pertaining to the installation of sidewalks, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Glenn A. Rick, forwarding plan for 4 Airport Approach Zones and 8 Airport Turning Zones for the Municipal Airport at Montgomery Field - similar to flight pattern adopted for Lindbergh Field - was presented.

In addition to making various reports on the proposal, it recommends that the City Council request the City Attorney to prepare the necessary ordinance for public hearing, and that it approve the zoning.

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

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition to close the 20th feet of Myrtle Avenue between 38th and Wabash, except for corner cutoffs, was presented, together with his recommendation for said closing.

RESOLUTION NO. 112304, recorded on Microfilm Roll No. 64, granting petition for closing the northerly 20 feet of Myrtle Avenue, between 38th Street and Wabash Avenue, filed in the office of the City Clerk, 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 Wincote, seconded by Councilman Godfrey, adopted.

Communication from Frank Luckel, member of the State Assembly, enclosing exhibits having to do with Mission Bay possible issue, San Francisco's plan relative to obtaining their share of impounded oil royalties and suggesting that perhaps the Council might proceed along similar lines in obtaining necessary funds, was presented. It points out that the matter is purely in the rumor stage, but there is some talk concerning the possibility of special session, and that he would be willing to join other Legislators in recommending the same.

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

Communication from San Diego County Planning Commission, signed by Willis H. Miller, Director of Planning, addressed to the Board of Supervisors, the City Council, the La Mesa City Council, and the County Planning Commission, having to do with the proposed San Diego-La Mesa Freeway, was presented.

Councilman Kerrigan stated that the San Diego County Planning Commission had approved the matter.

The Mayor added that the County Supervisors have approved it, also.

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

Communication from Shoreline Planning Association of California, Incorporated, 506 Santa Monica Boulevard, Santa Monica, California, signed by Carl P. Staal, President, dated May 26, 1953, was presented.

Said communication relates to proceedings taken in Sacramento on May 19, on the subject of Assembly Bill 1201 which was proposed by Assemblymen Lindsay and Hansen having to do with diverting money from the Oil Royalty Funds, etc., was presented. It states that if the bill does not die in the Ways and Means Committee the City will be kept advised of further progress.

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

Communication from Julia E. Huntington, dated 5/25/53, with no address given, expressing opposition to continued rent control, and telling of her experiences in renting apartments in Ocean Beach, was presented.

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

Communication from Port of San Diego, signed by the Port Director, presenting form of agreement for amendment to Tideland Lease, Amendment No. 2, with Abraham Sklar, David M. Zwanziger and Louis Moorsteen, co-partners, doing business as the "Four-O-Locker Club", occupants of premises in the old Harbor Department Administration Building, was presented. It states that it is basically the same amendment as No. 1, which was approved by the Council December 52, with the exception that the new Amendment establishes minimum rental of \$700.00 per month.

RESOLUTION NO. 112305, recorded on Microfilm Roll No. 64, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 2 between the City of San Diego and a co-partnership consisting of Abraham Sklar, David M. Zwanziger and Louis Moorstein, lease on file in the office of the City Clerk under Document No. 435640, copy of said Amendment No. 2 contained in Document No. 469622 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 said Agreement for Amendment of Tideland Lease, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Proposed Resolution adopting map of Subdivision of Division 8 of Mount Hope Cemetery, consisting of 11 sheets, and authorizing and directing the Clerk to endorse upon said Map as and for the act of the Council that it is approved, and directing said Clerk to transmit the Map to the County Recorder for recordation, was presented.

RESOLUTION NO. 112306, recorded on Microfilm Roll No. 64, referring the proposed Resolution adopting map of subdivision of Division 8 of Mount Hope Cemetery to the City Manager.

(The proposed Res. was adopted at this point, reconsidered later in the meeting at which time it was rescinded, and referred to the City Manager. The same number was assigned to the Resolution referring the matter back to the Manager.)

RESOLUTION NO. 112307, recorded on Microfilm Roll No. 64, authorizing and empowering the City Manager to do all the work in connection with the construction of an extension to the existing 36-inch concrete pipe storm drain a distance of 48 feet across the southeast corner of Lot C Block 14 Central Homestead, situated near 36th and Hemlock Streets, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the Engineering Department of The City has recommended construction of an extension to the existing 36-inch concrete pipe storm drain a distance of 48 feet, 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. 112308, recorded on Microfilm Roll No. 64, authorizing the City Manager on behalf of the City, to furnish to the San Diego Zoological Society for the use of said society in operating and maintaining a zoological exhibit in Balboa Park such amount of water from the City's service as may be needed by said Society for the fiscal year beginning July 1, 1953, up to but not in excess of that amount of water which at the regular City rates would have equaled the sum of \$20,000.00, and any water in excess of said amount furnished by the City to said society for said zoological exhibit shall be charged for pursuant to the terms and provisions of the regular water rate ordinance; ratifying and approving the action of the Board of Directors of the San Diego Zoological Society in increasing the regular admission price for a visit to said zoological exhibit from 36 cents to 40 cents per person, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilman Wincote. Absent--Councilmen None.

RESOLUTION NO. 112309, recorded on Microfilm Roll No. 64, approving authorization for Change Order No. 1 dated 13 May, 1953, heretofore filed with the City Clerk on Document No. 469626, issued in connection with contract between the City of San Diego and Ets-Hokin & Galvan for construction of Manholes and Conduits for Power and Telephone Utilities on Shelter Island, contract contained in Document No. 464241 on file in the Office of the City Clerk; changes amounting to increase in the contract price of \$969.00, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112310, recorded on Microfilm Roll No. 64, approving Change Order No. 3, dated May 7, 1953, filed in the office of the City Clerk as Document No. 469732, issued in connection with contract contained in Document No. 459502 on file in the office of the City Clerk; changes amounting to increase in contract price of \$55.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.



RESOLUTION NO. 112311, recorded on Microfilm Roll No. 64, approving Change Order No. 16 dated May 21, 1953, heretofore filed with the City Clerk as Document No. 469734, issued in connection with contract between The City of San Diego and F. E. Young Construction Company for construction of the San Diego Public Library, contract contained in Document No. 451108 on file in the office of the City Clerk; changes amounting to decrease in the contract price of \$195.13, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112312, recorded on Microfilm Roll No. 64, approving Change Order No. 17 dated May 21, 1953, heretofore filed with the City Clerk as Document No. 469737, issued in connection with contract between the City of San Diego and F. E. Young Construction Company for construction of the San Diego Public Library, contract contained in Document No. 451108 on file in the office of the City Clerk; changes amounting to an increase in the contract price of \$24.90, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112313, recorded on Microfilm Roll No. 64, granting revocable permit to D. Cameron McDonald, 7561 Cabrillo Avenue, La Jolla, to install and maintain a sewer line across Del Rey Street, from 28 Unit Apartment house being constructed on Lots 26 through 32 Block 6 Stephens' Addition, on conditions set forth in said Resolution; directing the City Clerk to transmit certified copy of said Resolution to said permittee, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112314, recorded on Microfilm Roll No. 64, authorizing the City Attorney to accept the amount of \$85.00 in full settlement of the claim of The City of San Diego against Jerome Porter for damage done to the City street light standard No. 8548 in an accident on October 19, 1952, 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 Final Map of Englestad's Aztec Manor Unit No. 2, subject to posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 112315, recorded on Microfilm Roll No. 64, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Elmer Engelstad and Geneva Engelstad, husband and wife, for installation and completion of unfinished improvements, and setting of monuments required for Engelstad's Aztec Manor Unit No. 2; directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112316, recorded on Microfilm Roll No. 64, adopting Map of Engelstad's Aztec Manor Unit No. 2, being subdivision of portions of Lots 27 and 28 La Mesa Colony; accepting on behalf of the public Gary Street, portion of Catocin Drive, portion of Montezuma Road and unnamed easements shown for public purposes; dedicating said street, portions of streets and unnamed easements as public street, portions of public streets and unnamed easements and dedicated 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 they are accepted on behalf of the public as stated; directing the City Clerk to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112317, recorded on Microfilm Roll No. 64, accepting quitclaim deed executed on the 5th day of May, 1953, by Lee & Leschorn, Inc., a corporation, 332 Center Street, Chula Vista, California, 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. 2", being all of portion of the northwest quarter of Quarter 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 Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112318, recorded on Microfilm Roll No. 64, accepting subordination agreement, executed by Republic National Bank of Dallas, beneficiary, and E. E. Wallace, Jr., trustee, bearing date April 28, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 2366 and Lot 2365 of Clairemont Unit No. 11, 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 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 Dail, adopted.

RESOLUTION NO. 112319, recorded on Microfilm Roll No. 64, accepting subordination agreement, executed by Idella Taylor, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date May 9, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 31, Block 58 Park Villas, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego for storm drain purposes; authorizing and directing the City Clerk to file said 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 Dail, adopted.

RESOLUTION NO. 112320, recorded on Microfilm Roll No. 64, accepting deed of C. L. Barker and Byrl E. Barker, bearing date April 28, 1953, conveying Lots 17 and 18 Block K Teralta Heights Subdivision No. 2; 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 Dail, adopted.

RESOLUTION NO. 112321, recorded on Microfilm Roll No. 64, accepting deed of Morgan S. Rice, bearing date May 18, 1953, conveying Lots 21 and 22 Block 116 Resubdivision of Block 116 Roseville; 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 Dail, adopted.

RESOLUTION NO. 112322, recorded on Microfilm Roll No. 64, accepting deed of Union Title Insurance and Trust Company, bearing date April 30, 1953, conveying portion of Lots 30 and 31 Lemon Villa; 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 Dail, adopted.

RESOLUTION NO. 112323, recorded on Microfilm Roll No. 64, accepting deed of Leo Dia and Josephine Dia, bearing date May 15, 1953, conveying easement and right of way for street purposes in portion of Lot 29 La Mesa Colony, setting aside and dedicating the same to the public use as and for a public street, and naming the same La Dorna 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 Dail, adopted.

RESOLUTION NO. 112324, recorded on Microfilm Roll No. 64, accepting deed of Joseph Marino and Fannie Marino, bearing date May 15, 1953, conveying easement and right of way for street purposes in portion of Lot 29 La Mesa Colony, setting aside and dedicating the same to the public use as and for a public street, and naming the same La Dorna 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 Dail, adopted.

RESOLUTION NO. 112325, recorded on Microfilm Roll No. 64, accepting deed of Rosalie Maiss Coy, bearing date May 14, 1953, conveying easement and right of way for public street purposes in portion of Lot 1 Block 52 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 Dail, adopted.

RESOLUTION NO. 112326, recorded on Microfilm Roll No. 64, accepting deed of Union Title Insurance and Trust Company, bearing date April 30, 1953, conveying portion of Parcel "00" Lot 19 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 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 Dail, adopted.

RESOLUTION NO. 112327, recorded on Microfilm Roll No. 64, accepting deed of Florence Belle Scott, bearing date May 6, 1953, conveying portion of Lots 1 to 5 inclusive, Block 1 Hunter's Addition, setting aside and dedicating 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 Dail, adopted.

RESOLUTION NO. 112328, recorded on Microfilm Roll No. 64, accepting deed of Wilbroco, Inc., bearing date May 19, 1953, conveying easement and right of way for street purposes in portion of Lots 1 and 2 Country Club Terrace, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wing 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 Dail, adopted.

RESOLUTION NO. 112329, recorded on Microfilm Roll No. 64, accepting deed of Norman C. Schanks and Amanda B. Schanks, bearing date May 15, 1953, conveying easement and right of way for access and patrol road purposes in portion of the West one-half of the Northeast one-quarter, the Southeast one-quarter of Northwest one-quarter and Lot 3 All in Section 36 Township 12 South, Range 1 East S.B.B.M.; 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 Dail, adopted.

RESOLUTION NO. 112330, recorded on Microfilm Roll No. 64, accepting deed of Morgan S. Rice, bearing date May 18, 1953, conveying easement and right of way for ingress and egress purposes in portion of Lot 3 Block 116 Resubdivision of Block 116 Roseville; 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 Dail, adopted.

RESOLUTION NO. 112331, recorded on Microfilm Roll No. 64, accepting deed of County of San Diego, bearing date May 5, 1953, conveying easement and right of way for pipe line purposes in portion of Lot 285 Ramona; 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 Dail, adopted.

RESOLUTION NO. 112332, recorded on Microfilm Roll No. 64, accepting deed of Elizabeth Thorsen, bearing date May 7, 1953, conveying easement and right of way for sewer purposes in portion of Myrtle Avenue (closed) and Lot 1 Block 9 T. J. Higgins 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 Dail, adopted.

RESOLUTION NO. 112333, recorded on Microfilm Roll No. 64, accepting deed of Carlos Tavares and Marjorie Claire Tavares and Louis C. Burgener and Patricia W. Burgener, bearing date May 14, 1953, conveying easement and right of way for 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 Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112334, recorded on Microfilm Roll No. 64, accepting deed of Charles T. R. Taylor and Marguerite I. Taylor, bearing date February 5, 1953, conveying easement and right of way for slope purposes in portion of Lots 8 and 9 Block 139 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 Dail, adopted.

RESOLUTION NO. 112335, recorded on Microfilm Roll No. 64, accepting deed of Claremont Rental Housing Company, bearing date May 6, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 2366 and Lot 2365 Claremont Unit No. 11; 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 Dail, adopted.

RESOLUTION NO. 112336, recorded on Microfilm Roll No. 64, accepting deed of the Union Title Insurance and Trust Company, bearing date May 14, 1953, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 1238; 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 Dail, adopted.

RESOLUTION NO. 112337, recorded on Microfilm Roll No. 64, accepting deed of Jessie Caroline Kearney and Mark Charles Kearney, bearing date May 7, 1953, conveying easement and right of way for water pipe line purposes in portion of Block 309 Ramona; author-



5/28/53

izing 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 Dail, adopted.

RESOLUTION NO. 112338, recorded on Microfilm Roll No. 64, accepting deed of John Nokoney, bearing date May 7, 1953, conveying easement and right of way for water pipe line purposes in portion of the Southeast Quarter of the Northeast Quarter, and the North Half of the Southeast Quarter of Section 25, Township 12 South, Range 1 East S.B.B.M.; 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 Dail, adopted.

Proposed Ordinance, establishing the compensation for the fiscal year 1953-1954, Councilman Schneider mentioned two ladies from the Police Department who were present, and added that the Council "can do nothing now".

Mrs. Margaret Peacock, Police Matron, appeared.

The Mayor explained to Mrs. Peacock, and the other lady who was not identified at this point, that the Council had considered request for the increase. He said that the Kroeger survey had been considered also. He pointed out that the classification had been adopted under the ordinance which had been introduced (May 21, 1953) and up for adoption today. The Mayor stated that the Council can do nothing this fiscal year.

Councilman Dail said that he had talked to the ladies, who wanted consideration. It is the 11th hour, he stated; but not too late.

The Mayor replied to Councilman Dail by saying that he thought it is too late. He expressed the belief that the Council could not introduce a new ordinance, and adopt it in time.

Douglas Deaper, Deputy City Attorney, stated that it is too late to amend the ordinance - except for typographical errors.

Mrs. Peacock told the Council that when the surveys had come up in the past, the affected women had not been heard, but had found out late that their salaries were frozen. She declared that they do the same work and have the same hazards as the men in the jail. She asked for a 10% raise. That, she stated, would in the long run amount to only 5%, and would take away the "Y" rate. She stated that they had been discriminated against. She re-iterated that the matrons are doing the said work as the men in the jail. She added that they are asked to have the same qualifications as men, and that they take the same examinations. She pointed out that they are required to go into court even on their time off. Mrs. Peacock said that it is not a personal thing as far as women go, and that they want to be considered just as the policemen are. She asked for reconsideration. She pointed out that the women had no knowledge of what was being done - until last Friday. She spoke about the Kroeger report again, being the same as patrolmen. Mrs. Peacock stated that under the Kroeger survey a "y" rate had been imposed. She said that the new matrons, to reach the pay with the "y" classification had to be removed - and this does not increase the matrons' pay. Mrs. Peacock stated that there has been no pay increase for 3 years.

Councilman Godfrey stated that the job had been set back to rate 15 from 16, but that the ordinance raises it from 15 to 16 now. The position has been raised, he stated, and added that employees are now coming into the City service at a 16 rate.

Councilman Kerrigan told the Council that he was interested in the statement that the women had not been considered by Kroeger in that survey.

Mrs. Peacock clarified that point by telling the Council that they had made the statement (which they had been told to make brief), but had been given no interview. Anything can happen in 8 hours during their work, Mrs. Peacock stated. The jailer had told the matrons to make the brief statements, she added, and stated that the matrons are not satisfied with the results.

Councilman Schneider declared that it is unfortunate that the matter had not been brought before the Council earlier.

The Mayor disagreed by stating that it was.

Councilman Dail said that the matter was not concerned with the details.

The Mayor pointed out that their case had been presented at the public hearing which had been held in special meeting (May 11, 1953, at 7:00 o'clock P.M.)

Mrs. Peacock stated that the women concerned were not at the Council hearing. There was a strange hearing about those women, she stated, which had been presented by the Municipal Employees' Association, Miss Mary Harvey.

The Mayor declared that other sessions had been held on the subject, which were in Conference.

Councilman Dail asked if this is the 11th or the 13th hour, and can the Council do anything.

Mr. Deaper was heard again. He said that if there is any change in the ordinance it cannot be introduced. Mr. Deaper told the Council he thought it would have to come up again, but added that he wanted to consider the matter further.

The Mayor declared that the Council and the City Manager had found the matrons different from the men who act as jailers, with patrolmen being assigned to that duty at times. All had been considered, he added, and brought out the point that the patrolmen's duties are varied and more or less arduous.

Councilman Wincote spoke about the 16 rate as top with a "y" attached. He thought that they were not included in the "y" rate elimination.

Councilman Dail then went for records on the subject.

Councilman Schneider told about the 10% included for the lower brackets in the Police salary range, with 5% for those above.

Mrs. Peacock said that the woman who was with her - later identified as Mrs. MacLennan - works outside, in the same manner as a patrolman.

Councilman Dail, who had returned with the record, said that the matter of the police matrons did get in in time, and that they had been represented at the hearing. He showed the record.

Councilman Wincote showed Mr. Deaper page XVI-k of the recommended 1953-54 classification and compensation schedule submitted by the San Diego City Civil Service Commission.

As a result, the Mayor stated that the women referred to are now out of the "y" rate.

Mrs. Peacock added that what had been done was removal of the "freeze".

Mrs. MacLennan was heard for the first time, and declared that the "freeze" is out, but that they are not getting a raise.

There was a conference between Councilman Schneider and Mr. Deaper.

Councilman Dail declared that a good pitch had been made by the MEA speaker for the women, at the hearing.

Mrs. Peacock spoke again and said that they had found out only on Friday that the freeze was off, but no raise granted.

The Mayor said that based upon surveys it had been determined that in the past the women were overpaid. He added that personalities had not been considered.

Mrs. Peacock told the Council that there is no comparison with the matrons' jobs and those of other City women. She spoke about the hours involved and the jeopardy of the position. Again she said that they do the same as patrolmen, and told the Council that they deserve more consideration than secretaries.

Councilman Dail said that at this late date it is embarrassing, and added that he did not know if the Attorney would let the Council consider the possible change.

Councilman Schneider declared that the Council could consider relative to the overtime hours.

The Mayor said "no".

Councilman Godfrey told Mrs. Peacock and Mrs. MacLennan that the Council may not be able to do anything this year. It would be necessary to consider this year, on a job analysis. After the docket is considered, he stated, the Council should consider the matter of a new grade.

Mrs. Peacock said that the Police Relief Association had talked to Raymond Krah, Personnel Director, and that they thought the women were getting a raise.

Councilman Wincote declared that the Civil Service cannot be swayed.

Councilman Dail spoke about 2 changes having been made last week.

Councilman Godfrey said that there is need to secure a legal opinion from the City Attorney. He asked that the Council complete the docket, then consider the matter under discussion.

Mr. Deaper, who had been considering the matter during the discussion, told the Council that it can be changed, introduced today, and the Ordinance adopted in June.

Councilman Kerrigan said that was a new decision, inasmuch as the Council had been told previously that the Ordinance establishing the salaries had to be adopted in May.

The Mayor declared the matter - being the Ordinance, and the request in connection with the Police Matrons - continued temporarily.

That will be found, again, on page 303 of these Minutes, and page 304.

On motion of Councilman Schneider, seconded by Councilman Dail, the reading of the next Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5616 (New Series), recorded on Microfilm Roll No. 64, amending Secs. 33.0701.5 of the San Diego Municipal Code - Regulating use of Sound Trucks - was on motion of Councilman Wincote, seconded by Councilman Dail, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the reading of the next Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5617 (New Series), recorded on Microfilm Roll No. 64, amending Sub-Section "(h)" of Section 72.02 of The San Diego Municipal Code Regulating Rates of Fare charged by Taxicabs, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the reading of the next Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5618 (New Series), recorded on Microfilm Roll No. 64, appropriating the sum of \$4,000.00 from the Unappropriated Balance Fund of The City of San Diego, and transferring the same to Account 214 (Travel Expense), General Appropriations, Department No. 4034, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the reading of the next Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5619 (New Series), recorded on Microfilm Roll No. 64, appropriating the sum of \$575.00 from the Capital Outlay Fund, for the purpose of providing additional funds for the construction of a sewer for the Witherby Street Pumping Station, in addition to funds heretofore appropriated by Ordinance No. 5156 (New Series), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5620 (New Series), recorded on Microfilm Roll No. 64, dedicating certain lands being portions of Lot 32 La Mesa Colony, and portions of Alice Street closed to public use, deeded to the City, for street purposes, and naming the same Bowman Lane and Alice Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the reading of the next Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5621 (New Series), recorded on Microfilm Roll No. 64, establishing the grade of Camino Del Rio, between the southerly prolongation of a line parallel to and distant 200.00 feet westerly from the westerly line of Lot 4 Pueblo Lot 1105, and the southerly prolongation of a line parallel to and distant 275.00 feet easterly from the westerly line of said Lot 4, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

On motion of Councilman Schneider, seconded by Councilman Wincote, the proposed Ordinance was introduced.

ORDINANCE NO. 5622 (New Series), recorded on Microfilm Roll No. 64, establishing the grade of Florence Street, between the easterly line of Wabash Boulevard and a line drawn at right angles northerly from the southerly line of Florence Street, distant 8.77 feet easterly from the intersection of the southerly line of Florence Street with the easterly line of Wabash Boulevard, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the proposed Ordinance dedicating portions of Lot A La Mesa Colony, deeded to The City for street purposes, and naming the same Catocin Drive, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced.

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

RESOLUTION NO. 112339, recorded on Microfilm Roll No. 64, 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 beer license to Kathryn D. Nichols for the premises located at 4641 Market Street on the grounds that the said premises are located approximately 300 feet from property now owned by the San Diego Unified School District and on which a public elementary school building is to be constructed for occupancy January 1, 1954 - said application also being protested by the Board of Education and home owners in the immediate vicinity, stating that issuance of said license would be contrary to public welfare and morals, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

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

RESOLUTION NO. 112340, recorded on Microfilm Roll No. 64, appointing C. O. Taylor as a member of the City Planning Commission, to succeed Ray S. Jones, resigned, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Councilman Kerrigan identified Mr. Taylor as being with the Central Labor Council.



In connection with the proposed Ordinance relative to the compensation for the fiscal year 1953-1954, Councilman Dail said that the Council would be setting a dangerous precedent if a re-hearing is allowed, and that it would open up the issue. Earlier consideration was given on this matter, as shown on page 300 of these Minutes.

The matter which had been before the Council earlier, being Resolution approving and adopting map surveyed under the supervision of the City Engineer, consisting of 11 sheets, and being subdivision of Division 8 of Mount Hope Cemetery, and authorizing the map to be recorded, was brought up again.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the action taken previously in adopting said map was reconsidered.

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

The Resolution number 112306 - which had been used on the resolution approving and adopting the map, was re-used for the reference of the matter to the City Manager.

(See page 296 of these Minutes for the earlier action).

At the hour of 10:40 o'clock A.M. the Council took a recess at the hour of 10:40 o'clock this date for a conference to consider the salary ordinance again, on motion of Councilman Godfrey, seconded by Councilman Kerrigan.

Upon re-convening, at the hour of 12:12 o'clock Noon, the roll call showed the following:

Present -- Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler

Absent --- Councilman Dail

Clerk ---- Fred W. Sick

The matter of the 1953-1954 Compensation, which was shown on Pages 300 and 303 of These Minutes, was brought up again.

The Mayor said that the Civil Service recommendation, and the compensation schedule, as considered earlier, had just been considered by the Council again in Conference. Speaking about the Police Matrons, he stated that the Sheriff's office has the same salary as proposed in the City's schedule. He said that the Council should adopt the Ordinance, then refer to the City Manager and the Civil Service Commission the matter of a study of classification for the Police Matrons.

(Resolution No. 112342 will be found later, making such reference.)

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5623 (New Series), recorded on Microfilm Roll No. 64, establishing a schedule of compensation for officers and employees of The City of San Diego, providing uniform compensation for like service in the Classified Service, for the Fiscal Year beginning July 1, 1953, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

See Resolution No. 112342 - listed later - on this subject.

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

RESOLUTION NO. 112341, recorded on Microfilm Roll No. 64, authorizing and directing the Property Supervisor to advertise for a period of at least five days in the official newspaper of The City the sale at public auction of the East 40 feet of Lots 20, 21, 22 and 23 Block 19 Subdivision of Lots 20 to 50 inclusive in Block N of Teralta, for the reason that it is no longer needed for City purposes; finding that the City has heretofore caused an appraisal of said property to be made by a qualified real estate appraiser, and the value is \$6,500.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution states that H. B. Jobe has request that the property be put up for sale and has accompanied such request by a \$100.00 to cover 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 also states that the minimum amount which the Council will consider is \$6,500.00; that the Council reserves the right to reject any and all bids therefor; that all expenses in connection with the sale shall be deducted from the proceeds.

RESOLUTION NO. 112342, recorded on Microfilm Roll No. 64, referring to the City Manager and to the Civil Service Commission for study and recommendation the classification covering Police Matrons, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

See also pages 300, 303 and 304 of these Minutes for other references to this same subject.


There being no further business to come before the Council at this time, the Council took an adjournment, on motion of Councilman Schneider, seconded by Councilman Godfrey, at the hour of 12:16 o'clock Noon.

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, June 2, 1953

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

The Minutes of the Regular Council Meetings of Tuesday, May 26, 1953, and of Thursday, May 28, 1953, were presented to the Council by the Clerk.

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

At this time the Mayor introduced as visitors to the Council Meeting, the Political Science Group of San Diego Junior College, accompanied by Otto Reutinger, teacher. At his request they arose.

The Mayor welcomed the visitors to the Meeting, explained the procedure followed, and the conferences which preceded the meetings. He invited them to visit his office.

At this time a majority of the members of the Council signed the undertaking for street lighting, with San Diego Gas & Electric Company, in Sunset Cliffs Lighting District No. 1.

The hour of 10:00 o'clock A. M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Rose Street, Hobart Street, Stewart Street, Millar Street, Catocin Drive, 63rd Street, Pembroke Drive, Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 111366, the Clerk reported that 5 bids had been received, which bids were opened and publicly declared.

Said bids were as follows:

The bid of R. E. Hazard Contracting Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$5,000.00, which bid was given Document No. 470075;

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 \$5,500.00, which bid was given Document No. 470076;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$6,000.00, which bid was given Document No. 470077;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of ten percent of amount bid, but not to exceed \$6,000.00, which bid was given Document No. 470078;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$4,500.00, which bid was given Document No. 470079.

On motion of Councilman Wincote, 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 installation of sewers in Winchester Street, Calle Serena, Calle Aguadulce, Calle Tocon, Cumberland Street, Roanoke Street, and Albemarle Street, within the limits and as particularly described in Resolution of Intention No. 111367, the Clerk reported that 8 bids had been received, which 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 \$5,000.00, which bid was given Document No. 470067;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of \$6,000.00, which bid was given Document No. 470068;

The bid of Cameron Bros. Const. Co., accompanied by bond written by Glens Falls Indemnity Company in the sum of \$4,000.00, which bid was given Document No. 470069;

The bid of Walter H. Barber, an individual, accompanied by bond written by Hartford Accident & Indemnity Company in the sum of \$5,000.00, which bid was given Document No. 470070;

The bid of H. H. Peterson, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$4,300.00, which bid was given Document No. 470071;

The bid of Charles J. Dorfman, accompanied by bond written by General Casualty Company of America in the sum of \$4,000.00, which bid was given Document No. 470072;



The bid of A. O. Beason, accompanied by bond written Great American Indemnity Company in the sum of ten percent of amount bid but not to exceed \$6,000.00, which bid was given Document No. 470073;

The bid of L. Castillo, accompanied by bond written by United States Fidelity and Guaranty Company in the sum of \$6,000.00, which bid was given Document No. 470074.

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

In connection with the next 3 matters - having to do with hearings under Resolutions of Preliminary Determination - and on which Resolutions of Feasibility would be needed, The Mayor said that 6 votes of the Council were necessary to adopt such resolutions. He suggested that the matters be continued one week. Councilman Kerrigan expressed the belief that the hearings should be held, then closed, following which the Resolutions of Feasibility could be adopted. The Mayor thought it unfair to hold the hearings and ask members of the Council who were not present to vote on the Resolution of Feasibility inasmuch as they would not have had the benefit of attending the hearing. (The subject was brought up again, later).

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 111925 for the paving and otherwise improving of the Alleys in Blocks 5 and 24 Ocean Beach, the Mayor announced that the matter would be continued one week.

(No protests had been received).

RESOLUTION NO. 112343, recorded on Microfilm Roll No. 65, continuing the hearing on Resolution of Preliminary Determination No. 111925, for the paving and otherwise improving of the Alleys in Block 5 and 24 Ocean Beach, to the hour of 10:00 o'clock A.M., Tuesday, June 9, 1953, 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 of Preliminary Determination No. 111926 for the paving and otherwise improving of Scott Street, Ingelow Street and Jarvis Street, the Mayor announced that the matter would be continued one week.

(No protests had been received).

RESOLUTION NO. 112344, recorded on Microfilm Roll No. 65, continuing the hearing on Resolution of Preliminary Determination No. 111926, for the paving and otherwise improving of Scott Street, Ingelow Street and Jarvis Street, to the hour of 10:00 o'clock A.M., Tuesday, June 9, 1953, 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 of Preliminary Determination No. 111927 for the installation of sewers in Plantano Street, Castana Street, Nogal Street, Escuela Street, Cereza Street, Imperial Avenue and Public Rights of Way, the Mayor announced that the matter would be continued one week.

(No protests had been received).

RESOLUTION NO. 112345, recorded on Microfilm Roll No. 65, continuing the hearing on Resolution of Preliminary Determination No. 111927 for the installation of sewers in Plantano Street, Castana Street, Nogal Street, Escuela Street, Cereza Street, Imperial Avenue and Public Rights of Way, to the hour of 10:00 o'clock A.M., June 9, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

(See page 307 on this same matter).

Petition of Carll Mercury, Inc., 930 Pearl Street, La Jolla, signed by Charles E. Carll, was presented to the Council and read. It requested permission to erect a neon sign pylon on a new Mercury dealership showroom at Pearl and Fay in La Jolla. It states that the City Planning Commission was most sympathetic as was Mr. Paget in a subsequent visit to the building site, but the Commission had decided not to take responsibility, so appeal was made to the Council, the petition states. In addition to other statements, the petition pointed out the showroom has a frontage of 60 feet on Pearl and 50 feet on Fay; within a few months it will be jointed to an existing structure which has an 80 foot frontage on Pearl and also 50 feet deep, which building when renovated will become the dealership service area. It states that the Neon pylon is to be 12 feet high, 24 inches thick and 8 feet deep, to be erected on the Pearl Street side 20 feet back from Fay, that the construction of the showroom provides for the construction of the pylon. Also, the petition states that the sign is to be supplied by San Diego Neon Sign Company, and that plans and engineering details covering the proposal are on file with the Planning Commission.

Said petition was read to the Council by the Clerk.

Glenn A. Rick, City Planning Director, made a verbal report, and stated that the petition is similar to others which had been sent to the Council. He told the Council that persuasion had been used to attempt to prevent the construction of the sign as proposed.

Mr. Luckey, whose name was given after the Mayor was informed that the speaker had not stated who he was, told about the sign. He said that it does not extend. Councilman Wincote asked if La Jolla property owners know what is proposed, and stated that the building would have to "live" with them.

Since it appeared that Mr. Luckey was a representative of the company seeking the permit, Councilman Kerrigan told the Council that Mr. Luckey is the Neon salesman (The City Directory lists a Robt G Luckey as salesman for S.D. Neon Sign Co.).

Mr. Luckey stated that he had talked to Mr. Carll, who wants the sign. RESOLUTION NO. 112346, recorded on Microfilm Roll No. 65, granting request of Carll Mercury, Inc., 930 Pearl Street, La Jolla, filed in the office of the City Clerk May 28, 1953, under Document No. 469796, for permission to erect a neon sign pylon, 12 feet high, 24 inches thick and 8 feet deep, on a new Mercury dealership showroom at Pearl Street and Fay Avenue in La Jolla, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

An unidentified woman, who later gave her name as Mrs. Arlene Tomberlin, was heard in connection with the hearing held on Resolution of Preliminary Determination No. 111927 for installation of sewer mains in Plantano Street, Castana Street, Nogal Street, et al, spoke in favor of the work being done on Nogal Street.

The Mayor suggested that she return next week for the hearing which had been postponed for one week from this date.

Councilman Wincote told Mrs. Tomberlin that if any opposition had been developed by next week she could be notified.

Councilman Kerrigan stated that was the reason he wanted the hearing closed today, inasmuch as this was the date set for the hearing.

The Mayor said that the hearing could not be closed if a full Council was not present.

There was discussion between Councilman Wincote and the Mayor over that point, upon which they did not agree.

Councilman Godfrey told the Council that it is inconvenient for property owners to keep coming down, if the matter cannot be settled. He asked Douglas Deaper, Deputy City Attorney if the hearing can be closed.

Mr. Deaper replied that he thought it should not be closed. The Council can hear the matter today, but that the Council as a whole should be given the opportunity to hear the matter and act.

Next there was discussion between Councilman Wincote and Mr. Deaper on that point.

The Mayor told Mrs. Tomberlin that if there is a protest "will call."

H. J. Leon, who told the Council that he favors the improvement, said that he wanted to be notified also.

(See page 306 for previous action).

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received May 21, 1953, from 4 bidders for furnishing the City's requirements of Liquid Chlorine for a period of one year beginning July 1, 1953, was presented. In addition to making a detailed report, the communication recommended award to Hill Brothers Chemical Company for delivering approximately 300 tons of Liquid Chlorine by truck to point of use for the period of 12 months, at its bids price of \$91.51 per ton, plus State Sales Tax, with buyer allowed free-use period of 90 days on each cylinder with charge of \$5.00 per month for any cylinder retained in excess of 90 days; cylinders to be returned via seller's truck at seller's expense, was presented.

RESOLUTION NO. 112347, recorded on Microfilm Roll No. 65, accepting bid of Hill Brothers Chemical Company for furnishing approximately 300 tons of Liquid Chlorine by truck to point of use for period of 12 months beginning July 1, 1953; awarding contract, authorizing and instructing the City Manager to enter into and execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received May 21, 1953, for furnishing one power driven hydraulically controlled Concrete Breaker, was presented. It recommended award to Smith Booth Usher Company, Division of Western Machinery Company, in the amount of \$5,400.00 plus tax. It stated that the City, after a trial, purchased a similar concrete breaker several months ago, and it has proven very satisfactory and has resulted in economy in City operation.

RESOLUTION NO. 112348, recorded on Microfilm Roll No. 65, accepting bid of Smith Booth Usher Company, Division of Western Machinery Company for furnishing one Concrete Breaker for the sum of \$5,400.00 plus Sales Tax; awarding contract, authorizing and instructing the City Manager to execute and enter into contract therefor, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing no approval, reporting on bids for repairs to Fish Market Pier, located near the foot of Pacific Highway, received May 6, 1953, from 4 bidders, was presented. It recommended award to R. E. Staite, the low bidder, in the amount of \$5,505.00 - Harbor Department estimate was \$5,500.00.

RESOLUTION NO. 112349, recorded on Microfilm Roll No. 65, accepting bid of R. E. Staite for repairs to Fish Market Pier located near the Foot of Pacific Highway; awarding contract, authorizing and instructing a majority of the members of the Harbor Commission to execute the same, pursuant to plans and specifications on file in the Office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing no approval, reporting on bids received May 8, 1953, for improvement of Hawthorn Street from Pacific Highway to Harbor Drive (including excavation, paving and installation of curbs), was presented. It recommended award to Sim J. Harris Company, low bidder, in the amount of \$1,427.05 - the Harbor Department's estimate was \$11,739.

RESOLUTION NO. 112350, recorded on Microfilm Roll No. 65, accepting bid of Sim J. Harris Company for improvement of Hawthorn Street from Pacific Highway; 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 Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing 400 pieces of Douglas Fir lumber of various sizes for bridge repairs, received May 27, 1953, from 5 bidders, was presented. It recommends award to low bidder, American Products, Inc., of San Diego, at a total price of \$4,088.92 f.o.b. 20th and B Streets, San Diego, terms 2%, 10 days after arrival, plus State Sales Tax.

RESOLUTION NO. 112351, recorded on Microfilm Roll No. 65, accepting bid of American Products, Inc., for furnishing approximately 400 pieces of Douglas Fir Lumber of various sizes; awarding contract, 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 Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing approximately 50 tons of Sodium Silicofluoride for the Water Department, received May 28, 1953, from 5 bidders, was presented. It stated that the low bid submitted by Los Angeles Chemical Company, at \$163.95 per ton, was one on which the company was unable to meet delivery schedule required by the specifications. It states that the second low bid was that of Mefford Chemical Company at \$164.00 per ton. It points out that while delivery would apparently meet the July 1 deadline required by specifications, there would be a period approximately 15 days during which no Sodium Silicofluoride would be available for use. The next low bidder, stated, was McKesson & Robbins, Inc., of San Diego, at the price of \$164.20 per ton, with immediate shipment of 20 tons for delivery from point of manufacture, Joliet, Illinois. In addition, said local bidder requested preference for local bidder under the Charter. It recommended acceptance of the McKesson & Robbins, Incorporated bid is only \$12.50 more than the lowest bid, and delivery would make available additional Sodium Silicofluoride before the present supply is exhausted, it recommended award - at \$8.21 per CWT f.o.b. San Diego, terms net, plus State Sales Tax.

RESOLUTION NO. 112352, recorded on Microfilm Roll No. 65, accepting bid of McKesson & Robbins, Incorporated, to furnish approximately 50 tons of Sodium Silicofluoride; awarding contract, 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 Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for Small Water Main Replacements, Group VI, 1952-53, opened by the City Clerk May 19, 1953, from 5 bidders, was presented. It stated that the low bid received was that of Royal Pipeline Construction of San Diego at \$65,972.75, which was in error, but that the correct total bid is \$66,674.75, that the estimated cost for installation was \$69,115.00. It recommended award to said Royal Pipeline Construction Co., for the sum of \$66,674.75.

RESOLUTION NO. 112353, recorded on Microfilm Roll No. 65, accepting bid submitted by Royal Pipeline Const. Co. for installation of small water main replacements, Group VI, 1952-53, which bid is declared to be the lowest, responsible and reliable bid therefor; authorizing and empowering the City Manager to execute, for and on behalf of the City of San Diego, contract with Royal Pipeline Const. Co. for such installation, upon execution of said contract and upon execution, delivery, filing and approval of bonds required, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing approximately 10,000 cubic yards of Decomposed Granite for a period from July 1, 1953 to June 30, 1954, as per specifications on file in the office of the City Clerk bearing Document No. 469934, was presented.

RESOLUTION NO. 112354, recorded on Microfilm Roll No. 65, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing approximately 10,000 cubic yards of Decomposed Granite for a period of one year beginning July 1, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Flaming Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of Loma Valley, subject to posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 112355, recorded on Microfilm Roll No. 65, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Loma Valley, Inc., a corporation, for installation and completion of



unfinished improvements and setting of monuments required for Loma Valley; directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112356, recorded on Microfilm Roll No. 65, adopting map of Loma Valley, being all of Pueblo Lot 180, excepting portion conveyed to William W. Crawford, Jr. and wife, by deed dated September 27, 1948; accepting on behalf of the public streets and named easements together with any and all abutters rights of access in and to Bangor Street and a portion of Charles Street adjacent to Lots 1, 2, 3 Block 3: Gage Drive, Loma Valley Road, Jennings Place, Bangor Street, Jennings Street, Charles Street and named easements, together with any and all abutters rights of access in and to said streets; declaring them to be public streets, named easements, together with said rights and dedicated to the public use; authorizing and directing the Clerk of the City of San Diego to endorse upon said map as and for the act of the Council that they 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 Godfrey, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of Lomita Village Unit No. 5, subject to posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 112357, recorded on Microfilm Roll No. 65, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego a contract with Cardiff Homes Inc., a corporation, subdividers, and Security Title Insurance Company, a corporation, as trustee, for installation and completion of unfinished improvements, and setting of monuments required for Lomita Village Unit No. 5 subdivision; and further providing for construction of extension of storm drainage facilities along Glencoe Drive from Solana Street to Jamacha Road and for reimbursement by the City to the subdivider of the sum of \$6042 (which represents difference between cost of storm drainage facilities if constructed to extent required by ordinance in said subdivision, and cost of the extended storm drainage system required by the City (City Clerk's Document No. 469327), upon execution and delivery to the City of a quitclaim deed conveying to the City all right, title and interest of the subdivider in and to the drainage system in said Lomita Village Unit No. 5; further providing for purchase by the City from said subdivider of certain real property lying both within and without boundaries of said subdivision, together with certain slope rights and abutters' rights of access thereto (required by the City for development of the Future Encanto Freeway), for the sum of \$10,000.00, to be paid to the subdivider by the City, upon delivery to the City of a good and sufficient grant deed conveying to the City said real property, and slope and access rights thereto, free and clear of encumbrances done by the subdivider; 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. 112358, recorded on Microfilm Roll No. 65, adopting Map of Lomita Village Unit No. 5, being resubdivision of Block B and portions of Blocks C and D Narragansett Heights, together with portions of Jamacha Road and Cardiff Street (formerly Narragansett Avenue) adjoining said Block "B" and said portions of Blocks "C" and "D"; accepting on behalf of the public streets and unnamed easements, together with any and all abutters' rights of access in and to portions of Cardiff Street, Carlisle Drive and Jamacha Road adjacent to Lots 900, 901 and 902 shown on said map: Car Street, Cardiff Street, Carlisle Drive, Dodie Street, Glencoe Drive, Helm Street, Jamacha Road, Jud Street, Koe Street, Solana Street, Wade Street and unnamed easements, together with any and all abutters' rights of access in and to portions of Cardiff Street, Carlisle Drive and Jamacha Road adjacent to Lots 900, 901 and 902 for public purposes; declaring the same to be public streets and unnamed easements and abutters' rights, and dedicated to the public use; rejecting as a dedication for public street the land shown as "Reserved for Future Street"; authorizing and directing the Clerk of the City to endorse upon said map, as and for the act of the Council, that the same are accepted on behalf of the public, and that the Council has rejected those portions marked "Reserved for Future Street"; 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 San Diego Highway Development Association, 4479 Ingraham Street, dated May 28, 1953, signed by Robert Apitz, secretary, was presented. Said communication referred to Mr. Luckenbach, District Engineer of the State Division of Highways in San Diego having displayed a large aerial map of the section to be served and traversed by a proposed new freeway connecting downtown San Diego from the vicinity of Home thence crosstown thru La Mesa to connect with US 80 at the present juncture with La Mesa Boulevard with US 80. In addition to going into the subject rather generally, said communication urged the Council to give the proposal favorable consideration when presented for preliminary acceptance.

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

Ralph B. Luckenbach came forward, apparently to be heard. As he did so, the Mayor told him that the matter had been referred to the City Manager. As a result, Mr. Luckenbach did not speak.

Communication from from Lena Kendall (Mrs. Oscar J. Kendall), 3995 Crown Point Drive, San Diego 9, dated May 27, 1953, relative to flood damage caused by cutting down Fortuna Ave., was presented.

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

RESOLUTION NO. 112359, recorded on Microfilm Roll No. 65, directing notice of filing the Street Superintendent's Assessment No. 2137, made to cover the costs and expenses of the work done upon 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, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112360, recorded on Microfilm Roll No. 65, directing notice of the filing of the Street Superintendent's Assessment No. 2136 made to cover the costs and expenses of the paving and otherwise improving of Kendall Street, Chico Street, Shasta Street and Crown Point Drive, within the limits and as particularly described in Resolution of Intention No. 106666, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112361, recorded on Microfilm Roll No. 65, accepting bid of John B. Henry, and awarding contract, for the paving and otherwise improving of Keats Street and Scott Street, within the limits and as particularly described in Resolution of Intention No. 111209, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

A written report from the City Engineer states that the low bid is 19.1% below the estimate.

RESOLUTION OF AWARD NO. 112362, recorded on Microfilm Roll No. 65, accepting bid and awarding contract to San Diego Gas & Electric Company, for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 1, for a period of one year from and including March 1, 1953 to and including February 28, 1954, in strict accordance with plans and specifications contained in report of the City Engineer filed March 13, 1953 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112363, recorded on Microfilm Roll No. 65, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 2 City Heights, contained in Document No. 469675; approving Plat No. 2423 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 passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112364, recorded on Microfilm Roll No. 65, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 4 Eastgate, contained in Document No. 469673; approving Plat No. 2449 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 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. 112365, recorded on Microfilm Roll No. 65, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 4 Frary Heights, Alley in Block 5 Frary Heights, contained in Document No. 469677; approving Plat No. 2451 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112366, recorded on Microfilm Roll No. 65, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Thomas Avenue, Public Rights of Way in Lots 16 and 17 Block 274 Pacific Beach; the Alley in Block 274 Pacific Beach, contained in Document No. 469671; approving Plat No. 2429 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said Avenue, rights of way, and 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112367, recorded on Microfilm Roll No. 65, 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 Resolution of Intention No. 111679, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112368, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of Pacific Beach Drive, within the limits and as particularly described in Resolution of Intention No. 111680, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112369, recorded on Microfilm Roll No. 65, for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 4, for a period of one year from and including April 1, 1953, to and including March 31, 1954, strictly in accordance with plans and specifications contained in the report of the City Engineer filed April 17, 1953, in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112370, recorded on Microfilm Roll No. 65, directing Notice Inviting Sealed Proposals for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 2, for a period of one year from and including March 16, 1953, to and including March 15, 1954, in accordance with plans and specifications contained in report of the City Engineer filed April 10, 1953 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 112371, recorded on Microfilm Roll No. 65, for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District Number Three, for a period of one year from and including July 16, 1953, to and including July 15, 1954, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 112372, recorded on Microfilm Roll No. 65, for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District Number Four, for a period of one year from and including August 1, 1953, to and including July 31, 1954, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112373, recorded on Microfilm Roll No. 65, for the paving of portion of the Alley in Block 22 City Heights, as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112374, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of the Alley in Block 4 Eastgate, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112375, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of the Alleys in Blocks 4 and 5 Frary Heights, and Thorn Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112376, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of Thomas Avenue, Public Rights of Way and Alley in Block 274 Pacific Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112377, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of the Alley in Block 55 City Heights - ascertaining and declaring the wage scale therefor - was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112378, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of the Alley in Block 15 Ocean Beach and the Alley in Block 42 Ocean Beach, within the limits and as described in said Resolution - ascertaining and declaring the wage scale therefor - was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.



Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending that proceedings for the paving and otherwise improving of the Alleys in Block 43 W. P. Herbert's Subdivision, to include sewer laterals as required, was presented.

RESOLUTION NO. 112379, recorded on Microfilm Roll No. 65, adopting recommendation of the City Engineer filed in the office of the City Clerk under Document No. 469719; authorizing him to amend proceedings for improvement of Alleys in Block 43 W.P. Herbert's Subdivision, in accordance with said recommendation, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending granting amendment to proceedings for the paving and otherwise improving of the Alley in Block 37 Ocean Beach, to include drainage structures in portion of Santa Cruz Avenue, as outlined therein, was presented.

RESOLUTION NO. 112380, recorded on Microfilm Roll No. 65, adopting recommendation of the City Engineer filed in the office of the City Clerk under Document No. 469882; authorizing amendment to proceedings for improvement of the Alley in Block 37 Ocean Beach, in accordance with said recommendation, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending amendment to proceedings for the paving of the Alley in Block 4 Washington Heights, to include sewer laterals as required, was presented.

RESOLUTION NO. 112381, recorded on Microfilm Roll No. 65, adopting recommendation of the City Engineer filed in the office of the City Clerk under Document No. 469718; authorizing amendment to proceedings for improvement of the Alley in Block 4 Washington Heights, in accordance with said recommendation, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending amendment to proceedings for paving and otherwise improving on Florence Street between 34th and 35th Streets, to include gutters, sewer laterals and water services as required, and improvement of Florence Street to extend from 35th Street westerly to its termination at Wabash Boulevard, was presented.

RESOLUTION NO. 112382, recorded on Microfilm Roll No. 65, adopting recommendation of the City Engineer filed in the office of the City Clerk under Document No. 469716; authorizing the City Engineer to amend proceedings for the improvement of Florence Street in accordance with said recommendation, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending amendment to proceedings for the paving and otherwise improving Martin Avenue between 34th Street and 35th Street, to include water services as required, and that the street not dead-end, but connect to the access road on Wabash Boulevard, was presented.

RESOLUTION NO. 112383, recorded on Microfilm Roll No. 65, adopting recommendation of the City Engineer filed in the office of the City Clerk on May 27, 1953, under Document No. 469704; authorizing the City Engineer to amend the proceedings for improvement of portions of MARTIN AVENUE in accordance with said recommendation, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending amendment to proceedings for paving portions of Wilson Avenue and Dwight Street, to include improvement of Dwight Street between the westerly line of 35th Street and the easterly line of the Alley easterly of Wilson Avenue; and Wilson Avenue between the center line of Bowery Street and Myrtle Avenue by installation of various improvements set forth therein, was presented.

RESOLUTION NO. 112384, recorded on Microfilm Roll No. 65, adopting recommendation of the City Engineer filed under Document No. 469717; authorizing the City Engineer to amend proceedings for improvement of portions of Wilson Avenue and Dwight Street in accordance with said recommendation, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112385, recorded on Microfilm Roll No. 65, granting permission to V. R. Dennis Construction Co. and other property owners to grade and pave the Alley in Block 237 Mission Beach, 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. 468709, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, being recommendation for granting petition to install sewers in Santa Fe Street northerly from Balboa Avenue, by private contract in accordance with City plans and specifications, City inspection, etc., at no cost to the City, was presented.

RESOLUTION NO. 112386, recorded on Microfilm Roll No. 65, granting to

W. Y. Reghardt permission to install sanitary sewers in Santa Fe Street northerly from Balboa Avenue, by private contract, in accordance with Document No. 469713, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending granting petition to install sewers in 65th Street between Imperial Avenue and Shaules Avenue, by private, to be done under City inspection according to Document No. 469712 on file in the Office of the City Clerk, at no cost to the City of San Diego, was presented.

RESOLUTION NO. 112387, recorded on Microfilm Roll No. 65, granting permission to Joseph Owashi to install sewers in 65th Street, by private contract, in accordance with Document No. 469712, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112388, recorded on Microfilm Roll No. 65, urging upon the State and the Federal governments adoption or amplification of the in lieu tax principle the adoption of Senate Constitutional Amendment No. 24 with respect to the State Government, and Senate Bill No. 1514 with respect to the Federal Government insofar as such measures are consistent with the in lieu tax principle, and alleviate the problems mentioned in the preamble of said Resolution in an equitable manner, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the exemption from City taxation enjoyed by the State and the Federal Governments with respect to real and personal property owned by them, and activities carried on by them within the City, creates because of the extensive holdings of such governments in San Diego, a severe problem of municipal financing, which results in reduction of municipal services offered to the general public and unjustly and disproportionately throws the increased burden of such financing upon those not enjoying such immunity from taxation; that said problems and the consequences thereof can be obviated or alleviated by such governments bearing their share of the City governmental services which are beneficial to them, by means of in lieu tax payments.

RESOLUTION NO. 112389, recorded on Microfilm Roll No. 65, authorizing and directing the Purchasing Agent to advertise and sell, the following buildings, to be moved by the purchaser:

- House at 1069 Catalina Boulevard;
- Two houses, two garages and chicken structure at Alvarado
- Filtration Plant;
- Two structures at El Capitan Dam;
- Store building at Lower Otay;

all expenses in connection with the sale of said buildings shall be deducted from the proceeds received from such sale, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112390, recorded on Microfilm Roll No. 65, declaring Sunset Cliffs Boulevard, between the northeasterly line of Voltaire Street and the northeasterly line of West Point Loma Boulevard to be a through highway; authorizing installation of the necessary signs and markings to be made on said street, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112391, recorded on Microfilm Roll No. 65, authorizing and empowering the City Manager to do all the work in connection with the construction of a curb inlet and culvert at Albatross and Maple Streets, as shown on City Engineer's Drawing No. 4532-S by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION NO. 112392, recorded on Microfilm Roll No. 65, authorizing and empowering the City Manager to do all the work in connection with grading, oiling and installation of lights, to provide additional parking facilities in the area south of the Ford Building in Balboa Park, by appropriate City forces, in accordance with the City Manager's recommendation, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has recommended 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. 112393, recorded on Microfilm Roll No. 65, authorizing the City Manager to employ R. E. Hazard Contracting Company to do all the work in connection with the paving of an area approximately 14 feet x 50 feet, in order to connect the paving

of Tustin Street with the paving on Macaulay Street, and to install an asphaltic concrete berm for approximately 50 lineal feet; the cost of said work not to exceed the sum of \$205.65, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that The City of San Diego has heretofore entered into contract with said company for improving Tustin Street between Macaulay Street and Oliphant Street under a 1911 Street Improvement Act improvement; that in order to make a paved connection to Macaulay Street paving it will be necessary to pave said area, tapering off into Macaulay Street, for cars turning the corner, and to install asphaltic concrete berm; also that said Company has offered to do the work for the sum stated, and the City Manager has recommended that the offer be accepted and work be done.

RESOLUTION NO. 112394, recorded on Microfilm Roll No. 65, authorizing the City Manager to execute the Sixth Amendment to Lease Agreement for Operation of Mission Beach Amusement Center, with Roy E. Matheson and Roy J. Hurd, a partnership whereby previous amendments are consolidated into one document and the following additional amendments or additions are made:

1. More particularly defining the word "events" in connection with ballroom rentals;
2. Providing for a waiver or adjustment of ballroom rental when Council considers it to be in the best interest of the City to do so;
3. Increasing the parking lot fee from 15¢ to 25¢;
4. Increasing the price of soft drinks from 10¢ to 15¢;
5. Providing for the method of distribution of the \$10,000.00 cash deposit;

said Sixth Amendment to be all in accordance with the terms and conditions contained in the form thereof heretofore filed in the office of the City Clerk as Document No. 467524, with the addition of the words "in the Ballroom, 10¢ elsewhere", on page 6 thereof, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112395, recorded on Microfilm Roll No. 65, authorizing and empowering the City Manager to execute for and on behalf of The City of San Diego a lease with L. M. Pepper dba Pep's Kerosene Service, a portion of Lot C in Pueblo Lot 262, for a term of 2 years, at a monthly rental of \$30.00, more particular description of the property and terms and conditions to be set forth in the form of lease filed in the office of the City Clerk under Document No. 470089; real property has a value of \$2,000.00, leased for the reason that the City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112396, recorded on Microfilm Roll No. 65, authorizing and directing the City Manager to execute that certain crop agreement between The City of San Diego and Richard L. Baldwin and Helen M. Baldwin, as lessees, providing for assessment of crop damages, if any, occasioned by construction of the Sutherland-San Vicente Conduit, a copy of which agreement is filed in the office of the City Clerk as Document No. 470090, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Said Resolution states that the City is desirous of acquiring easement and right of way for construction, operation and maintenance of said conduit, that easement will be located upon portion of Lot 377 Ramona, and construction may interfere with or damage crops growing upon the surface of said right of way; that damage if any is not capable of being ascertained until damage has occurred; that it is in the interest of the City and others that the agreement be executed, and that execution of said agreement is part of consideration for conveyance to the City of the easement; that the City Manager and the Director of the Water Department have recommended the same.

RESOLUTION NO. 112397, recorded on Microfilm Roll No. 65, authorizing and directing the City Manager to execute that certain crop agreement between The City of San Diego and Benj. F. Stokes and Vera Stokes, as lessees, providing for assessment of crop damages, if any, occasioned by construction of the Sutherland-San Vicente Conduit, a copy of which agreement is filed in the office of the City Clerk as Document No. 470091, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Said Resolution states that the City is desirous of acquiring easement and right of way for construction, operation and maintenance of said conduit, that easement will be located upon portion of Lots 87, 138, 139, 140, 144, 145, 146, 147, 152, 154, 155, 160, 161 and 162 in Valle de Los Amigos, Ramona, and construction may interfere with or damage crops growing upon the surface of said right of way; that damage if any is not capable of being ascertained until damage has occurred; that it is in the interest of the City and others that the agreement be executed, and that execution of said agreement is part of consideration for conveyance to the City of easement; that the City Manager and the Director of the Water Department have recommended the same.

RESOLUTION NO. 112398, recorded on Microfilm Roll No. 65, authorizing and directing the City Manager to execute that certain crop agreement between The City of San Diego and Effie D. Walters and Charles Buel Walters, providing for assessment of crop damages, if any, occasioned by construction of the Sutherland-San Vicente Conduit, a copy of which agreement is filed in the office of the City Clerk as Document No. 470092, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Said Resolution states that the City is desirous of acquiring easement and right of way for construction, operation and maintenance of said conduit, that easement



will be located upon portion of Lot 78 Valle de Los Amigos, Ramona, and construction may interfere with or damage crops growing upon the surface of said right of way; that damage if any is not capable of being ascertained until damage has occurred; that it is in the interest of the City and others that the agreement be executed, and that execution of said agreement is part of consideration for conveyance to the City of easement; that the City Manager and the Director of the Water Department have recommended the same.

RESOLUTION NO. 112399, recorded on Microfilm Roll No. 65, authorizing and directing the City Manager to execute that certain crop agreement between The City of San Diego and Norman C. Schanke and Armanda R. Schanke, providing for assessment of crop damages, if any, occasioned by construction of the Sutherland-San Vicente Conduit, a copy of which agreement is filed in the office of the City Clerk as Document No. 470097, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Said Resolution states that the City is desirous of acquiring easement and right of way for construction, operation and maintenance of said conduit, that easement will be located upon portion of Lot 3 in Section 36 Township 12 South, Range 1 East, S.B.B.M. and construction may interfere with or damage crops growing upon the surface of said right of way; that damage if any is not capable of being ascertained until damage has occurred; that it is in the interest of the City and others that the agreement be executed, and that execution of said agreement is part of consideration for conveyance to the City of easement; that the City Manager and the Director of the Water Department have recommended the same.

RESOLUTION NO. 112400, recorded on Microfilm Roll No. 65, granting permission to to Armour Oil Company, 3715 Estudillo Street, San Diego 1, to widen the existing driveway on the north side of Ventura Boulevard, east of Mission Boulevard, 30 feet to the east, in order to provide one continuous 50-foot driveway as measured at the top of the full-height curb, adjacent to all of Lot "Y" and the east 20 feet of Lot "Z" Block 97 Mission, pursuant to the Municipal Code and upon recommendation of the City Traffic Engineer and approval of the City Manager, subject to:

1. The west 20 feet of said presently existing driveway to be removed, and the curb and sidewalk properly restored;
2. Removal of curb and installation of driveway to be in accordance with all of the rules, regulations and ordinances of the City regarding the same;

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

RESOLUTION NO. 112401, recorded on Microfilm Roll No. 65, granting permission to Hugh T. Buchanan, 3610 Bayside Walk, San Diego 8, California, to remove 40 feet of curb on the north side of Ventura Boulevard, between Mission Boulevard and Bayside Lane, for installation of driveway adjacent to all of Lot V and the east ten feet of Lot W, Block 97 Mission Beach, subject to:

Curb cutting and installation of driveway shall be in accordance with all of the rules, regulations and ordinance of the City governing same;

ALSO, if at any time the area to be served by said driveways 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. 112402, recorded on Microfilm Roll No. 65, granting permission to George Crawford Plumbing Co., plumbers for San Diego Public Library, 830 "E" Street, San Diego, to install a portion of the drainage system for said Library at a fall of one-eighth inch fall per foot (instead of 1/4" as presently required) for the reason that the shallow depth of the City sewer will not permit connection at a greater grade; all other provisions of the Code are being met and connection at 1/8" fall per foot will not interfere with proper function of system; permission granted subject to approval of Inspection Department, Plumbing Inspection section, City Manager, and conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112403, recorded on Microfilm Roll No. 65, granting permission to Mrs. Laurie Massa and Mrs. Rose Zolezzi to install a private sewer line to connect new construction consisting of apartment over double garage to line presently serving residence at 2355 Brant Street (Laurie Massa, owner), subject to approval of the Plumbing Inspection Department and City Manager, upon conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112404, recorded on Microfilm Roll No. 65, granting Mission Beach Company, in accordance with application and recommendation of the City Manager, permission to hold a public display of fireworks on the beach area opposite the golf course, at Mission Beach Amusement Center, July 4, 1953, and September 7, 1953, between the hours of 10:00 o'clock P.M. and 10:30 P.M.; upon condition that said Company shall comply with all laws of the State of California, ordinances of The City of San Diego, and rules and regulations adopted by the State Fire Marshal pertaining to public display of fireworks, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112405, recorded on Microfilm Roll No. 65, granting permission to C. A. Rowan, 1154 Beryl Street, San Diego 9, to install a 128-foot driveway, measured at the top of the full-height curb, on the southerly side of Point Loma Avenue, approximately between points 32 feet and 160 feet westerly of the westerly line of Sunset Cliffs Boulevard, adjacent to the northerly 125 feet of Lot 1 Block 27 Sunset Cliffs, subject to:

1. Permit to be valid only so long as the area is used for the garage and parking of motor vehicles;
2. Along the westerly line of the off-street parking area, property owner is to erect a fence which will provide positive protection against cars being parked too close to the bluff-line for safety;
3. Installation of driveway to be in accordance with all rules, regulations and ordinance of the City governing same;

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

RESOLUTION NO. 112406, recorded on Microfilm Roll No. 65, granting permission to Union Oil Company of California, 1521 National Avenue, San Diego 12, to rebuild driveway adjacent to Lots 43 and 44 Block 13 Lincoln Park, and to combine it with portion of driveways adjacent to Lots 45 to 48 Block 13 Lincoln Park, in order to provide continuous 50-foot driveways on the north side of Imperial Avenue approximately between 77 and 127 feet west of the west line of 25th Street, subject to:

1. Driveway width to be as measured at the top of the full-height curb;
2. Driveway to be separated from the existing driveway to the east by approximately 43 feet of full-height curb;
3. Curb cutting and installation of driveway to be in accordance with all rules, regulations and ordinances of The City of San Diego governing same,

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

RESOLUTION NO. 112407, recorded on Microfilm Roll No. 65, authorizing and directing San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

- 43rd Street, at Gamma Street;
- 42nd Street, at Division Street, at Elsilon Street, at Eta Street and at Nordica Street;
- Villa Terrace, at Landis Street;
- Columbia Street, at West Walnut Street;
- Dorcas Street, at Savannah Street;
- Randolph and Montecito Way;

all in accordance with recommendation of the City Manager on file in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

On motion of Councilman Wincote, seconded by Councilman Burgener, the reading of the next ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5624, (New Series), recorded on Microfilm Roll No. 65, incorporating Lots 1 to 141 and Lots 144 to 158, portions of Lots 142 and 143 Glencraft Subdivision into "R-2" Zone, as defined by Section 101.0406 of the San Diego Municipal Code and repealing Ordinance No. 35 (New Series) insofar as the same conflicts, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted, by the following vote to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Absent--Councilmen Schneider, Dail. Nays--None.

On motion of Councilman Wincote, seconded by Councilman Burgener, the reading of the next Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5625 (New Series), recorded on Microfilm Roll No. 65, appropriating the sum of \$1,200.00 from the Unappropriated Balance Fund, and transferring the same to Maintenance and Support, Department 0.300, City Clerk's Fund, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Absent--Councilmen Schneider, Dail. Nays--Councilmen None.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the reading of the next Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5626 (New Series), recorded on Microfilm Roll No. 65, changing the name of portion of Florence Street (as described in said Ordinance) to Wabash Boulevard, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Dail.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the reading of the next Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5627 (New Series), recorded on Microfilm Roll No. 65, establishing the grade of Sterne Street between the southeasterly line of Willow Street and the northwesterly line of Evergreen Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Dail.

Proposed Ordinance appropriating \$6,050.00 from the Capital Outlay Fund, for the purpose of providing funds for payment of the City's share of the cost of the installation of storm drain in Lomita Village No. 5, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Dail.

Proposed Ordinance appropriating the sum of \$45,000.00 from the Unappropriated Balance Fund for the purpose of providing additional funds for the purpose of providing funds (in addition to Ordinance No. 5465 (New Series) for purchase of parcels of real property to be used as sites for permanent public improvements such as streets, public buildings, playgrounds and parks (not identified in the Ordinance), was on motion of Councilman Wincote, seconded by Councilman Kerrigan, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Dail.

Proposed Ordinance granting to The United States of America an easement and right of way for water pipe line (10 feet in width in portion of Pueblo Lot 1311, to serve the Weapons Training Battalion, Camp Matthews, Marine Corps Recruit Depot) - authority for use by the United States of America for military purposes on April 27, 1937 - was on motion of Councilman Kerrigan, seconded by Councilman Wincote, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Dail.

Proposed Ordinance authorizing the City Manager to execute amendment to lease with Five Star Fish and Cold Storage covering portions of Pueblo Lots 1311 and 1314, was on motion of Councilman Godfrey, seconded by Councilman Wincote, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Dail.

Proposed Ordinance authorizing and ratifying action of the City Manager in employing assistants in connection with the inspection of plans for public buildings and appropriating the sum of \$2,000.00 out of the Unappropriated Balance Fund in payment of the cost of said services (being quasi public buildings; hospital and childrens' home - Building Coast Building Officials Conference, 124 West Fourth Street, Los Angeles, 13, California), was on motion of Councilman Godfrey, seconded by Councilman Burgener, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Dail.

Proposed Ordinance changing the name of portion of Alice Street to 67th Street, changing name of portions of Alice Street to Mohawk Street, changing the name of portion of San Diego Street to Mohawk Street, changing the name of a portion of San Diego Street to 67th Street, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Dail.

The following ordinances - all establishing grades - were on motion of Councilman Wincote, seconded by Councilman Kerrigan, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Dail:

1. Alley in Block 43 City Heights
2. Alley in Block 100 City Heights
3. Alley in Block 54 Ocean Beach
4. Shadowlawn Street
5. Wing Street



The City Manager requested, and was granted, unanimous consent to present the next matter listed on the Council's agenda. He made a brief explanation of its contents.

RESOLUTION NO. 112408, recorded on Microfilm Roll No. 65, urging the State Legislature to adopt AB 2071 which amends the Public Liability Act, codified as section 53051 of the Government Code by adding a new paragraph providing equitable relief from the intolerable burden presently imposed upon municipalities with respect to liability to persons using public streets, gutters, curbs and sidewalks; directing the City Clerk to forward copies of said Resolution to Senator Kraft, Assemblywoman Neihouse and Assemblymen Luckel, Bullen and Cloyed, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Wincote, seconded by Councilman Kerrigan, at the hour of 10:43 o'clock A.M.

Upon leaving the Council Chambers, the Mayor announced that members of the Council would go into Conference.

ATTEST:

FRED W. SICK, City Clerk

*John D. Butler*  
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, June 4, 1953

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 Burgener, 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 appeal of Ruth B. Moore from the decision of the Zoning Committee in denying by its Resolution No. 7380 application for variance to Ordinance No. 12795, to permit erection of a duplex in the rear of an existing single-family residence on Lots 35 and 36 Block 2 Watkins & Biddle's Addition, at 3151 Hawthorn Street., in Zone R-2, a report from the Planning Commission, signed by D. E. South, was presented and read.

The report states that the Zoning Committee told Mrs. Moore that although her property adjoins the R-4 Zone and they were in sympathy with her, there were no similar variances granted in the area and just a few of the property owners had taken advantage of the zoning to construct more units. It reported that the Committee had voted 3-0 to deny the application, and Mrs. Moore was advised that she had the right to construct one additional unit on her lot.

The Mayor asked Mrs. Moore if she desired to be heard.

Before Mrs. Moore was heard, however, Glenn A. Rick, Planning Director, reported to the Council on a question put by Councilman Schneider as to where there are 2 25-foot lots or 2 50-foot lots involved. He stated that there are 2 25-foot lots.

Councilman Schneider said that would influence his thinking.

Mr. Rick showed a map of the property, and showed thereon the views expressed by the adjoining property owners. If the proposed Ordinance is adopted, it will give permission to cross the lot lines, he stated. She had a permit to erect a house on 25-foot lot in R-1, so would have to be granted a variance in order to build as proposed in R-2. Where there are objections, Mr. Rick stated, the Zoning Committee is

influenced by the adjoining property owners. He spoke about the proposed Ordinance, at Councilman Kerrigan's request.

Councilman Schneider asked that if she had crossed the line does it exclude getting permit without variance.

Mr. Rick replied "yes".

Councilman Kerrigan asked Mr. Rick about the development.

Mr. Rick answered that question, and said that on the basis of cases referred to the Commission had been guided in its decision.

Douglas Deaper, Deputy City Attorney told the Council that by building across lot lines, there had been created a 50-foot lot.

Councilman Schneider told the Council that he wanted to look at the property, relative to similar uses in the vicinity. He wondered about rezoning to R-4, like the property next door.

Mr. Rick stated that there is mostly R-1 use of the property in the neighborhood.

Mrs. Moore was heard at this time. She said that she would like to put up a duplex on the rear of the lot. She said that she had all signatures in the block, except one who was out of town. She said that on the other street she had all except Mr. Minor, who had declared that one more unit would lessen the value of the neighborhood. The size of the property is 50' x 140', Mrs. Moore said. She described the improvement proposed, as a 2-story, 1-bedroom place. The area next to the Minors, Mrs. Moore told the Council, would be vacant.

G. M. Minor, 3161 Hawthorn Street, was heard next. He stated that Mrs. Moore does not live on the property. He declared that it would depreciate the property to put in another unit - for rental. That would break down the neighborhood, he stated.

Councilman Wincote wondered how many 4-unit places there are.

Mr. Minor replied that there are 4 units west of Mrs. Moore - in the R-4 zone.

Councilman Schneider wondered why all other neighbors had signed.

Mrs. Moore stated that Mrs. Davies did not sign the petition.

Mr. Minor said that although Mrs. Moore had said 1 had not signed; 2 have not.

Councilman Schneider agreed with Mr. Minor that it makes a difference if the owner lives on the property, or rents it.

Councilman Godfrey said that there are 2 approaches to the problem - zone variance and zone change. If all the people who had signed in favor of the variance were in favor of a change, perhaps they could have a zone change. Variance, he declared, is a questionable approach to the situation.

Councilman Burgener asked if there are any other 2-story structures.

Mr. Minor answered "2".

RESOLUTION NO. 112409, recorded on Microfilm Roll No. 65, denying appeal of Mrs. Ruth B. Moore, 5833 Pawnee Drive, San Diego 15, filed in the office of the City Clerk on May 19, 1953, under Document No. 469240 from the Zoning Committee decision denying by its Resolution No. 7380 application No. 118767 permission to erect a duplex in the rear of existing single-family residence, making total of 3 living units on Lots 35 and 36 Block 2 Watkins & Biddles Addition, at 3151 Hawthorn St., Zone R-2, sustaining said decision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Roderick and Anna Thornton from the decision of the Zoning Committee in denying by its Resolution No. 7390 application No. 11898 for variance to the provisions of Municipal Code Sec. 101.0602, for permission to erect garage with 4-foot setback on Lot 3 Block 5, Valencia Park No. 1, at 5252 Manzanares Way, in Zone R-1, report from the Planning Department signed by D. E. South, was presented and read.

The report states that the Zoning Committee states that it visited the property and noted that all properties on both sides of the street were observing the required setback of 15 feet. In addition, it reports that it was also noted at the time of the visit that Thornton Drive is steeper than other residences in the area, but not as steep as many parts of the City. It states that after due deliberation the Zoning Committee was unable to find any unusual circumstances or hardship to the property that was different than others in the area, and denied the application with a 3-0 vote.

Glenn A. Rick, Planning Director, passed around to members of the Council photographs of the property. He pointed out that there were different reactions by the Zoning Committee and occupants of the property in question. He said he felt that a garage should not be stuck out in front. The grade is not too steep for driveways, he declared.

Asked by members of the Council about the setback, Mr. South stated that it is 15-foot average.

At the invitation of the Mayor, Roderick Thornton was heard. He said that the driveway is not a normal driveway. He referred to there being over a 5-foot grade, and said "it drops fast". Mr. Thornton told the Council that the right side of the garage is unusable now, inasmuch as occupants of the house cannot get into it. He said he felt the inspector should not have "passed the thing" in the first place. He is the only one who has such a steep grade, Mr. Thornton said. He stated that he could put up a retaining wall to hide the proposed installation. He said that if he lowered the garage, it would cost more.

Councilman Schneider pointed out to Mr. Thornton that he has an alternative which would not hurt his neighbors.

Mr. Thornton stated that "all signed in favor".

The Mayor said if the Council grants Mr. Thornton's they would have to grant the same to all, if they ask for it. Uniformity is needed, he stated.

Mr. Thornton said that owners on both sides of his property had signed in favor of the request. All but 1 in the block had signed, Mr. Thornton stated, and added that he is in Korea. He is interested in having a place to get his car in and out, Mr. Thornton said. He told the Council that he has to leave either a car or a pickup in the street.

A conference over pictures submitted by the Planning Director, was held between Councilman Wincote and Mr. Thornton.

Mr. Rick said that Mr. Thornton cannot build a retaining wall, and fill in behind it, to create a bank (in order to make provision for a garage in conformity with the ordinance which provides for placing garages in banks). In addition, he said that he would oppose a request to fill in the yard - which had been graded down, as others have.

Mr. Thornton said that there is the cost factor involved.

Councilman Godfrey stated that it would not be attractive to have a garage sticking out, and declared that action to place it in such a manner would actually reduce the value of the property.

Councilman Wincote asked Mr. Thornton if it is his desire to get the cars under cover, or out of the street.

Mr. Thornton replied that he wants the car under cover. He stated that the photograph shown to the Council does not show the 2-foot drop - with better than a 5-foot drop from the driveway to the sidewalk. It is a drop of almost 50%.

That point regarding the percentage of the grade drop was questioned by several members of the Council.

Councilman Wincote, looking at the photograph, said that he does not know why Mr. Thornton has a hump in the driveway.

Mr. Thornton stated that it would be expensive to take out the driveway and replace it.

The Mayor told Mr. Wincote that he does have an alternative.

Councilman Wincote stated that he would just as soon look at the property.

Mr. Thornton told the Council that he wants to be able to drive straight in.

Councilman Wincote stated that he cannot catch the picture from the photograph. He said that he wanted a delay.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the hearing was closed, and the matter continued one week.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the proposed Ordinance amending the San Diego Municipal Code defining, licensing, regularizing and zoning Trailer Parks and Trailers, the Mayor said that the matter should be referred to the City Manager but did not amplify the statement.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the file having to do with said continued hearing was referred to the City Manager.

The Hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the proposed Ordinance incorporating all of Block 36 Marilou Park into "C" Zone, and repealing Ordinance No. 35 N.S., insofar as the same conflicts, Glenn A. Rick, Planning Director, made a statement. He told the Council that Henry J. Waters (who desires to have the property re-zoned, for construction of a Nehi Bottling plant) had said that that it would be difficult to conform with the Planning Department's report. He said that he wants to work out a street system.

The matter was held up temporarily, awaiting more information.

(It will be found again, on page 321 of These Minutes.)

Petition for annexation to the City of San Diego of territory described as Kensington Park, accompanied by City Clerk's certificate that petition contains signatures of more than 25% of the qualified voters residing in the territory, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, it was referred to the City Attorney by RESOLUTION NO. 112410, for recommendation and report to the Council for the meeting of June 9, 1953.

Petition signed by property owners revoking signatures on a former petition, "agreeing to special assessment taxes to pave the Alley in Block 10 between Myrtle and Thorn Streets", was presented.

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

Communication from the Planning Commission, signed by Harry C. Haelsig, submitting Resolution suspending 3 sections of the Municipal Code in connection with the Tentative Map of Loma Linda, was presented.

RESOLUTION NO. 112411, recorded on Microfilm No. 65, suspending Sections 102.16-8, 102.18, 102.17-c of the Municipal Code, in connection with the Tentative Map of Loma Linda, a 26 lot subdivision in portion of Section 81 Rancho de la Nacion, 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 Loma Linda, subdivision of portion of Lot 81 Rancho de la Nacion, located easterly of Sea Breeze Drive and on the prolongation of Cumberland Street in Paradise Hills, subject to 10 conditions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112412, recorded on Microfilm Roll No. 65, approving Tentative Map of Loma Linda, subject to conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, 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 portion of Lot 122 Morena, a 2-lot subdivision located on the easterly side of Galveston Street south of Milton Street, was presented.

RESOLUTION NO. 112413, recorded on Microfilm Roll No. 65, suspending Sections 102.18 and 102.17-c of the San Diego Municipal Code, insofar as it relates to the Tentative and Final Maps of portion of Lot 122 Morena, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of Tentative Map of subdivision of portion of Acre Lot 122 Morena for a two-lot subdivision, without requirement for additional improvements, but subject to a 15-foot setback along Galveston Street and a 4-foot easement shown on map attached, was presented. It states that the Commission has found that the parcel of land is less than 5 acres in size; that the lot abutts a dedicated street; that no street widenings or dedications are necessary in dividing the property, and that the lot design is suitable.

RESOLUTION NO. 112414, recorded on Microfilm Roll No. 65, approving Tentative Map for subdivision of portion of Acre Lot 22 Morena - Record of Survey - subject to maintaining setback line and easement, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

At this time the Council returned to the matter shown on page 320 of these Minutes, having to do with the proposed rezoning of Block 36 Marilou Park into C Zone, and repealing Ordinance No. 35 New Series insofar as it conflicts.

Harry Haelsig, Assistant Planning Director, said that he has not done anything more with the plan regarding streets, which he had referred to in the earlier hearings on the subject. He suggested that the property owner (Henry J. Waters) offer deeds to the City for road purposes. If they are accepted by the City, he stated, the City could proceed with the zoning, and with the road matter.

Mr. Waters who had been heard earlier at this meeting, and at previous meetings, spoke again. He said that he had difficulty with Morgan (James W. Morgan); and that Kipp's 1/2 property (Virgin S. Kipp) would be taken leaving only a triangle, with expense attached). Mr. Kelly (Herbert Kelly) would have expense; would gain nothing, Mr. Waters said. Mr. Waters told the Council that he (Waters) would lose about 3,000 feet - which he would be willing to dedicate to the City, with a reversionary clause. He told about City action, for the benefit of other bottling works. He read a statement regarding the City's engineering of streets, and asked for action today.

Councilman Godfrey said that despite Mr. Waters' opinion, it does not mean that the City made a mistake - referring to the roads - that it had been done long ago. He said he felt that Mr. Waters had gone far afield in his criticism which had been read by him.

Mr. Haelsig said that his plan for access to property, as proposed is the most economical system. He stated that property would be gained through the closings. He stated that he realized some would be hurt, but reiterated that practically all would gain by the street closing. He reported that Mr. Castro was pleased, but that Mrs. Morgan was not completely happy about the alignment but that perhaps that could be moved over some.

Councilman Wincote spoke about the old subdivision, by his home. He said that the question has come up regarding road realignment there. If Mr. Waters is to get what he wants, Councilman Wincote said that he should be willing to deed to the City portion affected by the road. He stated that he has exactly the same situation, but it is embarrassing to him in that he is a Councilman. He stated that the City says that the plan is there, but there is only a paper street. He said that Mr. Waters should give the property, not subject to conditions.

Councilman Schneider asked Mr. Haelsig regarding the street closing, and if it is indicated what would be gained.

Mr. Haelsig pointed out that he had told each what would be gained by the closing, and that he has shown what each would get. It would wipe out a portion of the Kipp property, Mr. Haelsig said. He suggested to Mr. Waters that he acquire a right of way, Mr. Haelsig told the Council.

Councilman Kerrigan pointed out that all would gain, including the City. He said that he wants the matter referred to the City Manager relative to a Tentative Map for orderly development.

Mr. Waters then told the Council that he would be happy to deed the land to the City.

Mr. Haelsig pointed out that Mr. Waters would not be sure of the City's going ahead.

Councilman Godfrey stated that the entire matter should be referred to the City Manager and let him discuss it with the affected property owners. He declared that the Council is not the City's negotiating agency.

Councilman Godfrey moved to refer the matter to the City Manager, for return to the Council at the earliest possible date, which motion was seconded by Councilman Schneider.

Mr. Rick told the Council that the plan had not been submitted to the Planning Commission. Other property owners, he said might have objections. The City would be hurt by the plan he said; others might not agree; that they would not be in the same position as the City regarding the zone change. He said that if there is a zone variance it would establish a precedent for others who would then contend that it is an industrial zone.

Councilman Schneider stated that it is getting close to the dead line which Mr. Waters had referred to in previous hearings. He wondered what Mr. Waters would determine relative to the closing.

Councilman Wincote stated that the property owners had said that they would cooperate.

Councilman Godfrey said that there would be no delay. He said that should avoid haggling, and felt that all would be happy.

The roll was called for, resulting in

RESOLUTION NO. 112415, recorded on Microfilm Roll No. 65, referring to the City Manager the matter of the rezoning in Block 36 Marilou Park, including the street alignment and closing, for return to the Council at the earliest possible date, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted, by the following vote to-wit: Yeas--Councilmen Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen Burgener, Wincote. Absent--Councilman Dail.

Communication from the Planning Commission, signed by Harry C. Haelsig, stating that the Planning Department has no objections to the vacation of the easements in Pueblo Lot 1774 requested in letter of Freeland, Peterson & Evenson, dated May 25, 1953, providing that the adjoining streets are closed and the property resubdivided in accordance with tentative map approved by Resolution No. 110523 on February 5, 1953, was presented.

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

Communication from the Planning Commission, signed by D. E. South, reporting on letter of request from W. Scott Cook for 6-months extension on Resolution which granted permission to split easterly portion of Block 2 Park Addition, at the southwest corner of 29th and Nutmeg, into 2 portions and erect a single-family residence on each portion in Zone R-1, was presented. It states that the Zoning Committee decision was appealed by Dr. Youel, the Zoning appeal denied and the Commission sustained with conditions added by Council Resolution No. 109951 January 8, 1953, and that the matter was recommended for extension to the Council.

RESOLUTION NO. 112416, recorded on Microfilm Roll No. 65, adopting recommendation of the Planning Commission filed in the office of the City Clerk June 1, 1953, under Document No. 469942, to grant permission to W. Scott Cook, 2546 A Street, for six month extension on special building permit to split easterly portion of Block 2 Park Addition, at the southwest corner of 29th and Nutmeg Streets, into 2 portions and erect a single-family residence on each, in Zone R-1, and granting said extension of time, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Planning Department, signed by D. E. South, reporting on request of Harbor Oil Company, represented by Lawrence M. Keller, Jr., owner, requesting approval of addition to an existing "Serve Yourself" sign on Pacific Highway at Sutherland Street - Lots 4, 5, 6 Block 245 Middletown - was presented. In addition to a detailed report, it states that Mr. Keller's request is to enlarge sign to project out two feet on each side and four feet on top, which sign would be in an area under architectural control authorized by Ordinance No. 1445 New Series. It states that in the particular area a setback of 22-1/2 feet was established by Ordinance No. 401 New Series for future widening. It refers to Resolution No. 3659 dated January 12, 1949, which granted Mr. Keller permission to erect a 6'x8' office building with a 12-1/2' setback, two light posts with 5' setback, overhead sign supported by 2 standards, one to have a 12-1/2' setback and the other a 18' setback. An agreement was signed and recorded January 17, 1949 that the office building, light posts, and sign standards will be moved without cost to the City when and if Pacific Highway is widened. It refers to an opinion received from the City Attorney's Office that in actual construction the front standard maintained a setback of 19 feet 6 inches, sign a setback of 14 feet 9 inches, but that petitioner now wishes to increase size of sign 2 feet 3 inches and maintain 12-1/2 foot setback, and makes further reference to no new agreement being needed. In addition, the report states that the Zoning Committee considered the proposed plans May 27, 1953, and voted unanimously to refer the question of approval or disposal to the Council because the Committee did not wish to take the responsibility of rejecting them.

Glenn A. Rick explained the matter to the Council. He said that the permittee had not built out to the original line. He said that he felt that they cannot add to the already-constructed sign. Mr. Rick said that while he disliked to do so, he questioned the opinion given by Mrs. Andreen, Deputy City Attorney.

The Mayor stated that the matter should be referred to the City Attorney for an opinion.

Another, Mr. South spoke about signs on Pacific Highway, being larger than the requested one. He said that the permittee mentioned heretofore wants to enlarge the existing sign. The speaker identified himself as the lessee, and said that it was he who had obtained the original zone variance for the property owner.

Councilman Kerrigan pointed out that the permittee had not done what had been granted.

Mr. South told the Council that the sign was back of the State construction proposed line originally.

Councilman Wincote spoke about extensions on variances granted.

Mr. South said he "would meet the objection", not indicating what that would be.

Mr. Rick said that the Commission wanted the Council to approve, and spoke of asking for a further opinion.

The Mayor told about the Council's decision which would be required for the addition to the sign.

RESOLUTION NO. 112417, recorded on Microfilm Roll No. 65, granting permission to Harbor Oil Company, represented by Lawrence M. Keller, Jr., owner, for an addition to the existing sign on Pacific Highway at Sutherland Streets, Lots 4, 5, 6 Block 245 Middletown, with the additional area called for in communication from the City Planning Commission numbered Document No. 469943, which addition shall be made at the "back of the sign" and the setback line to be observed, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Dan P. Harmer, 3777 Dwight Street, dated June 1, 1953, was presented. He referred to a dumping ground across the canyon from his breakfast window. In addition to expressing his opinions, relating the nuisance in detail, as well as requested that the situation be cleaned up.

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

Communication from Capt. G. C. Weldin USN (Ret), Box 54 Rancho Santa Fe, California, being addressed to no one in particular and being a carbon copy entitled "Loyalty to the Flag of the United States in San Diego?" was presented. It outlines his views on the subject of patriotism, display of the flag, etc.

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

Communication from Mrs. Georgie Husband, 4882 Felton St., San Diego 16, setting forth advertisements listed in the classified advertisements of the last Sunday's San Diego Union - of May 24, 1953 - for houses and apartments, etc., for rent, and various properties for sale, was presented. It asks "Would you say that the above demonstrates a housing shortage or the contrary, in San Diego?"

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

Communication from Mrs. Ella S. Anderson, 4082 Euclid Ave., San Diego, expressing the belief that rent control is not needed now, and listing her vacant houses, was presented.

On motion of Councilman Burgener, seconded by Councilman Godfrey, ordered filed.

RESOLUTION NO. 112418, recorded on Microfilm Roll No. 65, authorizing and empowering the City Manager to do all the work in connection with the installation of 512 feet of 6-inch pipe in the easement from the north dead end of Tavares Street to the south dead end of Gage Drive, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Director of the Water Department 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. 112419, recorded on Microfilm Roll No. 65, approving Change Order No. 5, dated April 28, 1953, heretofore filed with the City Clerk as Document No. 470118, issued in connection with contract between The City of San Diego and Cox Bros. Construction Company for construction of approaches to the Sunset Cliffs Boulevard Bridge, contract contained in Document No. 456298 on file in the office of the City Clerk, changes amounting to increase in the contract price of \$936.83, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112420, recorded on Microfilm Roll No. 65, approving Change Order No. 1, dated May 11, 1953, heretofore filed with the City Clerk as Document No. 470120, issued in connection with contract between The City of San Diego and W. V. Hutchinson, for construction of drain in Mission Boulevard and Pacific Beach Drive, contract contained in Document No. 462709 on file in the office of the City Clerk - changes amounting to increase of approximately \$563.30, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112421, recorded on Microfilm Roll No. 65, approving request of Johnson-Western Constructors, dated May 18, 1953, contained in Change Order No. 2, for extension of 60 days to and including July 27, 1953, heretofore filed with the City Clerk as Document No. 470122 in which to complete contract for construction of pump station to complete contract for construction of pump station in Drucker's Subdivision, contract contained in Document No. 464814 on file in the office of the City Clerk, extending completion time to July 27, 1953, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112422, recorded on Microfilm Roll No. 65, granting permission to George A. Mason, 4295 Poplar Street, San Diego 5, California, to install 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 Lot 25 Block 70 City Heights Subdivision, to point of intersection with public sewer, to serve property at 3704 Marlborough Avenue; subject to approval of the Plumbing Inspection Section, the Property Division, sewer section Engineering Department and City Manager, upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.



RESOLUTION NO. 112423, recorded on Microfilm Roll No. 65, approving Change Order No. 2, heretofore filed with the City Clerk as Document No. 470126, issued in connection with contract between The City of San Diego and T. B. Penick & Sons for improvement of Idaho Street, southerly from El Cajon Avenue, contract contained in Document No. 460141 on file in the office of the City Clerk, changes amounting to increase in the contract price of \$600.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112424, recorded on Microfilm Roll No. 65, approving Change Order No. 1, dated April 8, 1953, heretofore filed with the City Clerk as Document No. 470128, issued in connection with contract between The City of San Diego and The Shea Company for construction of Sutherland-San Vicente Conduit-Black Canyon Tunnel, contract contained in Document No. 457158 on file in the office of the City Clerk, changes amounting to increase in the contract price of approximately \$5000.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112425, recorded on Microfilm Roll No. 65, granting permission to Wayne A. Reeves, 1636 - 50th Street, San Diego, 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 in an easterly direction parallel to the north line of Lot 55 Imig Park Tract No. 2 subdivision, to serve property at 1636 - 50th Street, subject to approval of the Plumbing Inspection section, Property Division, Sewer section Engineering Department and the City Manager, upon condition that septic tank must be by-passed, and upon the further conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112426, recorded on Microfilm Roll No. 65, granting permission to San Diego Unified School District, George R. Saunders, Construction Engineer, Education Center, Park and El Cajon Boulevards, to install a 4" cast iron sewer line between the property line and the sidewalk, to be placed 3 feet outside the property line and run in a northerly direction parallel to the westerly line of Lot 40 Block 264 Pacific Beach Subdivision, to point of intersection with public sewer, to serve property at 4275 Cass Street, subject to approval of the Plumbing Inspection section, the Property Division, sewer section Engineering Department and the City Manager, and upon the conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112427, recorded on Microfilm Roll No. 65, granting permission to Southern California District, Lutheran Church-Missouri Synod (Walter M. Lossner, Pastor) to connect two buildings (parsonage and chapel) with separate frontages to a common 4" sewer line, buildings being under one ownership and because of usage will not be sold off separately - property located on south half of the southeast quarter of Lot 16 Horton's Purchase in Ex-Mission lands of San Diego City and County of San Diego (exempting the south 180 feet), under supervision of the City Plumbing Inspection Division, and on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112428, recorded on Microfilm Roll No. 65, granting permission Mountain Empire Electric Co-operative, Inc., to install, operate and maintain electric distribution lines to serve a State Division of Forestry Camp on the north shore of Morena Lake, more particularly described in said Resolution, upon a revocable basis, and on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by motion of Councilman Wincote, adopted.

RESOLUTION NO. 112429, recorded on Microfilm Roll No. 65, granting revocable permit to John F. Nickerson, 6540 Pacific Highway, San Diego, to install and maintain a 6" sewer line across the Alley in Block 32 Mission Bay Park, extending easterly from Lot 22, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112430, recorded on Microfilm Roll No. 65, granting permission to F. H. Novack, operator of Blue Bird Laundry, 3350 El Cajon Boulevard, San Diego, to install - upon a revocable basis - and maintain one 550 gallon gasoline storage tank underneath the sidewalk area, between the property line and the curb, approximately 50 feet northerly of El Cajon Boulevard, adjacent to Lot 11 Block B Sterlingworth's Subdivision, to replace existing tank at said location, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112431, recorded on Microfilm Roll No. 65, granting revocable permission to Qualitee Dairy Products to install and maintain one 4,000 gallon gasoline storage tank underneath the sidewalk area, adjacent to 335 Tenth Avenue, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112432, recorded on Microfilm Roll No. 65, approving Change Order No. 18, dated May 26, 1953, heretofore filed with the City Clerk as Document No. 470142, issued in connection with contract between The City of San Diego and F. E. Young Construction Company for construction of the San Diego Public Library, contract contained in Document No. 451108 on file in the office of the City Clerk, changes amounting to increase in the contract price of \$137.64, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112433, recorded on Microfilm Roll No. 65, authorizing and directing the City Auditor and Comptroller to transfer various funds, from various funds and departments to various funds and departments, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution covers 12 transfers, all as set forth in said Resolution.

RESOLUTION NO. 112434, recorded on Microfilm Roll No. 65, approving terms and conditions of the co-operative agreement between the County of San Diego and The City of San Diego for improvement of Sorrento Valley Road, between the City limits junction of County Road A-13 and the City limits junction of County Road A-49, for a distance of approximately 3.3 miles in The City of San Diego, and for improvement of County Road D-36 (Montezuma Road) between County Road D-18 (Fairmount Avenue) and the easterly City limits, for a distance of approximately 0.55 miles, in the County of San Diego, as set forth in Resolution passed and adopted by the Board of Supervisors of the County of San Diego May 12, 1953, said co-operative agreement being accepted for and on behalf of The City of San Diego; authorizing and directing the City Clerk to file certified copy of said Resolution with the Board of Supervisors of said San Diego County, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

(In addition to the filing of copy of Resolution with the Supervisors, the City Clerk filed a check in the sum of \$625.00 with the Surveyor-Board Commissioner on June 5, 1953).

RESOLUTION NO. 112435, recorded on Microfilm Roll No. 65, authorizing G. E. Courser, Chief of the Fire Department of The City of San Diego, to attend a meeting of the Board of Directors of the California Fire Chiefs' Association and the Northern California Fire Chiefs' Association, to be held at Santa Cruz, California June 6, 1953; authorizing him to incur all expenses necessary in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112436, recorded on Microfilm Roll No. 65, accepting Subordination Agreement, executed by the Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date May 19, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 39 Ex Mission Lands of San Diego (Horton's Purchase), to the right of way and easement for public street purposes heretofore conveyed; 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. 112437, recorded on Microfilm Roll No. 65, accepting Subordination Agreement, executed by Emma C. Hall, beneficiary, and Bank of America National Trust & Savings Association, trustee, bearing date February 25, 1953, wherein said parties subordinate all their right, title and interest in and to a strip of land on each side of the center line of a thread of the channel of that certain natural watercourse, being a tributary to San Vicente Creek in the County 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112438, recorded on Microfilm Roll No. 65, accepting Subordination Agreement, executed by Emma C. Hall, beneficiary, and Bank of America National Trust & Savings Association, trustee, bearing date February 25, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of the Southeast quarter of the Northwest quarter of Section 33 Township 13 South, Range 1 East, S.B.B.M., was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112439, recorded on Microfilm Roll No. 65, accepting quitclaim deed of Ebon B. McGregor and Elizabeth J. McGregor, bearing date May 19, 1953, quitclaiming Lots 13 and 14 Block 13 Seller's Addition; authorizing and directing the City Clerk to file said deed for record with the Registrar of Land Titles in the office of the County Recorder of the County of San Diego, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112440, recorded on Microfilm Roll No. 65, accepting deed of Rollin Hugo Axley and Marsha Axley, bearing date May 17, 1953, conveying easement and right of way for public street purposes in portion of Lot 39 Ex Mission Lands, setting aside and dedicating the same to the public use as and for a public street, and naming the same 47th Street; authorizing and directing the City Clerk to file said deed 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. 112441, recorded on Microfilm Roll No. 65, accepting deed of Rudolph F. Romero and Evelyn M. Romero, bearing date May 18, 1953, conveying easement and right of way for public street purposes in portion of Lots 14 and 15 Block 89 City Heights, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wilson 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 Schneider, adopted.

RESOLUTION NO. 112442, recorded on Microfilm Roll No. 65, accepting deed of John G. Shinnery and Eva H. Whinnery, bearing date May 18, 1953, conveying easement and right of way for public street purposes in portion of Lots 15, 16, 17, 18 Block 89 City Heights, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wilson 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 Schneider, adopted.

RESOLUTION NO. 112443, recorded on Microfilm Roll No. 65, accepting deed of Robert E. Darrough and Juanita E. Darrough, Paul L. Darrough and Dorothy M. Darrough, bearing date May 20, 1953, conveying easement and right of way for water pipe line purposes in portion of Lot 314 Ramona; 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 Schneider, adopted.

RESOLUTION NO. 112444, recorded on Microfilm Roll No. 65, accepting deed of John T. Fansher, also known as John F. Fansher and Virginia Fansher, bearing date February 17, 1953, conveying easement and right of way for water pipe line in a strip of land on each side of the center of a thread of the channel of that certain natural watercourse, being a tributary to San Vicente Creek in the County 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112445, recorded on Microfilm Roll No. 65, accepting deed of John T. Fansher, also known as John F. Fansher and Virginia Fansher, bearing date February 17, 1953, conveying easement and right of way for water pipe line purposes in portion of the Southeast quarter of the Northwest quarter of Section 33 Township 13 South, Range 1 East, S.B.B.M.; 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 Schneider, adopted.

RESOLUTION NO. 112446, recorded on Microfilm Roll No. 65, accepting deed of Thomas Edward Gagin Sr., Edna Gagin, and Thomas Gagin, Jr., bearing date May 9, 1953, conveying for water pipe line purposes easement and right of way in portion of Lot 80 Valle de Los Amigos, Ramona; 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 Schneider, adopted.

RESOLUTION NO. 112447, recorded on Microfilm Roll No. 65, accepting deed of Eli Kundel and Edith M. Kundel, bearing date May 5, 1953, conveying easement and right of way for water pipe line purposes in portion of Block 318 and Block 16 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112448, recorded on Microfilm Roll No. 65, accepting deed of Effie D. Walters, Helen A. Crutcher, Lee W. Crutcher, Jr., and Helen A. MacLean, bearing date April 30, 1953, conveying easement and right of way for water pipe line



RESOLUTION NO. 112448, recorded on Microfilm Roll No. 65, accepting deed of Effie D. Walters, Helen A. Crutcher, Lee W. Crutcher, Jr., and Helen A. MacLean, executed in favor of The City of San Diego, bearing date April 30, 1953, conveying easement and right of way for water pipe line purposes in portion of Lots 74, 75, 76, 77 Valle de los Amigos; 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 Schneider, adopted.

RESOLUTION NO. 112449, recorded on Microfilm Roll No. 65, accepting deed of Union Title Insurance and Trust Company, bearing date May 21, 1953, conveying easement and right of way for water pipe line purposes in portion of Lot 1 Block 20 Rancho Santa Fe; 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. 112450, recorded on Microfilm Roll No. 65, accepting deed of William I. Zidell and Martha Zidell, bearing date May 21, 1953, conveying easement and right of way for water pipe line purposes in portion of Section 16 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 Schneider, adopted.

RESOLUTION NO. 112451, recorded on Microfilm Roll No. 65, accepting subordination agreement, executed by George Grover and Louise Grover, beneficiaries, and the Union Title Insurance and Trust Company, trustee, bearing date May 20, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lots 14 and 15 Block 89 City Heights, 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 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.

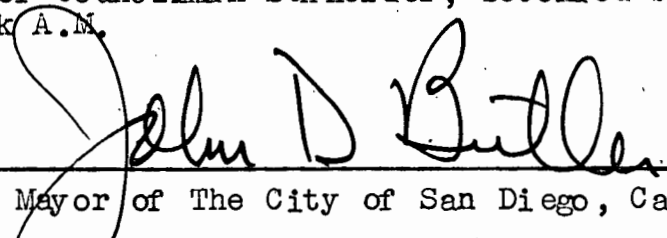
On motion of Councilman Godfrey, seconded by Councilman Schneider, the reading of the next ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for the consideration of each member of the Council prior to the day of its final passage a written or printed copy.

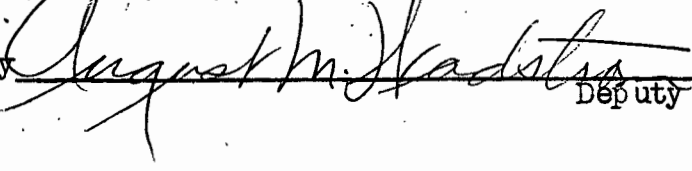
ORDINANCE NO. 5628 (New Series), recorded on Microfilm Roll No. 65, dedicating portions of Lot A La Mesa Colony, deeded to the City of San Diego for street purposes - deed of Joseph D. and Anna M. Morrison, recorded in Book No. 1893 of official records at Page 147 in the office of the County Recorder - and naming the same Catictin Drive, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

Proposed Ordinance amending Sub-Section "(f)" of Section 72.06 of the San Diego Municipal Code Regulating Licenses for Taxicab Drivers, was on motion of Councilman Burgener, seconded by Councilman Schneider, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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 Burgener, at the hour of 11:18 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, June 9, 1953

A Regular meeting was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey,  
Mayor Butler.  
Absent---Councilmen None  
Clerk----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, June 2, 1953, and of Thursday, June 4, 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 Mayor.

At this time Mayor Butler presented service awards to the following City employees, for their long time service, outlining their occupations and length of time in the City employ:

Fire Captain Elmer E. Fenwick - 25 years;  
Mrs. Edna E. Smith, Senior Recreation Leader in the Recreation Division of the Park and Recreation Department - 25 years;  
Officer Frederick L. Westerdahl, Detective Division of the Police Department - 25 years

Award was to have been made to Officer L. Morse, Police Sergeant, also, but he was unable to be present. In lieu of today's award it will be made for his 25-year service one week from this 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 the Alleys in Blocks 43 Normal Heights, within the limits and as particularly described in Resolution of Intention No. 111457, 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 Lawrence B. Callahan and Richard W. Callahan DBA Callahan Bros., accompanied by bond written by Pacific Indemnity Company in the sum of \$700.00, which bid was given Document No. 470634;

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. 470635;

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 \$900.00, which bid was given Document No. 470636;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$900.00, which bid was given Document No. 470637.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 2, for a period of one year from and including March 1, 1953, to and including February 28, 1954, in accordance with the Engineer's Report and Assessment filed March 27, 1953, in the office of the City Clerk, the Clerk reported that 1 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 \$31.62 written by San Diego Trust & Savings Bank, which bid was given Document No. 470633;

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for Small Water Main Replacements, Group No. VII, 1952-53, Specification No. 45, 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 a Joint Venture composed of E. W. Cannell, an individual, and W. A. Robertson & Company, a partnership, 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. 470638;

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. 470639.

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. 111921 for the paving and otherwise improving of the Alley in Block 109 Central Park, 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.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 111922 for the paving and otherwise improving of the Alley in Block 80 City Heights, and Dwight Street, within the limits and as particularly described in said Resolution, the Clerk reported that written Mrs. Louis A. (Marie P.) Aubain, which protest was presented to the Council.

The City Engineer report that there was a 4.1% protest, based upon the reasons that the property owner cannot afford the work and cannot use it.

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. 112452, recorded on Microfilm Roll No. 65, overruling and denying the protest of Mrs. Louis A. Aubain, filed in the office of the City Clerk June 9, 1953, under Document No. 470625, on the proposed improving of the Alley in Block 80 City Heights, and Dwight Street, within the limits and as particularly described in Resolution of Intention No. 111922, overruling and denying all other protests thereon, was on motion Kerrigan, seconded by Councilman Wincote, 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. 111923 for the paving and otherwise improving of Jennings Street, Albion Street and Silvergate 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 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. 111924 for the paving and otherwise improving of Monte Vista 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 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 Resolution No. 112026 of Preliminary Determination, for the paving and otherwise improving of the Alley in Block 43 Chas. Hensley's Subdivision, and 26th 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. 112453, recorded on Microfilm Roll No. 65, determining that the proposed improvement of the Alley in Block 43 Chas. Hensley's Subdivision, and 26th Street, within the limits and as particularly described in Resolution No. 112026 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 paving and otherwise improving of the Alley in Block 139 University Heights, Tyler Avenue, and public rights of way, within the limits and as particularly described in Resolution of Preliminary Determination No. 112027, 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. 112454, recorded on Microfilm Roll No. 65, determining that the proposed improvement of the Alley in Block 139 University Heights, Tyler Avenue, and Public Rights of Way, within the limits and as particularly described in Resolution No. 112027 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. 112028 of Preliminary Determination, for the paving and otherwise improving of Russell 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. 112455, recorded on Microfilm Roll No. 65, determining that the proposed improvement of Russell Street, within the limits and as particularly described in Resolution No. 112028 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 Wincke, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 112029 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. 112456, recorded on Microfilm Roll No. 65, determining that the proposed improvement of 62nd Street and Fergus Street, within the limits and as particularly described in Resolution No. 112029 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 Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing (continued from from June 2, 1953) on Resolution No. 111925 of Preliminary Determination, for the paving and otherwise improving of the Alleys in Blocks 5 and 24 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. 112457, recorded on Microfilm Roll No. 65, determining that the proposed improvement of the Alleys in Blocks 5 and 24 Ocean Beach, within the limits and as particularly described in Resolution No. 111925 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 (continued from June 2, 1953) on Resolution No. 111926 of Preliminary Determination, for the paving and otherwise improving of Scott Street, Ingelow Street and Jarvis Street, within the limits and as particularly described in Resolution stated; 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. 112458, recorded on Microfilm Roll No. 65, determining that the proposed improvement of Scott Street, Ingelow Street and Jarvis Street, within the limits and as particularly described in Resolution No. 111926 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 Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing (continued from June 2, 1953) on Resolution No. 111927 of Preliminary Determination, for sewers in Plantano Street, Castana Street, Nogal Street, Escuela Street, Cereza Street, Imperial Avenue 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. 112459, recorded on Microfilm Roll No. 65, determining that the proposed improvement of Plantano Street, Castana Street, Nogal Street, Escuela Street, Careza Street, Imperial Avenue and Public Rights of Way, within the limits and as particularly described in Resolution No. 111927 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 Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the furnishing of electric current for the lighting of the ornamental street lights located in Kensington Manor Lighting District No. 1, for a period of one year from and including May 1, 1953, to and including April 30, 1954, 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. 112460, recorded on Microfilm Roll No. 65, 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 for the lighting of the ornamental street lights located in Kensington Manor Lighting District, in accordance with Resolution of Intention No. 111681, and Engineer's Report and Assessment filed in the office of the City Clerk May 1, 1953, 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 proposed Ordinance (having been continued from a previous hearing; proposed Ordinance introduced May 14, 1953), Harry C. Haelsig made a verbal report. Mr. Haelsig told the Councilmen that the area involved for the proposed zoning in Pueblo Lot 1235 and C.C.C. Tatum's Bay Hills Mesa into R-2 Zone, is located in Clairemont No. 2, for use of a church.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the reading of said ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5629 (New Series), recorded on Microfilm Roll No. 65, incorporating portions of Pueblo Lot 1235 and 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, insofar as the same conflicts, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilmen None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed Ordinance ~~(having been continued from a previous hearing;~~ proposed Ordinance introduced May 14, 1953), Harry C. Haelsig stated that the area is "back of the market", and is for duplexes. No protests were presented to the Planning Commission, he stated.

The Clerk reported that no protests had been received, and no protests were entered at this hearing.

(The Ordinance was introduced May 14, 1953)

All members of the Council voted to dispense with reading the Ordinance.

ORDINANCE NO. 5630 (New Series), recorded on Microfilm Roll No. 65, incorporating Lots 37, 38, 47 to 54 Chester Square, 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 Kerrigan, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Absent--Councilmen None. Nays--Councilmen None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating Lot 32 and portion of Lot 33 La Mesa Colony into "R-1", "R-2", and "R-C" Zones, the Clerk reported that no written protests had been received. No protests were presented at the hearing.

Harry C. Haelsig, Assistant Planning Director, told the Council that the property to be zoned had been annexed to the City recently.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the reading of of said Ordinance in full was dispensed with by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None. (The Ordinance was introduced May 14, 1953)

ORDINANCE NO. 5631 (New Series), recorded on Microfilm Roll No. 65, incorporating Lot 32 and portion of Lot 33 La Mesa Colony into R-1 Zone, R-2 Zone, R-C Zone, as defined by Sections 101.0405, 101.0406 and 101.0409 of the San Diego Municipal Code, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Absent--Councilmen None. Nays--Councilmen None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Zoning of Block B Narragansett Heights into R-2 Zone, and repealing conflicting ordinances, was presented.

The Clerk reported that no written protests had been received. No protests were presented at the hearing.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the reading of said ordinance in full was dispensed with by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None. (The Ordinance was introduced May 14, 1953).

ORDINANCE NO. 5632 (New Series), recorded on Microfilm Roll No. 65, incorporating Block B Narragansett Heights into "R-2" Zone, as defined by Section 101.0406 of the San Diego Municipal Code, and repealing Ordinance No. 117 (New Series) adopted January 3, 1933, insofar as the same conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Nays--Councilmen None.

Petition of P. N. Hyndman, 4585 Palm Avenue, La Mesa, California, being application for permit to operate automobiles on long term lease (number proposed to be operated not set forth in the application), under the name of San Diego Auto Lease, was presented.

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

Communication from San Diego County Fair - June 26-July 5, 1953 - signed by Paul T. Mannen, Manager, requesting permission to erect 22" x 28" signs on the lamp posts to advertise the fair, for erection of the signs starting June 15 and removal after July 5, 1953, was presented.

Said request was read to the Council by the Clerk.

Councilman Kerrigan moved to refer the petition to the City Manager.

There was some discussion about referring the matter, inasmuch as the Council would not be permitted to grant the petition.

RESOLUTION NO. 112461, recorded on Microfilm Roll No. 65, denying application of San Diego County Fair, signed by Paul T. Mannen, Manager, for permission to erect signs on the lamp posts advertising said fair to be held June 26 to July 5, 1953; requesting the City Manager to advise Mr. Mannen of the reason for the Council's denial of the request, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Petition of residents requesting that adequate funds be allocated for the purpose of providing weekly bookmobile service at the Orton E. Darnall School grounds, was presented.

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

Petition of residents requesting that the San Diego Padres be denied use of Balboa Park as a site for a ball park, was presented.

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

(The petition was sent, by the Clerk, to the Planning Commission inasmuch as all other papers on the subject had been referred by the Council to that department inasmuch as the Commission is considering the question).



Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received for furnishing one combination bag flattener and elevator, and one bag filling machine for the Sewage Treatment Plant, was presented.

The report recommended award to Power-Curve Conveyor Company of Denver, Colorado, sole bidder, for furnishing one combination bag flattener and elevator at a price of \$2,650.00 f.o.b. Sewage Treatment Plant, San Diego, plus sales or use tax; award to St. Regis Paper Company of Los Angeles, sole bidder, for furnishing one bag filling machine at a price of \$1,280.75 f.o.b. San Diego, plus sales tax.

RESOLUTION NO. 112462, recorded on Microfilm Roll No. 65, accepting bid of Power-Curve Conveyor Company for furnishing one Combination Bag Flattener and Elevator; awarding contract, authorizing and instructing the City Manager to enter into and execute the same, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112463, recorded on Microfilm Roll No. 65, accepting bid of St. Regis Paper Company for furnishing one Bag Filling Machine; awarding contract, 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, bearing the City Manager's stamp of approval, reporting on bids received for furnishing one 36" Bandsaw for the Public Buildings Division, was presented.

The report recommended award to Acme Tool & Supply of San Diego, at a unit price of \$1,621.00; extras, mechanical equalized two-wheel brakes at \$40.00, and Paddock ball bearing guides at \$48.00, all plus tax.

RESOLUTION NO. 112464, recorded on Microfilm Roll No. 65, accepting bid of Acme Tool & Supply for furnishing one 36" Bandsaw at a unit price, plus extras; awarding contract, authorizing and instructing the City Manager to enter into and execute the same, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, reporting on bids for the furnishing of one 4-door sedan for the Harbor Department, received from 4 bidders, was presented.

The report stated that the low bid meeting specifications is that of City Chevrolet Company for furnishing one 4-door Series 210 DeLuxe Chevrolet sedan at a price of \$1809.23 plus State sales tax - price due to discount allowed and Federal Excise Tax exemption which is approximately \$400.00 under retail price for the model to be furnished. It recommends award to City Chevrolet Company of San Diego.

RESOLUTION NO. 112456, recorded on Microfilm Roll No. 65, accepting bid of City Chevrolet Company for furnishing The City of San Diego Harbor Department with one 4-door Sedan; awarding contract, authorizing and instructing a majority of the members of the Harbor Commission to 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 construction of a Ticket Booth and Pergola in front of the Ford Building in Balboa Park, was presented.

The report states that bids were received May 28, 1953 from 5 bidders; that subsequent to call for bids, a decision was made that the Star Light Opera Company should construct the booth instead of the City. It recommends that all bids received therefor be rejected.

RESOLUTION NO. 112466, recorded on Microfilm Roll No. 65, rejecting all bids received by the Purchasing Agent May 28, 1953, for construction of a ticket booth and pergola in front of the Ford Building in Balboa Park, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received May 6, 1953, from 3 bidders for construction of Sanitary Sewer in Alley in Block I Plumosa Park, and Nipoma Street, was presented.

The report states that the low bid of Charles J. Dorfman in the amount of \$7,892.20 is 61.1% above the Engineer's estimate. It recommends award to Charles J. Dorfman, the low bidder, inasmuch as the City Engineer states that the sewer is required to clear up a bad sewer condition and health hazard in the area, that bidders contacted stated that if the job were re-bid they would not be disposed to reduce their bid (on account of the unusual conditions present in the job.)

RESOLUTION NO. 112467, recorded on Microfilm Roll No. 65, accepting bid of Charles J. Dorfman for construction of Sanitary Sewer in the Alley in Block I Plumosa Park and Nipoma Street; awarding contract, 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 Schneider, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing Asphaltic Plant Mix Surfacing Material for a period of one year, July 1, 1953, through June 30, 1954, for the Public Works Department as per specifications on file in the office of the City Clerk under Document No. 470458, was presented.

RESOLUTION NO. 112468, recorded on Microfilm Roll No. 65, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Asphaltic Plant Mix Surfacing Material for a period of one year from July 1, 1953, was on motion of Councilman Burgener, 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 Binding of Books for the Library Department for a period of one year beginning July 1, 1953, and ending June 30, 1954, as per specifications on file in the office of the City Clerk bearing Document No. 470459, was presented.

RESOLUTION NO. 112469, recorded on Microfilm Roll No. 65, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing the Binding of Books, magazines, music and newspapers, for a period of one year commencing July 1, 1953, was on motion of Councilman Burgener, 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 furnishing Books for the City Public Library and for other City Departments, for a period of one year beginning July 1, 1953, as per specifications on file in the office of the City Clerk bearing Document No. 470460, was presented.

RESOLUTION NO. 112470, recorded on Microfilm Roll No. 65, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Books for City of San Diego Public Library and for other City Departments for the period of one year, was on motion of Councilman Burgener, 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 the City's requirements of Premix and Transit Mix Concrete for one year, July 1, 1953, through June 30, 1954, as per specifications on file in the office of the City Clerk bearing Document No. 470461, was presented.

RESOLUTION NO. 112471, recorded on Microfilm Roll No. 65, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Premix and Transit Mix Concrete for one year, starting July 1, 1953, 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 Burgener, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, authorizing advertising for bids for Rental of Dump Trucks, for the period from July 1, 1953 through June 30, 1954, as per specifications on file in the office of the City Clerk bearing Document No. 470462, was presented.

RESOLUTION NO. 112472, recorded on Microfilm Roll No. 65, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing the Rental of Dump Trucks for the period of one year starting July 1, 1953, 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 Burgener, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for the City's requirement for Ferric Chloride for a period of one year beginning July 1, 1953, and ending June 30, 1954, as per specifications on file in the office of the City Clerk bearing Document No. 470463, was presented.

RESOLUTION NO. 112473, recorded on Microfilm Roll No. 65, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of Ferric Chloride for the period July 1, 1953 through June 30, 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 Burgener, seconded by Councilman Winco te, 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 the City's requirement of Bulk Lime for period July 1, 1953 through December 31, 1953, as per specifications on file in the office of the City Clerk bearing Document No. 470464, was presented.

RESOLUTION NO. 112474, recorded on Microfilm Roll No. 65, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing the City's requirements of lime for period July 1, 1953 through December 31, 1953, in accordance with Notice to Bidder, Specifications, Bidding Instructions and Requirements on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted. (For Water Purification).

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing the Purchasing Agent to advertise for bids for the City's requirements of Lubricating Oil for a period of one year commencing July 1, 1953, and ending June 30, 1954, as per specifications on file in the office of the City Clerk bearing Document No. 470465, was presented.

RESOLUTION NO. 112475, recorded on Microfilm Roll No. 65, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing

the City's requirements of Lubricating Oil for a period of one year commencing July 1, 1953, 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 Schneider, 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 Magazine and Newspaper Subscriptions for a period of one year beginning September 1, 1953, and ending August 31, 1954, for the Library, as per specifications on file in the office of the City Clerk bearing Document No. 470466, was presented.

RESOLUTION NO. 112476, recorded on Microfilm Roll No. 65, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Magazine and Newspaper Subscriptions for a period of one year beginning September 1, 1953, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, was on motion of Councilman Wincote, 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 Steel Pipe and Fittings for 65th and Herrick Streets Pumping Plant, for the Water Department, in accordance with specifications on file in the office of the City Clerk, was presented.

RESOLUTION NO. 112477, recorded on Microfilm Roll No. 65, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Steel Pipe and Fittings for 65th and Herrick Streets Pumping Plant, in accordance with Document No. 470467, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112478, recorded on Microfilm Roll No. 65, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the installation of Small Water Main Replacements, Group VIII, 1952-53, filed in the office of the City Clerk and bearing Official Document No. 470457; approving the plans and specifications for said replacements, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, submitting Final Map of Delta Heights; recommending approval subject to posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 112479, recorded on Microfilm Roll No. 65, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Clifford O. Boren Contracting Co., Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Delta Heights; directing the City Engineer to present ordinance establishing official grades of all streets within said subdivision, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112480, recorded on Microfilm Roll No. 65, adopting Map of Delta Heights, being portion of the South 25 acres of the Southwest Quarter of the Northeast Quarter of Section 33, Township 16 South, Range 2 West, Rancho Ex Mission, segregated interests, San Bernardino Meridian, and portions of Lots 18, 24 and 25 Wadsworth Olive Grove, portions of Quince Street and Baily Avenue vacated by Decree recorded February 19, 1953, in Book 4756 page 58 of Official Records; accepting on behalf of the public portions of streets and unnamed easements together with abutters' rights shown on said map, to-wit: Ridgeview Drive, Baily Avenue, Clifford Street and portions of Euclid Avenue and Chollas Parkway shown dedicated on the map, unnamed easements shown on the map within said subdivision, together with any and all abutters' rights of access in and to Chollas Parkway, Euclid Avenue and portion of Ridgeview Drive, as shown on said map adjacent to Lot 1 Block 1; Lots 1 to 14 inclusive Block 4 as shown on said map for public purposes; declaring the same to be streets, portions of streets and unnamed easements together with abutters' rights of access as shown on said map and dedicated to the public use; authorizing and 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 and portions of streets and unnamed easements, together with any and all abutters' rights of access in and to Chollas Parkway, Euclid Avenue and portion of Ridgeview Drive, as shown adjacent to Lot 1 Block 1, Lots 1 to 14 inclusive Block 4, 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 Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, recommending suspension of 5 sections of the San Diego Municipal Code, in connection with Tentative Map of Kearny Park, was presented.

RESOLUTION NO. 112481, recorded on Microfilm Roll No. 65, suspending Sections 102.07-5, 102.11-2, 102.12-6, 102.18, 102.17-c of the San Diego Municipal Code in connection with the Tentative Map of Kearny Park, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.



Communication from the Planning Commission, signed by Harry C. Haelsig, Asst. Planning Director, recommending approval of the Tentative Map of Kearny Park, a subdivision consisting of 809 residential lots, two large commercial areas and 14 industrial sites varying from 3 to 8 acres - on which a similar tentative map was approved some months ago - was presented. Said communication states that a revision, to include additional industrial lots, is occasioned by the flight pattern of the Miramar Air Base and because of limitations of the loading agencies on residential properties. Eleven conditions were attached to the recommendation for the subdivision's approval.

RESOLUTION NO. 112482, recorded on Microfilm Roll No. 65, approving Tentative Map of Kearny Park; subdivision of property on which a similar tentative map was approved some months ago; subject to conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for rezoning portions Lot 9 The Highlands, and portion Lot 78 RHO Mission, R-1 to C, and CP & R-4, was presented. Said communication states that the land proposed to be rezoned is about a half mile north of Montgomery Airport on the east side of U.S. Highway No. 395, in Zone R-1. It states that about 10 acres is proposed to be zoned C and CP for business center to serve the 160 acre subdivision, tentatively approved as Kearny Villa - and takes in the site of the old race track, now defunct. It points out that about 112,000 sq. ft. or 2.6 acres are in the C Zone which would be large enough for a population of about 3200 people, and that about 7.5 acres of CP zone is contemplated.

RESOLUTION NO. 12483, recorded on Microfilm Roll No. 65, requesting the City Attorney to prepare and present an ordinance rezoning from the present R-1 Zone to C, C-P and R-4 Zones portions of Lot 9 The Highlands, and portion of Lot 78 Rancho Mission; said Ordinance to provide that it be not effective until the Final Map of Kearny Villa is filed of record - as recommended by the Planning Commission - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for rezoning from R-1 to R-4 Zone, portions of Lots 9, 17, 18 La Mesa Colony - which property lies south of El Cajon Boulevard to the north line of Acorn Street, and between 62nd Street and Seminole Drive - was presented. It states that the land consists of approximately 12-1/2 acres, all in Zone R-1, which is unsubdivided.

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

RESOLUTION NO. 112484, with request that the City Attorney prepare and present Ordinance rezoning from R-1 to R-4 Zones of the southerly 170 feet of Lot 9 La Mesa Colony; such rezoning not to be effective until the Final Map of Minute Manor is filed of record - as recommended by the Planning Commission, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for rezoning from R-1 and RC to C Zone of portions of Blocks 14 & 15 Loma Alta No. 1, being from R-1 and RC to C Zone, was presented. The report states that the property is at the southwest corner of the intersection of Voltaire Street, Venice Street and Mendocino Boulevard, in Ocean Beach, and points out the existing zones. It states that the area sought to be rezoned was excavated after Excavation Permit No. 46 was approved March 6, 1951, and most of it brought to near the grade of Voltaire Street. The report points out that the residential area immediately south of the proposed rezoning and the residential area west and southwest is about 20 feet or more higher than the area proposed to be rezoned. In addition, it states that only about half of the present commercial zoning is occupied by commercial uses, within the small commercial area along Voltaire Street between Mendocino Boulevard and Wabaska Drive. In addition to making various other reports, it states that the Planning Commission voted 7-0 to deny the request to rezone the area to C Zone. It states that the Commission also resolved that if the Council concurred in its recommendation that the entire area should be zoned RC and denied the petition to rezone it to C Zone, then the Planning Commission would initiate the proceedings necessary to recommend that the area be rezoned to RC Zone, with no fee to be paid on the new RC proposal.

The Mayor stated that he had before him several telegrams urging approval of the C Zone, and reversal of the Planning Commission's decision in recommending denial to the Council.

The report from the Planning Commission, referred to above in part, was read in its entirety for denial.

Councilman Kerrigan referred to no appeal, and said there is "now something hanging up in the air".

Douglas Deaper, Deputy City Attorney, referred to reference to the City Attorney's office for the drafting of an Ordinance to provide for change in the proposed zoning, instead of what is proposed in the petition.

The Mayor said that if the Ordinance (referring to a Court decision in connection with changing in the zoning from what had been originally proposed) is adopted, the situation will be clarified.

Clarence E. Johnson, a petitioner, appeared before the Council, and spoke on the request where he was the first signer. He spoke of owning property, and intending to have a commercial zone for which the property had been reserved. He stated that he had not improved the property for his proposed use on account of the sewer situation. Mr. Johnson declared that there was a gentlemen's agreement to the effect that the property should be business. The speaker showed to the Council a plat of the area proposed for himself, for such commercial use, which plat he did not file. He told the Council that the contractor for the Midway Bridge had approached him for material to be used as fill on that project. Next, he stated that he had applied for a zone variance to permit a shopping center. He stated that there is sufficient traffic to justify a shopping center. Mr. Johnson declared that it should be commercial, and declared that it is impossible to have an R-C Zone on account of the setbacks which would be required.

Councilman Schneider stated that Mr. Johnson wants the zone change, separately.

Mr. Johnson answered that statement by saying that others are supporting the request. It would encourage others for the future, if the change is made, Mr. Johnson stated. He contended that a 1-stop market cannot be constructed in an R-C Zone, which would also limit the type of merchandise sold. He declared that prospective lessees would not lease property where restrictions are placed upon stock presented for sale. Many people who are conservative will not go into a store that offers liquor sale, but will where beer and wine are sold. Beer and wine, he declared, are considered food.

Mr. Burton, who had signed the report for the Planning Commission, disagreed with Mr. Johnson regarding the setbacks which he said are not necessarily required in R-C Zones. Residential setbacks apply in some area only; not here.

There was unrecorded discussion, at this point, by many persons who spoke at once, since the Clerk was unable to determine what was being said and by whom.

The Mayor showed a map regarding views, which map was not filed with the Clerk.

Mr. Burton pointed out that the Planning Commission had looked at the property in question. Residential property looks down into said area, he stated. He contended that the area should not be a "C" Zone, which could permit the bringing in of objectionable features.

Councilman Godfrey declared that the Council can't grant C Zone with restrictions, but that the property owner can have an R-C zone under variance with restrictions attached.

Mr. Johnson told the Council that a commercial use is the only solution.

The Mayor pointed out that in a C Zone any commercial use could go in, despite its effect on the neighborhood.

The excavation work which had been made for the Midway fill was referred to again by Mr. Johnson.

Councilman Burgener moved to overrule the Planning Commission's recommendation, which motion was not seconded.

Councilman Burgener moved to refer the matter to the City Attorney for presentation of Ordinance to rezone said property.

Before a second to the motion was obtained, Douglas Deaper, Deputy City Attorney, read to the Council from the Municipal Code requirements in connection with zoning proceedings.

Councilman Schneider seconded the motion.

Harry C. Haelsig, Assistant Planning Director, spoke of the City operating in the zoning matter jointly under City Ordinance and State law. A 10-day hearing notice is required, he stated.

RESOLUTION NO. 112485, recorded on Microfilm Roll No. 65, referring to the City Attorney the recommendation of the Planning Commission, together with telegrams attached thereto, which recommendation is for denial of request to rezone portions of Blocks 14, 15 Loma Alta No. 1 from the Zone R-1 and RC to C Zone; directing said City Attorney to prepare and present an ordinance rezoning said area from R-1 and RC to C, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for rezoning Lot 648 Lomita Village Unit No. 4, from R-1 to R-2 Zone, which property has been purchased by the San Diego Unified School District for an elementary school in the Lomita Village-Narragansett Heights area, upon which the School Board has indicated that a school will have to be constructed in the near future, was presented. Said recommendation states that the lot was set aside in the original subdivision for school purposes, that no objections were voiced to the Planning Commission at the meeting for the rezoning. In addition, it points out that the matter had been delayed twice to iron out technical difficulties, and that the Commission had recommended by a 7-0 vote that the petition to rezone be granted. It suggested reference to the City Attorney's office for drafting a proper ordinance prior to setting a public hearing.

RESOLUTION NO. 112486, recorded on Microfilm Roll No. 65, requesting the City Attorney to prepare and present an ordinance rezoning from the existing R-1 to R-2 of Lot 648 Lomita Village Unit No. 4, 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 changing zoning of portion of P.L. 1237 & portion C.C.C. Tatum's Bay Hills Mesa (Clairemont Manor Unit No. 4) from R-1 to R-2 and R-4, lying at the northerly end of the present Clairemont development and just north of an R-1 zone, unsubdivided, but identified as a future business center, also land east and southeast being in R-1 and subdivided as Clairemont Manor Unit No. 2, was presented. It makes further report on surrounding property subdivided as Clairemont Manor Unit No. 1 and portion unsubdivided being in R-1 zone. It reports that the Commission voted 7-0 to recommend that the petition be granted, but that the proposed zoning not be effective until Final Map of Clairemont Manor Unit No. 4 as approved by Council Resolution No. 111400 is filed of record.

RESOLUTION NO. 112487, recorded on Microfilm Roll No. 65, requesting the City Attorney to prepare and present an ordinance rezoning from present R-1 to R-2 and R-4 portion of P.L. 1237 and portion of C.C.C. Tatum's Bay Hills Mesa (Clairemont Manor Unit No. 4), was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Edmund G. Brown, Attorney General of the State of California, relative to the reported fine work in drafting answer in Arizona vs. California performed by J. F. DuPaul, City Attorney, and his associate Shelley J. Higgins, and by T. B. Cosgrove special Council, was presented. It states that they represented the City most ably.

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

Communication from La Mesa, Lemon Grove and Spring Valley Irrigation District, signed by M. J. Shelton, General Manager and Chief Engineer, dated June 5, 1953, was presented. Said communication enclosed petition for inclusion of lands within said District for inclusion Unit No. 8, being lands owned by the City for pipe line right of way purposes. It requests the Council to authorize execution of petition for such interest as the City may have in lands within the unit.

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

Communication from Hudson Corporation, 629 First Avenue, San Diego 12, signed by W. H. Hudson, making reference to Sections 54.10, 54.10.1, 54.10.2 of City regulations on flasher lights in the City, asking for permission to make rentals or sales was presented. It states that the corporation has worked with various City officials and Police Department, who feel favorable toward the new type of warning light, and that Capt. Wm. Thien of the Police Department as well as officials of the street department favor said type of warning light.

Said communication was read to the Council by the Clerk.

Mr. Hudson showed members of the Council his flasher warning. The device has been sold for 2 years, he stated, but Capt. Thien has now called his attention to the Ordinance which requires a permit.

Councilman Godfrey moved to refer the communication to the City Manager to work out a solution.

The City Manager referred to the governing section in the Code as being obsolete.

Councilman Kerrigan seconded the motion.

RESOLUTION NO. 112488, recorded on Microfilm Roll No. 65, referring to the City Manager the communication from Hudson Corporation, 629 First Avenue, San Diego 12, signed by W. H. Hudson, dated June 2, 1953, relative to sale and rental of flasher lights, having to do with being granted permission by the Council therefor, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from San Diego Uptown Optimist Club, The La Jolla Contractors Assn., Kiwanis Club of North Park, The La Jolla Real Estate Brokers' Assn., The Board of Directors of the Kiwanis Club of East San Diego, The Board of Directors of the Kiwanis Club of La Jolla, The Exchange Club of San Diego - being identical resolutions relative to the construction of the San Diego River Flood Control channel which has caused the Mission Bay channel to become unsafe for small craft and which has caused erosion to destroy the beach area adjacent to flood control channels, requesting studies relative to the Mission Bay Channel, construction of a groin at the foot of Saratoga Avenue and use of sand obtained in dredging the Mission Bay channel to cause restoration of the beach area, and requesting The Council to initiation of action to obtain funds from impounded tidelands oil moneys or from some other source for dredging the Channel and construction of groin at the foot of Saratoga Avenue - were presented.

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

Communication from Mildred A. Nielsen, 4133 - 40th Street, dated June 2, 1953, protesting using any improved portion of Balboa Park for a Civic Auditorium, and making a detailed statement in connection therewith, was presented.

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

Communication from E. H. Murphy, 3512 Florida Street, San Diego 4, California, objecting to a commercial Baseball Park being allowed in Balboa Park, and setting forth arguments against private enterprises not being needed to complete the park development, was presented.

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

Communication from the City Attorney replying to communication from David H. R. Pain, attorney for the Ocean Beach Chamber of Commerce, requesting opinion as to whether or not the City may create a parking district in Ocean Beach under the provisions of the parking law of 1949, and whether or not the revenues from parking meters in parking lot and upon streets of business district may be applied to discharge bonds issued for the purpose of financing the project, together with written opinion of Assistant City Attorney Shelley J. Higgins, was presented.

The opinion refers to the Council having submitted on November 7, 1950, to the electors a proposition to amend the City Charter to permit the same. A portion of the opinion says that the people very clearly, together with municipal officers, have construed the present charter to mean that the City has no power to issue revenue bonds of any kind or character without vote of two-thirds of the electors. In addition, it says that such contemporaneous construction is very persuasive, and in the absence of a clear-cut court decision to the contrary it is preferred to follow the same construction, and the Council should be advised accordingly.

On motion of Councilman Schneider, seconded by Councilman Wincote, the letter from Mr. Pain, and the City Attorney's letter accompanied by the Assistant City Attorney's opinion, were ordered filed.



RESOLUTION NO. 112489, recorded on Microfilm Roll No. 65, directing notice of filing of the Street Superintendent's Assessment No. 2139 made to cover the costs and expenses of the work done upon 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112490, recorded on Microfilm Roll No. 65, directing notice of the filing of the Street Superintendent's Assessment No. 2138 made to cover the costs and expenses of the work done upon 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.

RESOLUTION NO. 112491, recorded on Microfilm Roll No. 65, directing notice of filing of the Street Superintendent's Assessment No. 2140 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Bancroft Street between Ash Street and Cedar Street, within the limits and as particularly described in Resolution of Intention No. 108053, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 112492, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of Rose Street, Hobart Street, Stewart Street, Millar Street, Catocin Drive, 63rd Street, Pembroke Drive, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 111366, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The City Engineer made a written report to the Council in which he stated that the low bid is 23.4% below the estimate.

Award of contract is to R. E. Hazard Contracting Co.

RESOLUTION OF AWARD NO. 112493, recorded on Microfilm Roll No. 65, for the installation of sewer mains in Winchester Street, Calle Serena, Calle Aguadulce, Calle Tocon, Cumberland Street, Roanoke Street, and Albermarle Street, within the limits and as particularly described in Resolution of Intention No. 111367, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The City Engineer made a written report to the Council in which he stated that the low bid is 22.6% below the estimate.

Award of contract is to L. B. Butterfield.

RESOLUTION NO. 112494, recorded on Microfilm Roll No. 65, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 77 City Heights, under Document No. 470048; approving Plat No. 2473 showing the exterior boundaries of the district to be included in the assessment for said 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 Wincote, adopted.

RESOLUTION NO. 112495, recorded on Microfilm Roll No. 65, approving plans, drawings, typical cross-sections, profiles and specifications for the grading and otherwise improving of Poole Street, Azul Street, La Jolla Shores Drive, under Document No. 470050; approving Plat No. 2442 showing the exterior boundaries of the district to be included in the assessment for said 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 Wincote, adopted.

RESOLUTION NO. 112496, recorded on Microfilm Roll No. 65, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Roslyn Lane and Ivanhoe Avenue, under Document No. 470052; approving Plat No. 2457 showing the exterior boundaries of the district to be included in the assessment for said 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 Wincote, adopted.

RESOLUTION NO. 112497, recorded on Microfilm Roll No. 65, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Voltaire Street, Whittier Street, Banning Street, Mendocino Boulevard, Venice Street, Catalina Boulevard, San Clemente Street, Famosa Boulevard, Alley in Block 13 Loma Alta No. 1, Alley in Block 12 Loma Alta No. 1, Public Rights of Way in Lots 29 to 37 Block 12 Loma Alta No. 1, Document No. 470054; approving Plat No. 2447 showing the exterior boundaries of the district to be included in the assessment for said 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 Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112498, recorded on Microfilm Roll No. 65, for the closing of the Alley between Lots 17 and 18 Block 38 Lexington Park, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112499, recorded on Microfilm Roll No. 65, for the closing of portions of Morena Boulevard, Hickory Street, and an unnamed street lying within a parcel of land bounded by the description set forth in said Resolution, all within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 112500, recorded on Microfilm Roll No. 65, for the closing of portion of Olive Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 112501, recorded on Microfilm Roll No. 65, for the closing of portions of Bond Street, Dalton Street, Reed Avenue, Pacific Beach Drive, Rosewood Street and the Alley in Block 39 Mission Bay Park Tract, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112502, recorded on Microfilm Roll No. 65, directing notice inviting bids for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 4, for a period of one year from and including April 1, 1953, to and including March 31, 1954, in accordance with the Engineer's Report and Assessment filed April 17, 1953, in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 112503, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of the Alley in Block 55 City Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 112504, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of the Alleys in Blocks 15 and 42 Ocean Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 112505, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of Island Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 112506, recorded on Microfilm Roll No. 65, for the closing of portion of the North-South Alley in Block 127 University Heights, within the limits and as particularly described in said Resolution, determining that it is not necessary that any land be taken therefor, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 112507, recorded on Microfilm Roll No. 65, for the closing of Canon Street, within the limits and as particularly described in said Resolution, determining that it is not necessary that any land be taken therefor, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 112508, recorded on Microfilm Roll No. 65, for the closing of portion of Hendricks Avenue, within the limits and as particularly described in Resolution of Intention No. 112508, determining that it is not necessary that any land be taken therefor, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112509, recorded on Microfilm Roll No. 65, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in College Park Lighting District No. 1, for a period of one year from and including June 1, 1953, to and including May 31, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112510, recorded on Microfilm Roll No. 65, 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 Collwood Lighting District No. 1, for a period of one year from and including June 1, 1953, to and including May 31, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112511, recorded on Microfilm Roll No. 65, 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 Loma Portal Lighting District No. 1, for a period of one year from and including June 28, 1953 to and including June 27, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112512, recorded on Microfilm Roll No. 65, 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 Mission Beach Lighting District No. 1, for a period of one year from and including May 15, 1953, to and including May 14, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112513, recorded on Microfilm Roll No. 65, 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 San Diego Lighting District No. 1, for a period of one year from and including June 15, 1953, to and including June 14, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112514, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of the Alleys in Block 77 City Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112515, recorded on Microfilm Roll No. 65, for the grading and otherwise improving of Poole Street, Azul Street, and La Jolla Shores Drive, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112516, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of Roslyn Lane and Ivanhoe Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112517, recorded on Microfilm Roll No. 65, for the installation of sewers in Voltaire Street, Whittier Street, Banning Street, Mendocino Boulevard, Venice Street, Catalina Boulevard, San Clemente Street, Famosa Boulevard, Alley in Block 13 Loma Alta No. 1, Alley in Block 12 Loma Alta No. 1, and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112518, recorded on Microfilm Roll No. 65, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the 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, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112519, recorded on Microfilm Roll No. 65, 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 31 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 110163, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112520, recorded on Microfilm Roll No. 65, 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 Vista Del Mar Avenue, north of Marine Street, within the limits and as particularly described in Resolution of Intention No. 110355 and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.



Communication from the City Manager stating that residents of the southerly portion of Clairemont area desired a paved street from Illion Street to Morena Boulevard, that Carlos Tavares arranged with the property owners to pay for the paving of a 27-foot strip in the center of Milton Street from Illion Street to Morena Boulevard, was presented. The agreement was that he would pay for the center 27 foot width of paving and the City would then initiate 1911 Improvement Act proceedings to complete the improvement of Milton Street. It states that the strip of paving has been completed, and recommends that the Council initiate proceedings to improve Milton Street between the center line of Illion Street and the center line of Morena Boulevard by paving and otherwise improving. It recommended, also, that portions of Morena Boulevard and Illion Street near their intersections with Milton Street be improved if required to complete intersections or terminations. When completed, it states, the Milton Street paving will be 40 feet between curbs, which means that a 5-foot width strip of paving will be included on each side of the strip which Mr. Tavares just completed.

RESOLUTION NO. 112521, recorded on Microfilm Roll No. 65, 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 expenses of the paving and otherwise improving on Milton Street between the center line of Illion Street and the center line of Morena Boulevard, including improvement of portions of Morena Boulevard and Illion Street required to complete intersections or terminations with said Milton Street, in accordance with recommendation of the City Engineer filed in the office of the City Clerk May 11, 1953, under Document No. 468774, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending granting petition for paving and otherwise improving of the Alley in Bloc, 3 Normal Heights, signed by owners of 65.0% of property frontage, and recommending that water main and appurtenances be installed if required, was presented.

RESOLUTION NO. 112522, recorded on Microfilm Roll No. 65, granting petition contained in Document No. 469798 for paving and otherwise improving of the Alley in Block 3 Normal 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 thereof, including water main and appurtenances if required, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending granting petition for paving and otherwise improving Commercial Street between 29th Street and 30th Street, signed by owners of 66.2% of the frontage property, and recommending installation of sewer laterals and water services if required, was presented.

RESOLUTION NO. 112523, recorded on Microfilm Roll No. 65, granting petition contained in Document No. 469697 for the paving and otherwise improving of Commercial Street between 29th Street and 30th Street; directing the City Engineer to furnish 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 said improvement, including sewer laterals and water services to be installed if required, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending granting petition for paving and otherwise improving portions of Hancock Street, Gaines Street, and Moore Street, signed by owners of 65.2% of the property frontage, recommending installation of drainage structures if required, was presented.

RESOLUTION NO. 112524, recorded on Microfilm Roll No. 65, granting petition contained in Document No. 468194 for the paving and otherwise improving of portions of Hancock Street, Gaines Street and Moore 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 drainage structures if required, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending granting petition for the paving and otherwise improving of 68th Street between El Cajon Boulevard and Amherst Street, signed by owners of 100% of the property frontage, including installation of sewer laterals if required, was presented.

RESOLUTION NO. 112525, recorded on Microfilm Roll No. 65, granting petition contained in Document No. 467944 for the paving and otherwise improving of portion of 68th 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 for said improvement, including sewer laterals if required, 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, stating that it is necessary to change the property line grades on Shadowlawn Street in order to properly develop said street and Wing Street, was presented. It recommends that proceedings be started to change said grades between the northerly line of Evergreen Street and a line drawn at right angles to the southwesterly line of

of Shadowlawn Street distant therealong 290 feet northerly from the northerly line of Evergreen Street - the City to pay the costs of said change of grade proceedings, was presented.

RESOLUTION NO. 112526, recorded on Microfilm Roll No. 65, directing the City Engineer to furnish description for change of property line grades on Shadowlawn Street, within the limits set forth in said Resolution, 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 that connection be made to the existing sewer in Harbison Avenue - in connection with petition to install sewers in portion of Cervantes Avenue - by private contract, under City inspection, according to plans and specifications filed in the Office of the City Clerk June 4, 1953, under Document No. 470184, the work, including inspection, to be done at no cost to the City.

RESOLUTION NO. 112527, recorded on Microfilm Roll No. 65, granting Ernest R. Reaves permission to install sanitary sewers in portion of Cervantes Avenue, by private contract, within the limits, and upon the conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112528, recorded on Microfilm Roll No. 65, being intention to call a special election within the territory to be known and designated as "Kensington Park", in the County of San Diego, State of California, for the purpose of submitting to the electors residing therein the question whether the territory in said Kensington Park shall be annexed to and incorporated within 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 - hearing to be held in the matter on the 30th day of June, 1953, at the hour of 10:00 o'clock A.M. in the Council Chamber of the City and County Administration Building, Civic Center, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Port of San Diego, signed by John Bate, Port Director, dated June 4, 1953, submitting form of lease with Cabrillo Marine, Inc., covering approximately 30,000 square feet of land on Byron Street and 61,000 square feet of adjoining water area, for a term of 5 years with options to renew for 3 additional terms of 5 years each, based on 4¢ per square foot per year and water at \$60.00 per month; premises to be used for the sale, construction, maintenance, repair, and painting of boats not exceeding 65 feet in length - terms and conditions of the lease conform to established policy - was presented.

RESOLUTION NO. 112529, recorded on Microfilm Roll No. 65, ratifying, confirming and approving lease, a copy of which is on file in the office of the City Clerk as Document No. 470594, between the City of San Diego acting by and through the Harbor Commission, as Lessor, and Cabrillo Marine, Inc., as Lessees, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Port of San Diego, signed by John Bate, Port Director, dated June 5, 1953, submitting form of Agreement for Amend of Tideland Lease, Amendment No. 1, modifying original lease which was entered into with California Cartage Company, Inc., which modifies area of the original lease by adding a 15-foot strip of land to the easterly line of the premises, rental being calculated on a square footage basis and automatically increased proportionately, was presented.

RESOLUTION NO. 112530, recorded on Microfilm Roll No. 65, ratifying, confirming and approving Agreement for Amendment of Tideland Lease between The City of San Diego and California Cartage Co., Inc., a corporation, a copy of which is contained in Document No. 470597 on file in the Office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Port of San Diego, signed by John Bate, Port Director, submitting form of Agreement for Amendment of Tideland Lease, Amendment No. 2, amending lease formerly granted Laurino & Goodman, Inc., which adds to the original lease an option period of 5 years, and provides for rental reviews at the beginning of the 5 year option periods, was presented.

RESOLUTION NO. 112531, recorded on Microfilm Roll No. 65, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 2, between The City of San Diego and I. A. Goodman, Inc., a copy of which is contained in Document No. 470600 on file in the Office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Port of San Diego, signed by John Bate, Port Director, dated 5 June 1953, submitting Resolution authorizing work by City forces, at an estimate of \$8,000, for repairing of Embarcadero from 'B' Street Pier to the Foot of Date Street, was presented. It states that 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.

RESOLUTION NO. 112532, recorded on Microfilm Roll No. 65, authorizing and empowering the Port Director to do all the work in connection with the repairing of the

Embarcadero from 'B' Street Pier to the Foot of Date Street, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted,

Said Resolution states that the Harbor Department has recommended said work, that the Port Director has submitted estimates therefor and has indicated that the same can be done by City forces more economically than if let by contract.

RESOLUTION NO. 112533, recorded on Microfilm Roll No. 65, 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 the following streets:

BEECH STREET, between the east line of First Avenue and the west line of Second Avenue;

FIRST AVENUE between the north line of Beech Street and the south line of Date Street;

MEADE AVENUE, between the west line of 30th Street and the east line of Kansas Street;

30TH STREET between the north line of El Cajon Boulevard and the south line of Meade Avenue;

establishing Parking Meter Zones at said locations; directing the City Manager to cause parking meters to be installed and cause parking meter spaces to be designated on said streets; authorizing and directing installation of the necessary signs and markings; repealing all resolutions or parts of resolutions in conflict, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112534, recorded on Microfilm Roll No. 65, 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 the following street:

J STREET between the east line of 13th Street and the west line of 14th Street;

establishing Parking Meters Zones at said locations; directing the City Manager to cause parking meters to be installed and cause parking meter spaces to be designated on said street; authorizing and directing installation of the necessary signs and markings; repealing all resolutions or parts of resolution in conflict, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112535, recorded on Microfilm Roll No. 65, establishing a no parking zone between the hours of 2:00 a.m. and 9:00 a.m. Sundays and Holidays excepted,

The northwesterly side of Rosecrans Street between Zola Street and Goldsmith Street;

Both sides of Locust Street between Alcott Street and Goldsmith Street;

Both sides of Evergreen Street between Browning Street and Freeman Street;

Both sides of Alcott Street between Locust Street and Rosecrans Street;

Both sides of Browning Street between Evergreen Street and Rosecrans Street;

Both sides of Curtis Street, between Willow Street and Rosecrans Street;

Both sides of Dumas Street between Willow Street and Rosecrans Street;

Both sides of Elliott Street between Willow Street and Rosecrans Street;

Both sides of Freeman Street between Evergreen Street and Rosecrans Street;

authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112536, recorded on Microfilm Roll No. 65, authorizing and empowering the City Manager to do all the work in connection with the installation of new water pumps and the reconditioning of the pump station located at 65th and Herrick Streets, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said Resolution recites that the City Manager has recommended installation of new water pumps and reconditioning of the pump station, that the City Manager has submitted estimates for said work and has indicated that the same can be done by the City more economically than if let by contract.

RESOLUTION NO. 112537, recorded on Microfilm Roll No. 65, granting permission to Crown Properties (Henry B. Cramer) 3207 McCall Street, San Diego 6, to install 2 39-foot driveways as measured at the top of the full-height curb, on the westerly side of Linda Vista Road, north of Ulric Street, adjacent to Lot 12 Block 47 Linda Vista Unit No. 1, on condition that driveways to be separated by 22 feet of full-height curb, and installation of said driveways shall be in accordance with all of the rules, regulations and ordinances of the City governing same, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.



RESOLUTION NO. 112538, recorded on Microfilm Roll No. 65, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego an agreement with San Diego and Arizona Eastern Railway Company for installation of two 8-inch cast iron water pipe lines encased in a 24-inch corrugated pipe crossing right-of-way and track of the La Mesa Branch at Engr. Sta. 109-13 adjacent to "K" Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112539, recorded on Microfilm Roll No. 65, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Bayard Street and Tourmaline Street;  
Bernardine and Trojan Avenue;  
Sharon Place and Vale Way;  
Gregory Street at Martin Avenue;  
Georgia Street and Mission Avenue;  
Florida Street and Mission Avenue;  
Monroe Avenue and Mission Avenue;  
Redland Drive, at Redland Place; and at southerly end of Redland Place;  
Redland Drive, at westerly end;  
55th Street, N/O Redland Drive;  
Moore Street, at Coutts Street; and at Bandini Street;  
Hancock Street, at Bandini Street;  
59th Street, at Barbarossa Drive; at Adams Avenue; and N/O Barbarossa Drive;  
Esther Street at Adams Avenue;  
Alice Street at Adams Avenue; and  
Barbarossa Drive, at Barbarossa Place; and at Barbarossa Court,

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

RESOLUTION NO. 112540, recorded on Microfilm Roll No. 65, approving and consenting to sewer connection agreement, a copy of which is filed in the office of the City Clerk as Document No. 470662, which said agreement was executed on the 18th day of May, 1953, between the County of San Diego and J. G. Kanlund, and authorizing and empowering the City Manager to execute the consent and approval of The City of San Diego to said agreement, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Said Resolution recites that the County of San Diego is constructing and installing a sewer line to serve the new Juvenile Hall, which sewer is situated in The City of San Diego, that the line passes over property owned by J. G. Kanlund, that Kanlund is willing to deed easement to the County in return for right to make connections to the County sewer line in accordance with agreement between said parties, that after construction of said sewer line the County of San Diego will convey to The City of San Diego the easement and sewers contained thereof, and that it is essential that The City of San Diego shall consent to and approve the agreement between the County and J. G. Kanlund.

RESOLUTION NO. 112541, recorded on Microfilm Roll No. 65, authorizing and empowering the City Manager to do all the work in connection with the installation of backflow protection which is a required part of the meter installation for De Anza Trailer Park, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Said Resolution recites that the Director of the Water Department has recommended installation of backflow protection, 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. 112542, recorded on Microfilm Roll No. 65, approving Change Order No. 1 dated May 26, 1953, heretofore filed with the City Clerk as Document No. 470617, issued in connection with contract between The City of San Diego and Cameron Brothers, for construction of Arizona Canyon Sewer, contract contained in Document No. 470652 on file in the office of the City Clerk, as set forth in said Order, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5633, (New Series), recorded on Microfilm Roll No. 65, appropriating the sum of \$45,000.00 out of the Unappropriated Balance Fund, for the purpose of providing additional funds for purchase of parcels of real property to be used as sites for permanent public improvements such as streets, public buildings, playgrounds and parks, (in addition to funds heretofore appropriated by Ordinance No. 5465 (New Series)) - was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Absent--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than 4 members of the Council. There was available for consideration of each

members of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5635 (New Series), recorded on Microfilm Roll No. 65, granting to the United States of America an easement and right of way for a waterpipeline across portions of Pueblo Lot 1311 an easement and right of way being 10 feet in width, being 5 feet on each side of the center line described in said Ordinance, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Said Ordinance states that at a municipal election held April 27, 1937, the City was authorized to granted to the United States of America for military purposes portions of said Pueblo Lot; that Ordinance No. 1227 (New Series) The City granted to the United States of America an easement and right of way for construction, of a water pipeline for a period of 15 years from and after September 24, 1937, that the United States now desires said easement and right of way for an additional fifteen years; and said Ordinance grants the same for such period.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than 4 members of the Council. There was available for each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5636 (New Series), recorded on Microfilm Roll No. 65, authorizing the City Manager to execute an amendment to lease with Five Star Fish and Cold Storage covering portions of Pueblo Lot 1311 and 1314 (reducing the rent on the premises in portions of said Pueblo Lots from \$525.00 per month to \$375.00 per month) and giving To The City of San Diego an option to extend said lease which terminates December 31, 1953 for an additional period of one year, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman None.

On motion of Councilman Wincote, seconded by Councilman Dail, the reading of the next proposed Ordinance in full prior to final passage was dispensed with by a vote of not less than 4 members of the Council. There was available for each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5637 (New Series), recorded on Microfilm Roll No. 65, authorizing and ratifying the action of the City Manager in employing assistants in connection with inspection of plans for public buildings in the City of San Diego, and appropriating \$2,000.00 out of the Unappropriated Balance fund in payment of the cost of said services, employment of services being Pacific Coast Building Officials Conference, 124 West Fourth Street, Los Angeles 13, California; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

On motion of Councilman Wincote, seconded by Councilman Burgener, the reading of the next proposed Ordinance in full prior to final passage was dispensed with by a vote of not less than 4 members of the Council. There was available for each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5638 (New Series), recorded on Microfilm Roll No. 65, changing the name of a portion of Alice Street to 67th Street, changing the name of portions of Alice Street to Mohawk Street, changing the name of a portion of San Diego Street to Mohawk Street, and changing the name of a portion of San Diego Street to 67th Street, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next proposed Ordinance in full prior to final passage was dispensed with by a vote of not less than 4 members of the Council. There was available for each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5639 (New Series), recorded on Microfilm Roll No. 65, establishing the grade of the Alley in Block 43 City Heights, between the northerly line of University Avenue and the southerly line of Polk Avenue, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next proposed Ordinance in full prior to final passage was dispensed with by a vote of not less than 4 members of the Council. There was available for each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5640 (New Series), recorded on Microfilm Roll No. 65, establishing the grade of the Alley in Block 100 City Heights, between the southerly line of Dwight Street and the northerly line of Myrtle Avenue, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next proposed Ordinance in full prior to final passage was dispensed with by a vote of not less than 4 members of the Council. There was available for each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5641 (New Series), recorded on Microfilm Roll No. 65, establishing the grade of the Alley in Block 54 Ocean Beach, between the northwesterly line of Sunset Cliffs Boulevard and the Southeasterly line of Cable Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next proposed Ordinance in full prior to final passage was dispensed with by a vote of not less than 4 members of the Council. There was available for each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5642 (New Series), recorded on Microfilm Roll No. 65, establishing the grade of Shadowlawn Street, between the northwesterly line of Wing Street and a line drawn northeasterly at right angles to the southwesterly line of Shadowlawn Street from a point on the southwesterly line of Shadowlawn Street distant therealong 278.48 feet northerly from the northeasterly line of Evergreen Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next proposed Ordinance in full prior to final passage was dispensed with by a vote of not less than 4 members of the Council. There was available for each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5643 (New Series), establishing the grade of Wing Street, between the northeasterly line of Shadowlawn Street and a line drawn easterly at right angles to the westerly line of Wing Street from a point on the westerly line of Wing Street, distant 67.42 feet southerly from the most easterly corner of Plumosa Manor Unit No. 2, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Proposed Ordinance appropriating the sum of \$8,600.00 from the Capital Outlay Fund, for the purpose of providing funds for construction of sanitary sewers in the Alley in Block I Plumosa Park, and Nipoma Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Proposed Ordinance appropriating the sum of \$5,700.00 from the Unappropriated Balance Fund, and transferring the same to the City Clerk's Election Fund (Department 03.02), was on motion of Councilman Schneider, seconded by Councilman Wincote, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Proposed Ordinance appropriating the sum of \$4,200.00 from the Unappropriated Balance Fund, for the purpose of providing funds for the purchase of Fertilizer Sacking and Handling Equipment for the Sewage Treatment Plant, was on motion of Councilman Wincote, seconded by Councilman Schneider, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Proposed Ordinance amending Section 31.0370 of the San Diego Municipal Code Regulating License Fee for Undertaking, Embalming, Funeral Directing and Crematory, and repealing Section 31.0370.1, was on motion of Councilman Wincote, seconded by Councilman Godfrey, introduced.

Proposed Ordinance incorporating portions of Pueblo Lots 1257, 1259, and 1262 into "R-2" Zone as defined in Section 101.0406 of the San Diego Municipal Code, and repealing Ordinance No. 13294 approved August 31, 1931, insofar as the same conflicts, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Under the same motion, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., June 30, 1953.

Proposed Ordinance incorporating Lot 3 C. C. Seaman's Subdivision into "R-2" Zone, as defined in 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 Kerrigan, seconded by Councilman Godfrey, introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail,



Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Under the same motion, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., June 30, 1953.

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

Communication from the Purchasing Agent, reporting on bids received June 4, 1953, for construction and installation of Marlin Club Float for the Harbor Department, was presented. It states that 2 bids were received, and recommended award to R. E. Staite, the low bidder, in the amount of \$2375.00.

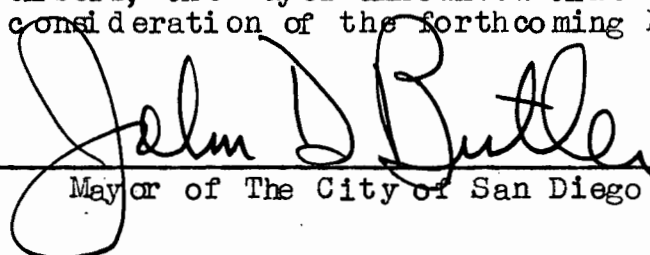
RESOLUTION NO. 112543, recorded on Microfilm Roll No. 65, accepting bid of R. E. Staite for construction and installation of Marlin Club Float for the Harbor Department, for the sum of \$2375.00; awarding contract, authorizing and instructing a majority of the members of the Harbor Commission to enter into and execute the same on behalf of the City of San Diego, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Kerrigan, at the hour of 11:12 o'clock A.M.

Upon leaving the Council Chambers, the Mayor announced that the Council would go into Conference immediately for consideration of the forthcoming Budget.

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, June 11, 1953

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 Burgen er, 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 to which hearing had been continued from the meeting of June 4, 1953, on the appeal of Roderick and Anna Thornton for variance to provisions of the Municipal Code Section 101.0602 for permission to erect a garage with 4-foot setback on Lot 3 Block 5 Valencia Park No. 1, at 5252 Manzanares Way, in Zone R-1, the appellant was not heard inasmuch as he was not present.

RESOLUTION NO. 112544, recorded on Microfilm Roll No. 65, denying the appeal of Roderick and Anna Thornton, 5252 Manzanares Way, for permission to construct a garage with a 4-foot setback on Lot 3 Block 5 Valencia Park No. 2, at said address, in Zone R-1; sustaining the action of the Zoning Committee in denying request therefor, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Asst. Planning Director, recommending approval of the Final Map of Rancho Cabrillo Unit No. 1, subject to the posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 112545, recorded on Microfilm Roll No. 65, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego a contract with Tri-W-Builders, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Rancho Cabrillo; 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. 112546, recorded on Microfilm Roll No. 65, adopting map of Rancho Cabrillo, being portion of Lots 37 and 40 of Rancho Mission of San Diego, accepting on behalf of the public, Murray Ridge Road, Greyling Drive, Afton Road, Larkdale Avenue, Macawa Avenue, alleys and unnamed easements shown thereon for public purposes, declaring the same to be public streets, alleys and unnamed easements and dedicated to the public use; authorizing and directing the City Clerk to endorse upon said as and for the act of the act of the Council that they 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 Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Manager reporting on communication from Coast Security Corporation, containing offer to sell properties to the City in Ocean Bay Beach Subdivision and in Wonderland Beach, was presented. It states that the price is considerably in excess of an appraised value provided by an independent appraiser as of last fall. In addition, it says that the City has not any critical need for said property, and is not anxious at this time to acquire it. The report states that the only foreseeable public use would be to provide additional area to beach and park properties for future development. The report recommends that the Council do not accept the offer at this time.

RESOLUTION NO. 112547, recorded on Microfilm Roll No. 65, adopting recommendation of the City Manager that the City of San Diego not accept the offer contained in Document No. 468982 from Coast Security Corporation for sale to the City of Lots 2 to 18 Block 91 Ocean Bay Beach Subdivision, and Lot 4 Block 104 Wonderland Beach, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Mrs. Harry Jaynes, 2119 Reed Avenue, San Diego 9, commenting on the traffic count for Morena Boulevard and Balboa Avenue, suggesting installation of Traffic Signal, etc., was presented.

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

The next matter was taken out of order, and considered at this time.

Eugene Freeland, engineer, was heard in support request for granting of a driveway permit.

RESOLUTION NO. 112548, recorded on Microfilm Roll No. 65, granting permission to Klauber Wangenheim Company, 611 Island Avenue, San Diego 1, California, to install a 50-foot driveway, as measured at the top of of the full-height curb, on the east side of Seventh Avenue, between points 100 feet and 150 feet south of the south line of Island

Avenue, adjacent to Lot C Block 111 Horton's Addition; to provide access to an off-street loading and customer parking area - a "cash and carry" grocery warehouse to be constructed - installation to be permitted on condition that any curb cutting and construction of driveway be in accordance with all rules, regulations and ordinances of The City of San Diego, also that if 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 Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Hugh B. Martin, dated June 5, 1953, being an unsigned copy of letter addressed to the City of San Diego, attention Conrad E. Olson, Right of Way Agent, was presented. It refers to a threat in letter from Mr. Olson about the Council withholding a reasonable application for street dedication in order to force property owners to deed valuable rights not adjoining the proposed street without consideration. The letter states that even if as an act of charity to the City he felt inclined to provide an easement for the public on the beach, he would not do so under a threat of commission or omission as contained in the Olson letter.

The City Manager made a brief verbal report, and indicated that he would like to look into the matter further.

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

Councilman Wincote requested, and was granted unanimous consent to present the next matter.

It was not certain if this was the same matter referred to just before this item.

Councilman Wincote said that Hugh Martin was interested in purchase of land, and asked Glenn A. Rick, City Planning Director, to send copy of a map of proposed land to be sold.

The City Manager said that it "will come in in July".  
No action was taken.

Communication from Margaret S. Crumly (Mrs. Charles L. Crumly), 3327 Russell Street, San Diego 6, California, relative to the water shortage on Point Loma, was presented.

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

Communication from R. H. Fleet, President, Point Loma Holding Corporation, 2150 Chatsworth, San Diego 7, relative to the water supply and distribution in the Point Loma area, was presented. It refers to his earlier communication relative to necessity of increasing the City's water distribution facilities on Point Loma, the \$200,000 which his corporation has paid in taxes on vacant lands with no services asked for or rendered, etc., and asked for proceeding without delay to authorize the necessary expenditure.

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

Communication from Musicians' Association of San Diego, Local 325 American Federation of Musicians, signed by Edward B. Wheeler, Pres., 1154 12th Avenue, San Diego 2, referring to proposed ordinance which would require male cabaret performers to secure identification cards from the Police Department, was presented. In addition to other observations it refers to the position such an ordinance would place all employers and entertainers in. It states that after contracts had been signed, advertising and publicity committed a work permit might be denied because of a prior conviction for offenses named.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said communication was referred to the City Manager and to the City Attorney for "the file".

Communication from San Diego Tavern Owners Association, being a telegram going on record pending formal resolution from the Association, favoring the Police Chief's recommendations for ordinance requiring permits for cabaret performers, etc., was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said telegram was referred to the City Manager and to the City Attorney for "the file".

Communication from Mrs. Jack M. Stice, 1039 Sorrento Drive, San Diego 7, dated June 6, 1953, relative to conducting an investigation to determine the origins of the many fires occurring every summer in the vicinity of the Azure Vista Housing Project on Hill Street, Ocean Beach. It states that they are on vacant property, mostly semi-wooded, but being so close to the housing project every fire is an automatic three-alarm. It refers also to the new Sunset View School being constructed at the top of the canyon. In addition it refers to fires at the same location on June 5, 1953, and on June 6, 1953, and the 3 fires there during April and May of this year.

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



Communication from George A. Watson, address not given, dated June 6, 1953, stating that he wished to appeal on a denial of a ruling on moving a house, was presented. On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said communication was referred to the City Manager.

After that action had been taken, Mr. Watson appeared in the meeting. The Council returned to said communication, and Mr. Watson was invited to speak, which he did.

Mr. Watson told the Council that he had attempted to move a house, and that as a result he has been going "through papers" for 3 weeks. All are signed, he stated, and ready to go. Then he added that the matter had hung fire a month now. He said that he has a letter from the City Attorney, and he had a drawing which he showed to some members of the Council, but which he did not file.

Chief of Police Jansen, who was present in connection with Mr. Watson's request, was heard. He told the Council that he knew of the house before Mr. Watson had bought it, inasmuch as the question had come up previously. It would involve getting a 38-foot house through a 39-foot street, he said. He told about experiences involved with houses having become stuck in the street. All but one mover had declined to move the house in question without cutting it, the Chief said. He said that officers had measured the house, and that the department would not permit its moving through the streets inasmuch as it would not be safe to do so.

Mayor Butler left the meeting at this time, Vice Mayor Dail took the chair.

Regulations for moving had been approved by the moving companies, the Chief added. He also stated that one lane needs to be left open. He told the Council that the house had been jacked up by the contractor before permit to move had been secured. The contractor knew that he would have to have a moving permit, which has not been granted, Chief Jansen, stated. He said that he doubted that the house can be moved through the streets, and told of buildings shifting from one side to the other, then becoming wider than the measurements made. He told about one building which had 2 feet clearance, but that it had been stuck in the street for 1-1/2 days. He told about damage which is caused to trees, also. He declared that it would be unsafe to move the building referred to unless it is cut in two. Mr. Watson has recourse against the mover, he stated, for having agreed to move the building, without a permit.

Mr. Watson stated that there had evidently been an error in the records relative to width. He told about his past activity preceding the effort to move the building.

Chief Jansen stated that if a portion of the building were cut off, it might be possible to move it - as a compromise. He showed a sketch of the building to Councilman Wincote, which sketch was not filed.

Mr. Watson told the Council that he has a permit to take out the trees.

J. F. DuPaul, City Attorney, have been made for moving said building. He declared that the primary use of streets is for traffic - not moving buildings. Mr. DuPaul stated that a mover has to not damage many things. He related a conference held with Mrs. Watson and her daughter. In addition, he said that he had gone in to see E. W. Blom, Assistant City Manager, who had checked into the situation. He told about the Police having offered compromises, with which Mr. Watson would not agree. At the request of Councilman Kerrigan, Mr. DuPaul said that he had made a check. He told the Council that the Police had the information relative to a lesser size; they measured the building, and found that it was larger, however. It was his suggestion that Mr. Watson comply with the suggestions made to him, or that he employ an attorney, or go to the Grand Jury with his problem, if he thought he was not being treated correctly. He pointed out that officials have the right to discretion in the matter.

Councilman Burgener stated that if the portion of the building would be cut off, as has been suggested, it would be 34 feet instead of 38.

Chief Jansen stated that he thinks a 34-foot building can be moved.

Councilman Schneider told Mr. Watson that if the building is cut, a permit will be granted.

Mr. Watson declared that he does not have the money - that he cannot afford what has been suggested. He stated he was in the "middle of all this stuff."

Councilman Dail stated that the Council cannot grant the permit, and pointed out that it is not within the Council's jurisdiction.

Councilman Schneider stated that Mr. Watson has "been given a break."

No action was taken. After Mr. Watson had been heard,

Communication from the Port of San Diego, signed by John Bate, Port Director, requesting adoption of Resolution authorizing work for assistance in resurfacing the Promenade Deck on Broadway Pier by City forces - estimate \$1,800.00, was presented. It states that a study of the job has been made and it is the Commission's belief that the work can be accomplished to the best advantage of the City of San Diego in such manner.

RESOLUTION NO. 112549, recorded on Microfilm Roll No. 65, authorizing and empowering the Port Director to do all the work in connection with the construction assistance for resurfacing the Promenade Deck on Broadway Pier, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112550, recorded on Microfilm Roll No. 65, setting public hearings in accordance with Section 71 of the City Charter for June 23, 1953 at 10:00 A.M., and for June 25, 1953, both at 10:00 A.M. - being Tuesday and Thursday - in the Council Chamber, Administration Building, Civic Center, for the purpose of affording the public opportunity to be present and there express themselves if they so desire with reference to the Annual Appropriation Ordinance proposed to be adopted for the fiscal year 1953-1954; directing the City Clerk to publish for a period of 5 days in the official newspaper, prior to said hearings, notice of Public Hearings, which notice shall contain a statement that the proposed Ordinance will not be adopted until after said public hearings have been held, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The proposed Resolution, as it appeared on the Agenda called for a 2:00 P.M. hearing on the 23rd and a 3:00 P.M. hearing on the 25th. The proposed Resolution was amended by the Council prior to its adoption.

RESOLUTION NO. 112551, recorded on Microfilm Roll No. 65, authorizing and empowering the City Manager to do all the work necessary for making connections to existing water mains, sterilization of hi-line and new mains, in connection with Small Water Mains Replacement, Group 6, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said Resolution states that the Director of the Water Department has recommended connection of small water mains replacement, Group 6, to the existing water mains, and sterilization of hi-line and new mains; 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. 112552, recorded on Microfilm Roll No. 65, authorizing and directing the City Manager to enter into lease agreement with House of Pacific Relations, whereby lessee obtains use of 15 buildings located in Balboa Park for a period of three years beginning June 1, 1953, at a rental of \$6.75 per month per cottage, payable in advance monthly, under terms and conditions as set forth in form of lease agreement on file in the Office of the City Clerk as Document No. 470681, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112553, recorded on Microfilm Roll No. 65, granting permission to Richard W. Johnson, 4463 Park Boulevard, San Diego 16, to install a 30-foot driveway on the west side of Estrella Avenue, between University Avenue and Polk Avenue, adjacent to Lots 37 and 38 Block 22 Fairmount Addition, subject to installation being in accordance with all rules, regulations and ordinances of the City governing same; also stating that if 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112554, recorded on Microfilm Roll No. 65, granting permission to Paul Picco, 400 - 16th Street, San Diego 2, to install a 30-foot driveway on the west side of 16th Street between 66 feet and 96 feet north of the north line of J Street; and to install a 34-foot driveway on the north side of J Street between points 31 feet and 65 feet west of the west line of 16th Street - all adjacent to Lots 7 and 8 Block 20 Sherman's Addition; to provide access to service station at the northwest corner of 16th and J Streets which is being remodeled and enlarged, with two pump islands being added; also that said installation shall be subject to driveway widths as measured at the top of the full height curb, and that on the J Street side existing driveway area not falling within the bounds above described to be removed, and curb and sidewalk properly restored, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112555, recorded on Microfilm Roll No. 65, granting permission to George A. Mason, 4295 Poplar Street, San Diego 5, to install a 4" cast iron sewer line outside the sidewalk, to be placed 7 feet outside the property line and run in a westerly direction, parallel to the southerly line of the westerly 72 feet of Lot 25 Map #767 Block 70 City Heights Subdivision, to point of intersection with public sewer; to serve property at 3704 Marlborough Avenue; subject to approval of the Plumbing Inspection Department, the Property Division, sewer section Engineering Department and the 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 installation, operation and maintenance of said sewer line; rescinding Resolution No. 112422 adopted June 4, 1953, was on motion of Councilman Winco te, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112556, recorded on Microfilm Roll No. 65, granting permission to The United Furniture Company, 1208 Market Street, San Diego 2, to install a 35-foot driveway, as measured at the top of the full-height curb, on the west side of 19th Street, between points 100 feet and 135 feet south of the south line of Island Avenue, adjacent to Lot 10 Block 23 Sherman's Addition, subject to:

The existing driveway on said frontage, approximately between points 140 feet and 150 feet south of the south line of Island Avenue, to be removed, and the curb and sidewalk properly restored;

ALSO, if at any time area to be served by said driveway is not used for parking or loading of motor vehicles, permit shall be null and void, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112557, recorded on Microfilm Roll No. 65, approving Change Order No. 1 dated May 29, 1953, heretofore filed with the City Clerk as Document No. 470683, issued in connection with contract between The City of San Diego and Daley Corporation for construction of Wabash Boulevard, Section B, contained in Document No. 470651, on file in the office of the City Clerk; changes amounting to decrease in the contract price of \$150.00, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112558, recorded on Microfilm Roll No. 65, approving request of Griffith Company, dated April 14, 1953, contained in Change Order No. 2, for extension of 29 days, to and including June 30, 1953, heretofore filed with the City Clerk as Document No. 470684, in which to complete contract for resurfacing Lila Drive, Lorraine to 49th Streets, et al., contract contained in Document No. 467229 on file in the office of the City Clerk; extending completion time to June 30, 1953, was on motion of Councilman

Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112559, recorded on Microfilm Roll No. 65, approving request of Griffith Company, dated May 27, 1953, contained in Change Order No. 3, for extension of 45 days, to and including June 23, 1953, heretofore filed with the City Clerk as Document No. 470685, in which to complete contract for improvement of East Tecolote Drive northerly from Linda Vista, contract contained in Document No. 458067 on file in the office of the City Clerk; extending completion time to June 23, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112560, recorded on Microfilm Roll No. 65, approving Change Order No. 3, dated May 27, 1953, heretofore filed with the City Clerk as Document No. 470685, issued in connection with contract between the City of San Diego and Griffith Company for improvement of East Tecolote Drive, northerly from Linda Vista, contract contained in Document No. 458067 on file in the office of the City Clerk; changes amounting to increase in the contract price of approximately \$400.00, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112561, recorded on Microfilm Roll No. 65, authorizing two members of the Council, two members of the Planning Commission, the City Manager, City Attorney, and two members of the Planning Department staff, to attend a Planning Conference of the American Institute of Planners, to be held in San Francisco, California, June 25, 26, 27, 1953; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted. Councilman Wincote, speaking about said Resolution, announced that he cannot go.

It was pointed out that individual members of the Council were not named, but authorization is for two members.

RESOLUTION NO. 112562, recorded on Microfilm Roll No. 65, accepting subordination agreement, executed by Paul W. Haines and Charlotte N. Haines, beneficiary, and Southern Title and Trust Company, trustee, bearing date May 25, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 4 Cave and McHatton Subdivision, 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112563, recorded on Microfilm Roll No. 65, accepting deed of Gerardo Cadiente, bearing date June 1, 1953, conveying portion of Lot 29 Block 3 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 Schneider, adopted.

RESOLUTION NO. 112564, recorded on Microfilm Roll No. 65, accepting deed of Thomas Faulconer, also known as T. N. Faulconer, executed in favor of The City of San Diego, bearing date May 28, 1953, conveying easement and right of way for alley purposes in portion of Lot 4 and Lot 23 Block 14 Roseville 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112565, recorded on Microfilm Roll No. 65, accepting deed of Thomas Faulconer, also known as T. N. Faulconer, bearing date May 28, 1953, conveying easement and right of way for alley purposes in portion of Lot 1 Block 14 Roseville 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112566, recorded on Microfilm Roll No. 65, accepting deed of Thomas Faulconer, also known as T. N. Faulconer, bearing date May 28, 1953, conveying easement and right of way for street purposes portions of Lots 3, 4, 23 Block 14 Roseville Heights; setting aside and dedicating the same to the public use as and for a public street; naming the same Gage Drive; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, was on motion of Councilman Wincote, adopted.



RESOLUTION NO. 112567, recorded on Microfilm Roll No. 65, accepting deed of Thomas Faulconer, also known as T. N. Faulconer, bearing date May 28, 1953, conveying easement and right of way for street purposes in portion of Lots 3 and 4 Block 14 Roseville Heights; setting aside and dedicating the same to the public use as and for a public street, naming the same John 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112568, recorded on Microfilm Roll No. 65, accepting deed of Donna M. Allen and Roy M. Allen, bearing date May 20, 1953, conveying easement and right of way for street purposes in portion of Lot 4 Cave and McHatton Subdivision; setting aside and dedicating the same to the public use as and for a public street, and naming the same 61st 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 Wincote, seconded by Councilman Schneider, adopted.

ORDINANCE NO. 5644 (New Series), recorded on Microfilm Roll No. 65, amending Sub-Section "(f)" of Section 72.06 of the San Diego Municipal Code, regulating licenses for Taxicab Drivers, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Absent--Mayor Butler. Nays--Councilmen None.

Prior to the final passage of said Ordinance, the reading was dispensed with by a vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

The proposed Ordinance appropriating the sum of \$1,100.00 from the Traffic Safety Fund, for the purpose of providing funds for purchase of parking control signs and basis, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The proposed Ordinance appropriating the sum of \$500.00 from the Unappropriated Balance Fund, for the purpose of providing funds for purchase of Park Benches, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The proposed Ordinance authorizing the City Manager to execute a recision of lease involving portion of Pueblo Lot 1101 - with Silver Terrace Bayview Acres Improvement Association, Inc., for constructing, developing, and operating community social and recreational center under and pursuant to Ordinance No. 5528 (New Series) - was on motion of Councilman Kerrigan, seconded by Councilman Schneider, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The proposed Ordinance, dedicating portion of Pueblo Lot 1258 of the Pueblo Lands of the City of San Diego for a portion of public highway, and naming the same Fay Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

In connection with the hearing scheduled for this evening in the auditorium of KFMB-TV, on rent control, Douglas Deaper, Deputy City Attorney stated to the Council that it would not be a meeting of the Council inasmuch as it was to be held outside the Civic Center and would therefore not qualify as such under the Charter. He quoted the Charter about meetings being required to be held in the Council Chambers, and stated that it would be a hearing only.

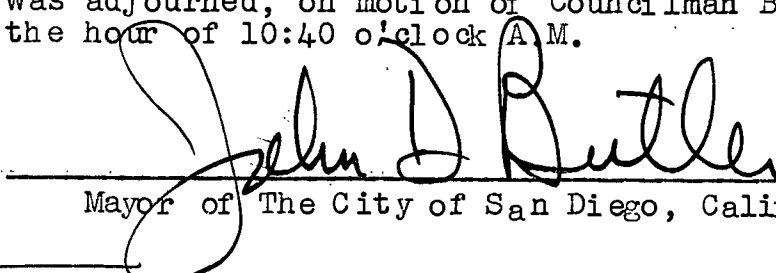
J. F. DuPaul, City Attorney, told the Council that there would be no reason for adjourning this meeting to the hearing in the television studios. He, also, said it would be a hearing only to take testimony. It is an official hearing, he declared - but not an official session where action could be taken or legislation adopted. It is not necessary to adjourn this meeting to such hearing, he stated. Mr. DuPaul told members of the Council that he would be in attendance at the meeting.

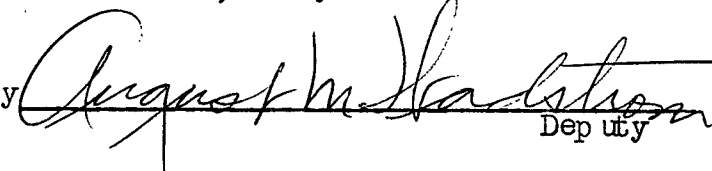
At this time discussion followed as to what constitutes a Council Meeting. The City Manager and the City Attorney made verbal reports, along the lines just outlined in the previous minute record relative to statements made by Mr. Deaper and Mr. DuPaul.

Councilman Godfrey moved to refer the question to the City Manager and to the City Attorney for report. There was no second. No action was taken.

There being no further business to come before the Council at this time, the Regular Meeting of the Council was adjourned, on motion of Councilman Burgener, seconded by Councilman Winote, at the hour of 10:40 o'clock A.M.

ATTEST:  
FRED W. SICK, City Clerk

  
Mayor of The City of San Diego, California

By   
Deputy

#### PUBLIC HEARING

A public hearing was held on the question of rent control, at the hour of 8:00 o'clock P.M., Thursday, June 11, 1953, in the KFMB TV Auditorium, 5th Avenue and Ash Street. Inasmuch as the hearing was held outside the Civic Center Jean F. DuPaul, City Attorney, and Douglas Deaper, Deputy City Attorney, both ruled verbally that the hearing did not constitute an official meeting of the Council. For that reason, no minutes were taken by the Clerk. A court reporter attended the hearing and made a verbatim transcript of the verbal proceedings.

#### REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Tuesday, June 16, 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 Burgener, Winote, Schneider, Kerrigan, Dail, Godfrey,  
Mayor Butler.  
Absent---Councilmen None  
Clerk----Fred W. Sick

The Minutes of the Regular Council Meetings of Tuesday, June 9, 1953 and of Thursday, June 11, 1953 were presented to the Council by the Clerk  
On motion of Councilman Schneider, seconded by Councilman Winote, said Minutes were approved without reading, after which they were signed by the Mayor.

In addition, a brief note was added preceding the Minutes for this meeting relative to the public hearing held June 11, 1953 on the question of Rent Control.  
(The subject will be found at the end of the minutes for this meeting, where a resolution making a finding by the Council relative to the Control is listed under unanimous consent.)

At this time Mayor Butler presented service awards to the following persons:

George L. Morse, Police Sergeant - 25 years (which award had been continued to this meeting from the meeting of June 9, 1953);

Councilman Charles C. Dail, from Councilmanic District No. 5 - 10 years.  
In presenting the award, the Mayor pointed out that Councilman Dail is the present Vice Mayor. In addition, he commented that Mr. Dail had no opposition at the last election. He presented a lighted birthday cake, and offered a eulogy on Councilman Dail's work in his office..

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for construction of Wabash Boulevard, Section "B" Bridges located at Main Street; South Chollas Creek; National Avenue Bridge Extension; Ocean View Boulevard; Imperial Avenue; San Diego and Arizona Eastern Railroad at Chollas Creek; J Street; Market Street; Market Street south lane and Las Chollas Creek - specification No. 319 - 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 W. F. Maxwell, 634 South Western Avenue, Los Angeles, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of ten percent of the total amount of the bid, which bid was given Document No. 470877;

The bid of Charles MacClosky Company, 112 Market Street, San Francisco, California in the sum of ten percent of the total amount of the bid, which bid was given Document No. 470878;

The bid of M. H. Golden Construction Company, a California Corporation, at 3485 Noell Street, San Diego, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, which bid was given Document No. 470879.

On motion of Councilman Schneider, seconded by Councilman Wincote, said bids were referred to the City Attorney and the City Manager 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 69 Park Villas; Public Rights of Way in Lots 25 and 26 Block 69 Park Villas, 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 six hundred dollars, which bid was given Document No. 470869;

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of six hundred dollars, which bid was given Document No. 470870;

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 six hundred dollars, which bid was given Document No. 470871.

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 Winona Avenue and 50th Street, within the limits and as particularly described in Resolution of Intention No. 111567, 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 three thousand dollars, which bid was given Document No. 470872;

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 three thousand dollars, which bid was given Document No. 470873;

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, in the sum of three thousand five hundred dollars, which bid was given Document No. 470874;

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 three thousand five hundred dollars, which bid was given Document No. 470875.

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. 2, for a period of one year from and including March 5, 1953, to and including March 4, 1954, 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 written by San Diego Trust and Savings Bank in the sum of \$64.80, which bid was given Document No. 470876.

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. 2130 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Archer Street, Vuy Nuys Street, Cass Street, Agate Street, Dawes Street and the Alley in Block 2 Map of Pueblo Lot 1783, within the limits and as particularly described in Resolution of Intention No. 106117, the Clerk reported that written protests had been received from Henry M. Brun, Jr., Lowell H. Fox, Mrs. Dorothy (John B.) Simon, G. J. Cramer, Mrs. Susan Truman, Frances E. Hall and others, which protests were presented to the Council.

The City Engineer made a verbal report during which he told the Council a 2.7% protest had been received, and that a new protest had just been handed in, which he had included in his report. He said that the protests were regarding the grade and the cost of the improvement. He made an explanation regarding the intersection cost charge.

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

Lowell Fox, 1055 Agate Street, was heard. He stated that his protest was based on the price, and that he was requested to pay what he deemed to be too high.

The City Engineer told the Council that Mr. Fox's property was being assessed for the intersection, and that a neighbor to whom he referred was not being assessed therefor. Mr. Fox, he said, pays on an area basis. The Engineer stated, answering Mr. Fox, that the Federal Housing will be paying its share of the improvement cost. There is a difference from across the street in that the Fox lot is larger, the Engineer added.

Mr. Fox said that on Dawes Street, with sidewalk, the assessment is less.

The City Engineer replied that the lots had been split, and that they are only half as large.

The Mayor asked the City Engineer to go over the assessment lot by lot with Mr. Fox.

Henry M. Brun told the Council that his assessment is greater than his neighbors'.

A conference was held between the City Engineer and Mr. Brun over a map. (The discussion between the two was not heard by the Clerk).

Councilman Dail was excused from the meeting at this time.

The City Engineer stated that Mr. Brun thinks he has already paid for water connection. If that had been paid to the builder who had paid it, too, the property owner needs to get the refund from the builder.

Councilman Dail returned to the meeting at this time.

The City Engineer told the Council that the records will show if 2 water connections have been paid.

Councilman Kerrigan said that a check can be made to see if a permit had been taken out for a water connection.

The Mayor told Mr. Brun that if there is only one connection that would be taken care of by Mr. Brun.

The City Engineer told the Council that there is a property split on the Mrs. Susan Truman property.

Mrs. Paul Phinney, who stated that she lives on the south side of Archer Street, was heard next. She spoke about the "3-way" intersection assessment, and wondered that inasmuch as that was so, if the assessment would be changed. She asked about the possibility of changing the formula used in connection with the assessing of property for the improvement.

The City Engineer replied that it is hard to answer the question. He showed a map regarding the property. He explained the assessment to Mrs. Phinney, and stated she is being assessed to pay her share of the intersection improvement.

Mrs. Phinney stated that the system of assessing should be changed, and others be required to pay.

The City Engineer said that the City has been following the formula "for some time."

Councilman Dail stated that the formula is the responsibility of the City Engineer, and that it is up to the Council to determine if it is equitable.

There was discussion between Councilman Dail and the City Engineer over the formula for the spreading of the assessment.

The City Engineer showed the Council from a map how the spread of the assessment is made.

Next, there was discussion between Councilman Godfrey and Mrs. Phinney over the assessment map, regarding the assessment cost. Councilman Godfrey pointed out to Mrs. Phinney the spread, which he declared to be fair and based upon an equitable formula.

Willard Olson, of the City Engineer's office, stated that there is no duplication of cost. He re-iterated what the City Engineer had said, that Lot 66 Block 5 should be split, and the assessment roll modified.

RESOLUTION NO. 112569, recorded on Microfilm Roll No. 65, overruling and denying the appeals of Lowell H. Fox, Mrs. Dorothy (John B.) Simon, G. J. Cramer, Frances E. Hall and others, from the Street Superintendent's Assessment No. 2130 made to cover the costs and expenses of the work done on the paving and otherwise improving of Archer Street, Van Nuys Street, Cass Street, Agate Street, Dawes Street and Alleys in Lot 2 Map of Lot 1783, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted. Also overruling and denying Henry M. Brun, Jr., appeal.

RESOLUTION NO. 112570, recorded on Microfilm Roll No. 65, sustaining the appeal of Mrs. Susan Truman from the Street Superintendent's Assessment No. 2130 made to cover the costs and expenses of the work done on the paving and otherwise improving of Archer Street, Van Nuys Street, Cass Street, Agate Street, Dawes Street and Alleys in Lot 2 Map of Lot 1783, directing the City Engineer to modify the assessment to provide for "split of assessment", was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112571, recorded on Microfilm Roll No. 65, confirming and approving the Street Superintendent's Assessment No. 2130 (Modified), made to cover the costs and expenses of the work done on the paving and otherwise improving of Archer Street, Van Nuys Street, Cass Street, Agate Street, Dawes Street and the Alleys in Lot 2 Map of Lot 1783 of Pueblo Lands; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law;

the Street Superintendent to record in his office said warrant, diagram and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2131 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Brighton Avenue, Cape May Avenue, and the Alleys in Block 77 Ocean Beach, the Clerk reported that written appeals had been received from I. F. Peterson, 2630 India Street, George A. and Nina S. Prock, 5162-1/2 Cape May Avenue, J. E. Moran, 2630 India Street, Harold B. and Norma L. Pier, 705 17th Street, August L. Fantilli, 3127 Portis Avenue, St. Louis 12, which appeals were presented to the Council.

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

Before anyone of the protestants was heard, the City Engineer made a verbal report in which he said that there were appeals totaling 13.3%, which he analyzed.

Mrs. J. E. Moran, who owns Lots 6 and 7 Block 77, was heard, relative to the amount assessed.

The City Engineer explained to the Council the assessment, from a map which he showed to them.

Mrs. Moran asked about the cost.

The City Engineer explained the assessment further, and added that there is a correct charge made.

Mrs. Moran was heard again. She said that the Engineer's comment clears up her question.

Mrs. George A. Prock, Lot 9 Block 77 spoke about the high cost.

The City Engineer, answering Mrs. Prock, said that there are no storm drains.

Councilman Schneider was excused from the meeting at this time.

The City Engineer went into detail with Mrs. Prock over the assessment.

RESOLUTION NO. 112572, recorded on Microfilm Roll No. 65, overruling and denying the appeal of I. F. Peterson, the appeal of George A. Prock and Nina S. Prock, the appeal of J. E. Moran, the appeal of Harold B. Pier and Norma L. Pier, the appeal of August L. Fantilli, from the Street Superintendent's Assessment No. 2131 made to cover the costs and expenses of the work of 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, 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 the Street Superintendent to record in his office said warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Councilman Scheider returned during the preceding discussion.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 112022, for the paving and otherwise improving of the Alley in Block 58 H. M. Higgins' Addition, ~~having arrived~~, 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 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 Franklin Avenue and Commercial 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 Kerrigan, seconded by Councilman Wincote, said proceedings were referred to the City Attorney for the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 112024, for the paving and otherwise improving of Paseo Grande, Calle Clara, Vallecitos, Calle Frescota, Camino del Oro, Alley in Block 9 La Jolla Ahores Unit No. 15; Alley in Block 12 La Jolla Shores Unit No. 1; southerly Alley in Block 34 La Jolla Shores Unit No. 6; La Vereda and Public Land being portion of Kellogg Park, the Clerk reported that written protest had been received from Mrs Gladys E. Shaw Smith, which protest was presented.

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

Robert L. Eller spoke, and told the Council that he was representing other property owners in addition to himself. He offered objection to assessment on an area basis, and referred to 8 or 9 lots north and south being assessed. He stated that although only 41 lots are affected, the assessment runs into hundred.

A written protest was handed into the Council by Mr. Eller.

The Mayor stated that there would be an indirect benefit derived.

Mr. Eller replied that there is not only no benefit, but no access to the streets named.

During the discussion, it was said that if Mr. Eller's street were paved, only the people who face the street would pay therefor.

Councilman Schneider explained the theory relative to the assessment, to Mr. Eller.

The City Engineer suggested, in view of the newly-developed protests, that the hearing be continued one week. He said that he has not had an opportunity to check the new protest.

Mr. Ellers stated that he does not want the protest thrown out, but that he feels that the assessment should not be made in the manner provided.

The Mayor asked if other streets could be paved (in connection with the project proposed) and a new formula used.

The City Engineer said that the City has used a different formula on other streets, but said that he is not sure if the City is willing to pay part of the cost of the storm drain involved in the assessment district.

Mr. Ellers said that he did not about the charge for the storm drain.

Councilman Wincote pointed out that if a majority of the property owners protest, the improvement will be thrown out. He said that property owners and the Council should consider the matter carefully. He pointed out that they could not arrive at 2 answers. There might be need to reconsider the question, he stated. He indicated that the matter should be reworded, or the hearing continued one week.

Councilman Schneider moved to continue the hearing one week.

Before the motion received a second, Joseph F. McDonald, President of La Jolla Improvement Association, was heard. He read a letter, signed by himself, protesting the assessment for the storm drain. He asked that the Resolution of Intention be modified. Mr. McDonald then filed said letter.

Councilman Kerrigan stated that the storm drain benefit and assessment therefor are the same as for all other areas of the City.

The City Manager showed to the Council and the protestants, a map of the assessment area for the storm drain. There is more than found in other areas, he admitted - \$18,000.00 for the storm drain (plus incidentals).

The Mayor pointed out that the protests have to be filed today, and stated that next week is too late, inasmuch as this is the date for the hearing.

Councilman Dail said that it is "way over the general percentage" for the drain.

The City Engineer told the Council that it might be proper for the City to pay a portion of the storm drain cost.

Councilman Dail said that the City Manager and the City Attorney should determine that question.

Councilman Godfrey said that the Council has the legal power to act, even if the protests are withdrawn. He pointed out that it could also abandon the project next week.

William McKenzie was heard next. He stated that when the project was instigated 3 years, the La Jolla Shores paving should have been divorced from other streets. He stated that property owners are now circulating another petition. He related an understanding relative to payment for improvement. He spoke about a 150-foot right of way on La Jolla Shores Drive. The Ellers petition of protest was not to the paving, Mr. McKenzie stated, but to the levying of the assessment. Camino del Oro is already paved, and wondered if owners there had paid or would pay for said storm drain.

The City Engineer answered "no". He said that the assessment would be spread over the whole area. He declared that if there were individual petitions (instead of the one large petition), the entire affair would be broken up on account of the storm drains.

Mr. Kenzie stated that if he had known about the storm drain being included, he might have had a different idea.

Councilman Kerrigan stated that the City Engineer has to use his discretion regarding the needed improvements, although not necessarily included in the petitions for improvement.

Mr. McKenzie told about the origin of the storm waters - coming from the hills behind La Jolla Shores.

Councilman Dail then mentioned the bond issue which had been voted for storm drain purposes.

Mr. McKenzie continue to discuss the drainage question, where the water would be dumped on private property. He declared that there is need to consider problems arising from storm waters originating in the new subdivision of La Jolla Terrace (which is property formerly owned by the City, and sold recently for subdivision purposes).

Councilman Wincote told about water which accumulates in huge quantities in Pacific which comes from the Mission Hills area. The same is true from Switzer Canyon, he stated.

Mr. McKenzie stated that any help on the storm drain given by the City would be appreciated.

Councilman Kerrigan was excused from the meeting at this time.

Councilman Godfrey said that the subject should be referred to Conference, and that the hearing should be continued one week.

Councilman Schneider asked Mr. McKenzie if property owners on paved streets would pay a greater share of assessment.

Mr. McKenzie told about not knowing.

RESOLUTION NO. 112573, recorded on Microfilm Roll No. 65, continuing hearing on the proposed improvement of El Paseo Grande, Calle Clara, Vallecitos, Calle Frescota, Camino del Oro, Alley in Block 9 La Jolla Shores Unit No. 1, Alley in Block 12, La Jolla Shores Unit No. 1, southerly Alley in Block 34 La Jolla Shores Unit No. 6, La Vereda and Public land being portion of Kellogg Park, within the limits and as particularly described in Resolution of Intention No. 112024, to the hour of 10:00 o'clock A.M. of Tuesday, June 23, 1953; referring to the City Manager and to the City Engineer the matter of construction of a storm drain in connection with said improvement project, and assessment therefor, 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 Resolution of Intention No. 112025, for the paving and otherwise improving of Reed 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 Schneider, seconded by Councilman Wincote, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 112143 of Preliminary Determination, for the paving and otherwise improving of the Alley in Block 9 La Jolla Park, and the Alley between Blocks 9 and 21 La Jolla Park, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 112574, recorded on Microfilm Roll No. 65, determining that the paving and otherwise improving of the Alley in Block 9 La Jolla Park, and the Alley between Blocks 9 and 21 La Jolla Park, 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 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 112144 of Preliminary Determination for the paving and otherwise improving of Opal Street and Dawes 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. 112575, recorded on Microfilm Roll No. 65, determining that the paving and otherwise improving of Opal Street and Dawes Street, within the limits and as particularly described in Resolution No. 112144 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 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 112145 of Preliminary Determination for the paving and otherwise improving of Redwood Street and Haller, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Clerk reported that no written protests had been received.

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

Mrs. J. C. Cunningham was heard. She asked about the extent of the Haller Street paving, and indicated that she was interested in having an addition made.

The City Engineer outlined, for Mrs. Cunningham's benefit, the extent of the paving. He wondered if additional work could be added.

Councilman Schneider stated that if additional work is to be added, it would be necessary to back up in the proceedings. He told Mrs. Cunningham that property owners could deal with the contractor directly and secure added work that way - perhaps cheaper than through 1911 Improvement Act proceedings as well.

Councilman Kerrigan returned to the meeting at this time.

Councilman Wincote suggested that an additional petition could be circulated.

RESOLUTION NO. 112576, recorded on Microfilm Roll No. 65, determining that the paving and otherwise improving of Redwood Street and Haller Street, within the limits and as particularly described in Resolution No. 112145 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 improvement, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 112146 of Preliminary Determination for installation of Sewers in Littlefield Street and Knoxville 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. 112577, recorded on Microfilm Roll No. 65, determining that the installation of Sewers in Littlefield Street and Knoxville Street, within the limits and as particularly described in Resolution No. 112146 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 improvement, and that the Special Assessment Investigation, 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 the proposed furnishing of electric current for the lighting of the ornamental street lights located in Hermosa Lighting District No. 1, for a period of one year from and including May 1, 1953, to and including April 30, 1954, 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. 112578, recorded on Microfilm Roll No. 65, confirming and adopting as a whole the Engineer's Report and Assessment for Hermosa Lighting District No. 1, for the furnishing of electric current for the lighting of the ornamental street lights located in said District, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating portion of Las Alturas Villa Sites into R-1 Zone, the Clerk reported that no written protests had been received.

(Property concerned is in an area annexed to the City of San Diego on November 30, 1952, consisting of 24 acres of land, unsubdivided, but cut into parcels by metes and bounds and occupied by about 28 single-family dwellings, one guest apartment over a garage, and an open-air plumbing supply storage yard - entirely surrounded by R-1 zoning in the County and in National City.)

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, the reading of said ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council; and there was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy of said ordinance.

ORDINANCE NO. 5645 (New Series), recorded on Microfilm Roll No. 65, incorporating a portion of Las Alturas Villa Sites in The City of San Diego, California, into "R-1" Zone, as defined by Section 101.0405 of the San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Kerrigan, Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating Lot 63 and portion of Lot 64 Ex-Mission Lands into "R-1" Zone, the Clerk reported that one written protest had received (it was more in the form of a declaration of the writer's rights) from G. P. Taylor, which was not read to the Council.

(Property concerned was annexed to the City on January 31, 1953, at the southwest corner of Logan and Euclid Avenues, there being about 58 acres of property involved - all of which is vacant except for about one acre occupied by a junk yard.)

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said communication of protest was overruled and denied.

Glenn A. Rick, City Planning Director, referred to the Taylor protest, before it was overruled as stated above. He told the Council he can still continue his barrel plant under a non-conforming use.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the reading of said Ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy of said ordinance.

ORDINANCE NO. 5646 (New Series), recorded on Microfilm Roll No. 65, incorporating Lot 63, and a portion of Lot 64 Ex-Mission Lands of San Diego into R-1 Zone, as defined by Section 101.0405 of the San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received June 10, 1953 from 3 bidders for furnishing 81 3-section, single tier metal lockers for the Police Department, was presented. It states that the low bid of Nelson Thomas Company, the low bidder, required 40 days for delivery after receipt of order, and recommends award to Gould Hardware & Machinery Co., of San Diego, at a net price of \$20.44 per locker plus State Sales Tax, with immediate delivery.

RESOLUTION NO. 112579, recorded on Microfilm Roll No. 65, accepting bid of

Gould

Hardware & Machinery Co. for furnishing 81 lockers; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego said contract pursuant to 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 for furnishing 80 38-Calibre Military and Police Revolvers, was presented. It reports that 4 bids were received June 10, 1953, and recommended award to F. Morton Pitt Co., of San Gabriel, California, at \$42.25 each; terms 2%, 30 days, plus State Sales Tax.

RESOLUTION NO. 112580, recorded on Microfilm Roll No. 65, accepting bid of F. Morton Pitt Co., for furnishing 80 38-Calibre Military and Police Revolvers; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego said contract pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, recommending rejection of bids for removal and disposal of trees and replacement of sidewalks at various locations received from one bidder although ten were contacted. The report states that the bid of Callahan Brothers in the sum of \$5,473.50 being 128.1% above the City Engineer's estimated; and recommended its rejection.

RESOLUTION NO. 112581, recorded on Microfilm Roll No. 65, rejecting bids received June 11, 1953, by the Purchasing Agent, for removal and disposal of certain trees and replacement of curbs and sidewalks at various locations, 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 received by the Purchasing Agent June 10, 1953, from 6 bidders for furnishing Copper Tubing and Copper Fittings for the Water Department, was presented. It recommended acceptance of low bid of Mission Pipe & Supply Co. for furnishing Items 1, 2, 3, 4. It reported that Mission Pipe & Supply Co., and Industries Supply Co. of San Diego were co-low bidders for furnishing items 5 through 28; that award was decided between the bidders by lot and award recommended to Industries Supply Co.

RESOLUTION NO. 112582, recorded on Microfilm Roll No. 65, accepting bid of Mission Pipe & Supply Co. for furnishing copper tubing: Item 1, 25,000 ft. 3/4" tubing at \$.3547 per ft.; Item 2, 1,000 ft. 1" copper tubing @ \$.4424 per ft.; Item 3, 500 ft. 1-1/2" copper tubing @ \$.7171 per ft.; Item 4, 1,000 ft. 2" copper tubing @ \$1.0594 per ft.; terms 1/2 of 1% 30 days, plus State Sales Tax; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego said contract pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112583, recorded on Microfilm Roll No. 65, accepting bid of Industries Supply Co. of San Diego for furnishing Copper Fittings, items 5 to 28 inclusive, at a total of \$7,567.87, terms 2% 30 days, plus State Sales Tax; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego said contract pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received June 10, 1953, for installation of traffic signals and safety lighting at the intersections of "B" Street at State Street, First and Third Avenues, was presented. It recommended award to California Electric Works, low bidder, in the amount of \$31,362.00 - 5.2% below the estimate of the City Engineer. (Also on C St.)

RESOLUTION NO. 112584, recorded on Microfilm Roll No. 65, accepting bid of California Electric Works for installation of traffic signals and safety lighting at the intersections of "B" Street at State Street, First and Third Avenues; "C" Street at First and Third Avenues; awarding contract, authorizing and instructing the Manager to execute on behalf of The City of San Diego said contract pursuant to 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 for installation of traffic signals and safety lighting at the intersection of "B" Street at 7th and 8th Avenues, "C" Street at 8th and 9th Avenues, and Broadway at 9th Avenue, received from 2 bidders on June 10, 1953, was presented. It recommended award to Ets-Hokin & Galvan, low bidder, in the sum of \$30,971.00 - being 4.7% below the estimate of the City Engineer.

RESOLUTION NO. 112585, recorded on Microfilm Roll No. 65, accepting bid of Ets-Hokin & Galvan for installation of Traffic Signals and Safety Lighting at the intersections of "B" Street at 7th and 8th Avenues, "C" Street at 8th and 9th Avenues, and Broadway at 9th Avenue, for the sum of \$30,971.00; awarding contract, authorizing and instructing the City Manager to execute on behalf of The City of San Diego said contract pursuant to plans and 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, for installation of Traffic Signals and Safety Lighting at the intersections of Grape Street and Kettner Boulevard, and at India Street, and interconnection of Traffic Signals on Grape Street at the same location, received June 4, 1953, from 2 bidders, was presented. It recommended award to Ets-Hokin & Galvan, low bidder, in the amount of \$10,777.00 - 13.4% below the estimate of the City Engineer.

RESOLUTION NO. 112586, recorded on Microfilm Roll No. 65, accepting bid of Ets-Hokin & Galvan for installation of Traffic Signals and Safety Lighting at the intersections of Grape Street and Kettner Boulevard, and at India Street, and the interconnection of Traffic Signals on Grape Street at the same location, for the sum of \$10,777.00; awarding contract, authorizing and instructing the City Manager to execute on behalf of The City of San Diego said contract pursuant to plans and 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, authorizing the Purchasing Agent to advertise for bids for furnishing approximately 500 tons of Liquid Sodium Silicate for the Water Department to be used during period July 1, 1953, through December 31, 1953, in accordance with specifications on file in the office of the City Clerk bearing Document No. 470780, was presented.

RESOLUTION NO. 112587, recorded on Microfilm Roll No. 57, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with approximately 500 tons of Liquid Sodium Silicate during period July 1, 1953, through December 31, 1953, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file in the office of the City Clerk bearing Document No. 470780, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112588, recorded on Microfilm Roll No. 65, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for reconditioning Camp Callan Elevated Water Tank, consisting of removal of all rust, scale and loose paint, cleaning all surfaces, repairing certain portions of the interior and exterior surfaces and appurtenances, painting all surfaces and installing cathodic protection facilities, bearing Document No. 470781; 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 Burgener, adopted.

RESOLUTION NO. 112589, recorded on Microfilm Roll No. 65, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of concrete gutter and the reconstruction of curb returns at 37th Street and University Avenue, bearing official Document No. 470782; 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 Schneider, adopted.

RESOLUTION NO. 112590, recorded on Microfilm Roll No. 65, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of a Park Maintenance Shops Building, Paint Storage Building, and Gasoline-Oil Service Station Building in Balboa Park, bearing official Document No. 470783; 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. 112591, recorded on Microfilm Roll No. 65, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Storm Drain in Lots 3 and 4 Lomas De La Jolla No. 1 (Linda Rosa Avenue and Forward Street), bearing official Document No. 470784; 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. 112592, recorded on Microfilm Roll No. 65, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for small water main replacements, Group IX, 1952-53, in various locations, bearing official Document No. 470760; 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 Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of Don Terrace Unit No. 2, subject to posting of a bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 112593, recorded on Microfilm Roll No. 65, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a

contract with Emmet A. Ries and Neva M. Ries, husband and wife, for installation and completion of unfinished improvements and setting of monuments required for Don Terrace Unit No. 2; directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112594, recorded on Microfilm Roll No. 65, adopting Map of Don Terrace Unit No. 2, a subdivision of portion of Lot 20 La Mesa Colony; accepting on behalf of the public portion of a street and unnamed easements shown thereon, to-wit: Catherine Avenue, portion of Acrosn Street, unnamed easements for public purposes; dedicating the same to the public use; authorizing and directing The City Clerk to endorse upon said map as and for the act of the Council that said street, portion of street, and unnamed easements are accepted on behalf of the public as hereinbefore stated; directing the City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition to close all of the Alley lying southeasterly of and immediately adjacent to Lots 1 thru 7 Block D Wells & Lane's Tecolote Heights; all of Alley lying between Lots 12 and Lot 8 to 11 incl. Block D of said subdivision, was presented. In addition to making a detailed report, said communication recommended the closing as requested.

RESOLUTION NO. 112595, recorded on Microfilm Roll No. 65, granting petition for closing of the Alleys in Block D Tecolote Heights adjacent to Lots 1 through 7 and between Lot 12 and Lots 8 through 11, as recommended by the Street Superintendent; directing the City Engineer to furnish a description of lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing, was on motion of Councilman 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 the Alley in Block G Wells & Lane's Tecolote Heights, between February Street and Burgener Boulevard, was presented. In addition to making a detailed report, said communication recommended the closing as requested.

RESOLUTION NO. 112596, recorded on Microfilm Roll No. 65, granting petition for closing Alley in Block G Tecolote Heights, as recommended by the Street Superintendent; directing the City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition to close all of the Alley lying westerly of Block A and Lots 1, 15, 16 and 17 Block D Wells & Lane's Tecolote Heights, except the westerly 20 feet thereof, was presented. In addition to making a detailed report, said communication recommended the closing as requested.

RESOLUTION NO. 112597, recorded on Microfilm Roll No. 65, granting petition for closing of the 30-foot North-South Alleys between the southerly line of July Street and the northerly line of August Street, adjacent to Block A Tecolote Heights; and the southerly continuation of said alley between the southerly line of August Street and the westerly extension of the southerly line of Lot 17 Block D Tecolote Heights, as recommended by the Street Superintendent; directing the City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition to close portion of Fairfield Street and Clairemont Drive, was presented. In addition to making a detailed report, said communication recommended the closing as requested.

RESOLUTION NO. 112598, recorded on Microfilm Roll No. 65, granting petition for closing of Clairemont Drive and Fairfield Street, as recommended by the Street Superintendent; directing the City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from John C. Dement, M.D., Chief, Division of Local Health Service, State of California Department of Public Health, informing the governing bodies of California Cities and Counties in accordance with Section 1153 of the Health and Safety Code, of the amount of State public Health assistance funds which will be available for the general support of the local health department in 1953-54 fiscal year, was presented. (San Diego County's allocation is \$160,839.

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

Communication from Dr. Frank J. Dingeman, 3125 Dickens, requesting hearing before the Council this date, was presented. At the request of the Council, the communication was read to the Council by the Clerk: "----I promised to build 4 3-bedroom places in form of 2 duplex. The Planning Commission granted me a variance May 4/53 so I can get

get into only manhole I could use. Which I put in myself 33 years ago & not 3 inches of new sewer has been put in East: people on 33rd go into my sewer. I am sending the other material along so you can look over before meeting. I am trying my best to get Mr. Radar & Mr. Bloom to give me a chance to get into property: a bulldozer could do it in 4 hours. Thanking you in advance. Dr. Frank J. Dingeman, age 72, 3125 Dickens. My mother 93 paralyzed & dying for 3 years & 1/2 in Bed. 3 nurses & housekeeper \$30 a day."

Asked about the matter by members of the Council, Glem A. Rick, City Planning Director, said that he does not know about the matter.

Dr. Dingeman said that he had a permit for 60 days, and that the Water Department has filled a right of way on his property. As a result, it is 9 feet high, he stated. He told of having filled in Elm St. He said he can't get in either way.

Dr. Dingeman told about having to get in touch with the City Manager, but that City Manager Campbell was not there. Mr. Blom knows about it, the speaker stated. He told about future experiences with City people. He stated that \$1600.00 worth of work was put in for a man out on probation from the penitentiary. He said that he has been put off by Mr. Radar and by Mr. Blom. Dr. Dingeman declared that he has to go into court in the matter. There is something rotten in Denmark, according to him. He has owned the property 42 years, he stated.

City Manager O. W. Campbell told the Council that there is a "paper street" involved. The property faces on that paper street, he stated, and told about having dumped dirt there. He stated that he had asked for a plan, so it can be determined what to do.

Dr. Dingeman said that he could get in with Street Department help. He told again about the property having been filled in to prevent getting into the property. He said that he did not want to spend money for the plans requested by the Manager.

Mrs. Dingeman was heard at this time, and told about having gone to the Water Department. She told the Council that Mr. Miller, who owned the property, having not told the Water Department about the right of way (on which the dirt was dumped). Mr. Miller is in error by not telling about the right of way, she said.

Dr. Dingeman had photostat and photographs of the property which he showed to the Council. The building will be back 75 feet, he stated, with 2 duplexes and 2 bedrooms each, which are to be built. He stated that he has 10 lots at the location in question, and that he cannot get into the property.

Councilman Schneider told the Council that he has looked at the property, on request of Dr. Dingeman. He declared that the fill referred to interferes with access. He stated that he does not know about the reasons or the disagreement.

The City Manager told the Council that the matter will be corrected, when he sees plan of what is to be done.

Dr. Dingeman was heard again. He stated that the City built up 4 to 9 feet on private property - on a right of way.

Councilman Schneider pointed out to Dr. Dingeman that the filling was on the Miller property; not on the City property.

The City Manager stated that there is a private issue involved, and that the City is interested in the street only.

Dr. Dingeman stated that the man in question is a man "with a terrible reputation, but that he gets the work done."

The City Manager told about the property being eroded, and no one being able to get in for years.

Councilman Schneider moved to refer the matter to the City Manager for any adjustment he can make.

Councilman Winco te asked if the City unknowingly threw the dirt on the right of way referred to by Dr. Dingeman.

The Mayor said that it had been done at the request of Miller, on the right of way.

Councilman Dail seconded the motion, and added to it a direction to the City Manager that he report back to the Council.

(The photographs and other papers attached thereto were returned to Dr. Dingeman, at his request).

The roll was called on the motion, resulting in:

Referring to the City Manager the request of Dr. Frank J. Dingeman, 3125 Dickens, San Diego, his written communication, for whatever adjustment he can make - and directing that a report be made back to the Council.

Communication from Western Area Housing Company, 3360 Murray Ridge Road, San Diego 11, dated June 10, 1953, signed by Harold F. Pettee, Jr., Vice Pres., was presented. It states that the company is in the final stages of completing construction of an 894-unit rental housing (Wherry) project located just south of Gibbs' Airport, that at the present time there are living in the project approximately 750 families and the occupancy will soon increase to almost 900 families. It states that all of those families enter into and depart from the project on Aero Drive where it intersects with Cabrillo Freeway, U.S. Highway 395. In addition to making other statements, it requests that investigation of traffic conditions at the intersection be made toward the end that appropriate signal lights be installed there with operation at least during peak periods of traffic load.

Communications from Jessie M. Babb, 4196 Cleveland Ave., San Diego 3; Lew E. Johnson, 858 Thomas Street, San Diego 9; Mrs. Amos J. Fuson, 1640 Brookes Ave., San Diego 3; M. F. Woodward; Jonathan E. Wagar, 621 Medford St.; James P. Roe; Amos J. Fuson, 3823 El Cajon Boulevard - all favoring decontrol of rent, were presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communications were ordered filed.

(A Resolution on this subject will be found at the end of the Minutes for this Meeting.)



Communication from American Guild of Variety Artists, signed by Irvin P. Mazzei, Ass't to Edward Rio, Western Regional Director, 6758 Hollywood Boulevard, Hollywood 28, Calif., was presented. The communication advises that the organization takes exception to the discriminatory law proposed which would require registration of all entertainers with the Police Department, that they be fingerprinted and licensed by the Police Department in order to work in the San Diego night clubs, theatres, etc.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was referred to the City Manager and to the City Attorney - to "the file".

Communication from Nathaniel Poole Agency, 722 Bank of America Building, San Diego 1, signed by N. Poole, congratulating the Mayor and Members of the Council for returning to the City Attorney the proposed amendment to the ordinance that would require registration of all entertainers and several words of his own against any such amendment, was presented. It states, among other things, that as a Theatrical Agency Proprietor, a Franchised member of the American Guild of Variety Artists and Musician's Union, a registered voter in the City of San Diego and an American citizen, the writer protests against the proposed amendment. It also asks that copies of the proposed amendment to the San Diego Municipal Code be made available for study and comment.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communications were referred to the City Manager and to the City Manager - to "the file".

RESOLUTION NO. 112599, recorded on Microfilm Roll No. 65, directing notice of filing of the Street Superintendent's Assessment No. 2141 made to cover the costs and expenses of the work done upon 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 Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112600, recorded on Microfilm Roll No. 65, directing notice of filing of the Street Superintendent's Assessment No. 2142 made to cover the costs and expenses of the work done upon the installation of sewers in Nashville Street, Lapwai Street, Western Street, LaSalle Street and Jupiter Street, within the limits and as particularly described in Resolution of Intention No. 107941, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD NO. 112601, recorded on Microfilm Roll No. 65, accepting bid of Callahan Bros., a co-partnership, and awarding contract, for the paving and otherwise improving of the Alleys in Block 43 Normal Heights, within the limits and as particularly described in Resolution of Intention No. 111457, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

A written report from the City Engineer states that the low bid is 17.9% below the estimate.

RESOLUTION OF AWARD NO. 112602, recorded on Microfilm Roll No. 65, 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 Talmadge Park Lighting District No. 2, for a period of one year from and including March 1, 1953, to and including February 28, 1954, in accordance with the Engineer's Report and Assessment filed March 27, 1953 in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112603, recorded on Microfilm Roll No. 65, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 3 City Heights, filed in the office of the City Clerk under Document No. 470541; approving Plat No. 2467 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 Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112604, recorded on Microfilm Roll No. 65, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the East and West Alley in Block 43 W. P. Herbert's Subdivision, the North and South Alley in Block 43 W. P. Herbert's Subdivision, filed in the office of the City Clerk under Document No. 470537; approving Plat No. 2450 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 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 Wincote, adopted.

07/10/55 307

RESOLUTION NO. 112605, recorded on Microfilm Roll No. 65, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of E Street, filed in the office of the City Clerk under Document No. 470543; approving Plat No. 2468 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 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 Wincote, adopted.

RESOLUTION NO. 112606, recorded on Microfilm Roll No. 65, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Haines Street, filed in the office of the City Clerk under Document No. 470539; approving Plat No. 2443 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 Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112607, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of the Alley in Block 109 Central Park, within the limits and as particularly described in Resolution of Intention No. 111921, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112608, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of the Alley in Block 80 City Heights, and Dwight Street, within the limits and as particularly described in Resolution of Intention No. 111922, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112609, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of Jennings Street, Albion Street and Silvergate Avenue, within the limits and as particularly described in Resolution of Intention No. 111923, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112610, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of Monte Vista Avenue, within the limits and as particularly described in Resolution of Intention No. 111924, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112611, recorded on Microfilm Roll No. 65, for the furnishing of electric current for the lighting of the ornamental street lights located in Kensington Manor Lighting District No. 1, for a period of one year from and including May 1, 1953 to and including April 30, 1954, in accordance with plans and specifications contained in the Engineer's Report and Assessment filed May 1, 1953 in the office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 112612, recorded on Microfilm Roll No. 65, for the furnishing of electric current for the lighting of the ornamental street lights located in Five Points Lighting District Number One, for a period of one year from and including August 5, 1953 to and including August 4, 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 112613, recorded on Microfilm Roll No. 65, for the furnishing of electric current for the lighting of the ornamental street lights located in Ocean Beach Lighting District Number One, for a period of one year from and including August 14, 1953 to and including August 13, 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 112614, recorded on Microfilm Roll No. 65, for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District Number One, for a period of one year from and including August 7, 1953, to and including August 6, 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112615, recorded on Microfilm Roll No. 65 - Intention - for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District Number Three, for a period of one year from and including August 7, 1953, to and including August 6, 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112616, recorded on Microfilm Roll No. 65, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 1, for a period of one year from and including March 1, 1953, to and including February 28, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112617, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of the Alley in Block 3 City Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112618, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of the Alleys in Block 43 W. P. Herbert's Subdivision, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112619, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of E Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112620, recorded on Microfilm Roll No. 65, for the paving and otherwise improving of Haines Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112621, recorded on Microfilm Roll No. 65, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 43 Chas. Hensley's Subdivision, and 26th Street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112622, recorded on Microfilm Roll No. 65, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 5 Ocean Beach, and the Alley in Block 24 Ocean Beach, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112623, recorded on Microfilm Roll No. 65, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 139 University Heights, Tyler Avenue, and Public Rights of Way, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112624, recorded on Microfilm Roll No. 65, ascertaining and declaring the wage scale for the paving and otherwise improving of Plantano Street, Castana Street, Nogal Street, Escuela Street, Cereza Street, Imperial Avenue and Public Rights of Way, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112625, recorded on Microfilm Roll No. 65, ascertaining and declaring the wage scale for the paving and otherwise improving of Russell Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112626, recorded on Microfilm Roll No. 65, ascertaining and declaring the wage scale for the paving and otherwise improving of Scott Street, Ingelow Street and Jarvis Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112627, recorded on Microfilm Roll No. 65, ascertaining and declaring the wage scale for the paving and otherwise improving of 62nd Street and Fergus Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.



RESOLUTION NO. 112628, recorded on Microfilm Roll No. 65, 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 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 110651 and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112629, 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 the Alley in Block 17 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 110652 and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112630, recorded on Microfilm Roll No. 65, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the installation of 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 Resolution of Intention No. 109911 and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112631, recorded on Microfilm Roll No. 65, granting petition contained in Document No. 470214 for the paving and otherwise improving of Rialto 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, including installation of sidewalks on Temecula Street and Rialto Street; directing the City Engineer to consolidate assessment district with district heretofore ordered by Resolution No. 111280, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112632, recorded on Microfilm Roll No. 65, granting petition contained in Document No. 470213 for the paving and otherwise improving of West Arbor Drive, between Ingalls Street and Ibis 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 said improvement, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112633, recorded on Microfilm Roll No. 65, granting M. H. Golden Construction Company permission to install sewers, water mains and appurtenances, and storm drains in Landon Street northerly of Sherman Street, and in Public Rights of Way in Pueblo Lot 283 by private contract, in accordance with plans, etc., filed in the office of the City Clerk and furnished by the City Engineer under Document No. 470533, on the conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112634, recorded on Microfilm Roll No. 65, establishing Parking Time Limit of Two Hours, between the hours of 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted, on India Street between the northerly line of Grape Street and the southerly line of Hawthorn Street; establishing a parking meter at said location; directing the City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing and directing installation of the necessary signs and markings; repealing all resolutions or parts of resolutions in conflict, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112635, recorded on Microfilm Roll No. 65, authorizing and empowering the City Manager to do all the work in connection with installation of 273 feet of six-inch water main on Ingelow Street, from Rosecrans Street to the west property line of Scott Street; 207 feet of six-inch water main on Scott Street, between Ingelow Street and Jarvis Street; installation of six-inch two-way fire hydrant at the southeast corner of Jarvis and Scott Streets, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Water Department, Division of Distribution, has recommended said installation, that the City Manager has submitted estimates for said work, and has indicated that it can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 112636, recorded on Microfilm Roll No. 65, authorizing the City Manager to employ V. R. Dennis Construction Company to place fill of approximately 150 cubic yards westerly of the guard fence, in connection with improvement of Newton Avenue; cost of work not to exceed \$150.00, which sum shall be payable from funds appropriated by Ordinance No. 5341 (New Series of the ordinances of the City of San Diego, was

on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City has heretofore entered into contract with V. R. Dennis Construction Company, for grading, paving and otherwise improving of Newton Avenue westerly of 43rd Street for approximately 720 feet under a 1911 Street Improvement Act proceeding; that in order to provide a solid base for the guard fence and stabilize the paving for the westerly end of the work, it is necessary to place said fill.

RESOLUTION NO. 112637, recorded on Microfilm Roll No. 65, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego an agreement with the 22nd Agricultural District for employment of two girls to serve as attendants in the City's Exhibit at the County Fair, under terms and conditions set forth in form of agreement on file in the office of the City Clerk as Document No. 470976, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112638, recorded on Microfilm Roll No. 65, authorizing the City Manager to enter into lease agreement with Wilbur Folsom for operation of a public tennis shop at Morley Field, said lease agreement to be for a term of 5 years and to call for a minimum guarantee of \$50.00 per month or 5% of the gross receipts, whichever is the larger, under terms and conditions as set forth in form of lease agreement on file in the Office of the City Clerk as Document No. 470978, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112639, recorded on Microfilm Roll No. 65, authorizing the City Manager to execute for and on behalf of The City of San Diego agreement with William G. Litton and Andrew Rock to represent the Park and Recreation Director in assignment of boat moorings and collection of permit fees in form of agreement on file in the office of the City Clerk as Document No. 470991, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112640, recorded on Microfilm Roll No. 65, authorizing the City Manager to execute, for and on behalf of The City of San Diego, an agreement with Dr. Carl Wilson, of the City of Los Angeles, California, Consulting Technologist on water purification, for services for one year beginning July 1, 1953, at a monthly compensation of \$100.00 in connection with purification of the City's water supply, introduction of mechanicals, operation of filter plants, control of algae growth in reservoirs, etc., in accordance with terms and conditions outlined in said agreement, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112641, recorded on Microfilm Roll No. 65, resolving that as provided in Section 3(a) of the lease between the City and Mission Beach Company, the event rental due the City for use of Mission Beach ballroom by the Junior League of San Diego, Ltd., for its rummage sale on the 2nd, 3rd and 5th of October, 1953, is waived; conditioned, however, upon similar waiver by the Mission Beach Company of any rental otherwise due for such use, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112642, recorded on Microfilm Roll No. 65, approving recommendation of the City Engineer dated May 12, 1953, and permission is granted to Golden Construction Company to improve 60-foot strip of land through Pueblo Lots 272 and 282 with 5" Portland cement concrete pavement, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the Company has dedicated to dedicate a 60-foot strip of land through said property and improve with 6" Portland cement concrete, offer accepted by Resolution No. 111830 adopted April 20, 1953; that the City Engineer under date of May 12, 1953, has recommended to the City Manager that the company provide 5" instead of 6" Portland cement concrete pavement.

RESOLUTION NO. 112643, recorded on Microfilm Roll No. 65, authorizing and empowering the City Treasurer - pursuant to provisions of Section 34090 of the Government Code of the State of California, and subject to consent in writing of the City Attorney - to destroy the following records in the office of said City Treasurer, which records are more than 5 years old, and have served their purposes and are no longer required:

- (1) All documents (stubs) evidencing receipt of interest and principal payments upon 1911 Street Improvement Act assessment that have been held in excess of five years from the date of payment;
  - (2) All 1911 Street Improvement Act bonds and coupons paid or cancelled that have been held in excess of 5 years from date of payment;
  - (3) All sales tax returns, license applications, and copies of licenses issued and other documents evidencing receipts and disbursements held in excess of 5 years from date upon which documents were issued;
- was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

371

RESOLUTION NO. 112644, recorded on Microfilm Roll No. 65, authorizing and directing San Diego Gas & Electric Company to install a 600-candle power overhead street light at each of the following locations:

ANDROS PLACE, at its northwesterly terminus;  
58TH STREET, at University Avenue; at its southerly terminus;  
58TH PLACE, approximately midway between 58th Street and southerly end of 58th Place;

OLYMPIC STREET, at Olympic Place; and  
58TH STREET, at Andros Place;  
was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112645, recorded on Microfilm Roll No. 65, authorizing the City Attorney to accept the amount of \$100.00 in full settlement of claim of the City of San Diego vs. Bay Equipment Company for damage to City-owned street lighting conduit and cable on April 7, 1953, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112646, recorded on Microfilm Roll No. 65, directing the City Auditor to draw his warrant in favor of E. J. Redmon and Melvin H. Sykes, Jr., doing business as Central Photo Supply Company, Ltd., in the amount of \$3,750.58 in full satisfaction of Judgment and Costs in Superior Court Case No. 177853, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112647, recorded on Microfilm Roll No. 65, approving claim of Ray W. Harris, on file in the office of the City Clerk under Document No. 467914 in the amount of \$86.88; directing the City Auditor to draw his warrant in favor of Ray W. Harris and Charles B. Provence in said sum in full payment of the aforesaid claim, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

\*

RESOLUTION NO. 112649, recorded on Microfilm Roll No. 65, approving claim of San Diego Transit System, on file in the office of the City Clerk under Document No. 469250, in the amount of \$150.32; directing the City Auditor to draw his warrant in favor of said San Diego Transit System in said amount in full payment of the aforesaid claim, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112650, recorded on Microfilm Roll No. 65, denying claim of Conrad B. Andersen and Lottie Andersen, on file in the office of the City Clerk under Document No. 462886, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112651, recorded on Microfilm Roll No. 65, denying claim of Lottie Andersen, on file in the office of the City Clerk under Document No. 462885, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112652, recorded on Microfilm Roll No. 65, denying claim of George L. Brown Sr. and Janet M. Brown, on file in the office of the City Clerk under Document No. 469888, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112653, recorded on Microfilm Roll No. 65, denying claim of Vincent Brown and Nurlean Brown, on file in the office of the City Clerk under Document No. 462887, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112654, recorded on Microfilm Roll No. 65, denying claim of Agnes S. Juelson, on file in the office of the City Clerk under Document No. 459506, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112655, recorded on Microfilm Roll No. 65, denying claim of Pacific Telephone and Telegraph Company, on file in the office of the City Clerk under Document No. 464799, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112656, recorded on Microfilm Roll No. 65, denying claim of Frank B. Thompson, on file in the office of the City Clerk under Document No. 469610, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

\* RESOLUTION NO. 112648, recorded on Microfilm Roll No. 65, approving claim of Vernon Parker in the sum of \$17.96; directing the City Auditor to draw warrant in favor of Vernon Parker in said sum, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.



RESOLUTION NO. 112657, recorded on Microfilm Roll No. 65, denying claim of Philip N. Weber, on file in the office of the City Clerk under Document No. 469628, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112658, recorded on Microfilm Roll No. 65, denying claim of Isaac O. Lias, on file in the office of the City Clerk under Document No. 467777, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112659, recorded on Microfilm Roll No. 65, accepting deed of J. Francis Mergen and Bubbles J. Mergen, bearing date of June 10, 1953, conveying easement and right of way for public sewer purposes in portion of Whitman Street, said street having been closed to public use by Resolution No. 109168; 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. 110795, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of the next ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 5647 (New Series), recorded on Microfilm Roll No. 65, appropriating the sum of \$8,600.00 from the Capital Outlay Fund, for the purpose of providing funds for construction of sanitary sewers in the Alley in Block I Plumosa Park, and Nipoma Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the reading of the next ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 5648 (New Series), recorded on Microfilm Roll No. 65, appropriating the sum of \$5,700.00 from the Unappropriated Balance Fund of The City of San Diego, and transferring the same to the City Clerk's Election Fund (Department 03.02), was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the reading of the next ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 5649 (New Series), recorded on Microfilm Roll No. 65, appropriating the sum of \$4,200.00 from the Unappropriated Balance Fund, for the purpose of providing funds for purchase of fertilizer sacking and handling equipment for the sewage treatment plant, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 5650 (New Series), recorded on Microfilm Roll No. 65, amending Section 31.0370 of the San Diego Municipal Code Regulating License Fee for Undertaking, Embalming, Funeral Directing and Crematory, and repealing Section 31.0370.1, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Proposed Ordinance appropriating \$11,800.00 from the Traffic Safety Fund, for the purpose of providing funds for installation of Traffic Signals and Safety Lighting at the intersections of Grape Street and Kettner Boulevard, and at India Street, and the interconnection of Traffic Signals on Grape Street at the same location, was on motion of Councilman Godfrey, seconded by Councilman Wincote, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

07/16/55 010

Proposed Ordinance appropriating \$450.00 from the Unappropriated Balance Fund, for the purpose of providing funds for change of grade on Shadowlawn Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Proposed Ordinance dedicating for street purposes portions of Lots 32 and "C" La Mesa Colony, and of Cajon Avenue and Alice Street vacated and closed to Public Use, and naming the same Montezuma Road and El Cajon Boulevard, was on motion of Councilman Schneider, seconded by Councilman Burgener, introduced, by the following vote, to-wit: Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Proposed Ordinance vacating an easement for sewer lines traversing portion of Pueblo Lot 1298, pursuant to Section 50443 of the Government Code of the State of California, was on motion of Councilman Wincote, seconded by Councilman Dail, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, 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 Council's agenda:

RESOLUTION NO. 112660, recorded on Microfilm Roll No. 65, recognizing the honor that has been bestowed upon The City of San Diego and upon John McQuilken Auditor and Comptroller of The City of San Diego in his election to the office of President of the Municipal Finance Officers' Association of the United States and Canada, and expressing congratulations to Mr. McQuilken, and also appreciation for the benefit conferred on this municipality, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The City Manager requested, and was granted unanimous consent to present the following three matters, listed under the next item - not on the Agenda:

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending that the final Map of Clairemont Village be approved, subject to posting of an adequate bond to insure installation of the required improvements.

RESOLUTION NO. 112661, recorded on Microfilm Roll No. 65, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego a contract with Mid-City Heights Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Clairemont Village; directing the City Engineer to present Ordinance establishing the official grades of all streets within said Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112662, recorded on Microfilm Roll No. 65, adopting Map of Clairemont Village, a subdivision of portion of Pueblo Lots 1223 and 1224; accepting on behalf of the public Ecochee Avenue, Forney Avenue, Epanow Avenue, Datcho Drive, Fox Avenue, Gila Court, Hiawatha Court, Hiawatha Way, Gila Avenue, Gros Ventre Avenue, Chippewa Court and unnamed easements shown 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; 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.

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

RESOLUTION NO. 112663, recorded on Microfilm Roll No. 65, authorizing and empowering the City Manager to do all the work in connection with the resurfacing of the center islands on Narragansett Street, west of Chatsworth Boulevard, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Director of the Public Works Department has recommended said work, 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.

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

RESOLUTION NO. 112664, recorded on Microfilm Roll No. 65, finding and determining that from evidence submitted to the Council at the public hearing held in the KFMB-TV public auditorium at 5th and Ash Streets, in The City of San Diego June 11, 1953, that there no longer exists such a shortage in rental housing accommodations as to require the continuation of rent controls in The City of San Diego, California; that because of such finding the President of the United States is respectfully requested to terminate the provisions of that portion of Title II of the Housing and Rent Act of 1947, as amended to date, which is applicable to The City of San Diego; authorizing and directing the City Clerk to forthwith send or cause to be sent to the President of the United States, at Washington, D.C., a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Resolution recites that pursuant to provisions of Section 204(j)(3)

of the Housing and Rent Act of 1947, as amended to date, the Council held the hearing referred to in said Resolution, that it was held after publication of ten days' notice as required; that the Council, after due and proper consideration of evidence submitted at said hearing is of the opinion that there no longer exists such shortage in rental housing accommodations as to require continuation of rent controls in The City of San Diego.

(Although said Resolution authorizes and directs the City Clerk to send the Resolution to the President of the United States, it was sent by Mayor John D. Butler and transmitted by personal letter).

At this time Mayor Butler announced that the cake presented to Councilman Charles C. Dail, in connection with service award for his service to the City of San Diego for 10 years, had been donated by the Bohemian Bakery. The Mayor stated that he had ordered it; that when the Bakery learned of its purpose they were pleased to contribute the cake.

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

The City Attorney's office was requested to prepare and present a Resolution authorizing Councilman Clair Burgener to go to Washington, D.C., in connection securing matching funds in connection with the Flood Control Channel and Entrance Channel to Mission Bay.

Douglas Deaper assured the Council that said Resolution would be available for presentation to the Council at its next meeting on June 18, 1953.

Councilman Burgener said adoption on that date would be in plenty of time.

There being no further business to come before the Council at this time, said Regular Meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Dail, at the hour of 11:58 o'clock A.M.

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, June 18, 1953

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 Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey,  
Mayor Butler.

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

Mayor Butler requested, and was granted, unanimous consent to present the next matter for consideration at this time - before beginning the regularly-scheduled items:

RESOLUTION NO. 112665, recorded on Microfilm Roll No. 65, urging the United States Government, through its representatives and officials, to give early consideration to the problems and conditions in connection with the Flood Control Channel and Entrance Channel to Mission Bay in The City of San Diego, and recognize the need for and grant such matching funds as may be necessary and as may be available for correction or alleviation thereof, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Said Resolution states that construction by the United States Corps of Engineers of the Flood Control Channel and Entrance Channel to Mission Bay, although bene-



ficial in every respect, has created certain undesirable and perilous conditions in connection therewith; that the conditions are attributable to cessation or interruption in the Federal Government's program of dredging said Channel to a safe depth; that the present shallow depth of said Channel in connection with prevailing wind and current conditions make the passage of said Channel ultra-hazardous and has caused much of life thereon, one vessel's difficulties along having resulted in deaths by drowning of six persons. It states, also, that the dangerous condition of the Channel prevents full utilization of the recreational and fishing facilities of Mission Bay; that the conditions are hazardous to the lives and detrimental to the interests of, among others, the many thousands of servicemen and those engaged in national defense industries in the area. The Resolution states that it is imperative that the aforesaid conditions be promptly corrected, albeit the cost thereof equitably should not and economically can not be borne by The City of San Diego alone.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Maurice F. and Charlotte S. Smith from the decision of the Planning Commission in denying permission to erect a five-foot high concrete block wall out beyond the setback line on Hanna Street, Lot 377 Westwood Hills No. 5, at 2123 Fieger St., Zone R-1, the report from the Zoning Committee, signed by D. E. South, was presented and read. It states that a 12-foot setback was established by the subdivider and approved by both the Planning Commission and the Council along the northerly side of Hanna Street. It reports that the plan submitted by the Smiths showed a 2-foot setback, that their appeal to the Council amends that to a 5-foot setback. The report points out that the Zoning Committee visited the property and found the granting of the wall, five feet high out beyond the setback would be the first setback suspension in the area and would set a precedent. It states that the building across the street on the corner maintains a 26-foot setback; the building to the east maintains a 6-foot 6-inch setback, where 5-foot setback was established and approved on the southerly side of Hanna Street. The report declares that the Committee could find no exceptional circumstances or unnecessary hardship involved, and denied the application by a vote of 3-0, suggesting to the applicant that a 3-foot high wall could be constructed along the front property line as permitted in the present fence Ordinance, or that a 5-foot high wall be built along the setback line.

Glenn A. Rick, City Planning Director, explained the setback to the Council, showed a plat and photographs across the table during a discussion between him and members of the Council.

Councilman Kerrigan told the Council that he had looked at the property, and expressed the opinion that a wall 5 feet high 5 feet back would be than the original request. He said that would enclose the back yard which is now open to the public. He stated that the proposal is agreeable to neighbors.

RESOLUTION NO. 112666, recorded on Microfilm Roll No. 65, sustaining the "modified request" contained in appeal of Maurice F. Smith, 2123 Fieger Street, from the decision of the Zoning Committee in denying by its Resolution No. 7428 to permit under Application No. 11986 construction of a block wall 5 feet high in the setback area on Lot 377 Westwood Hills No. 5, at the northeast corner of Fieger and Hanna Streets, in Zone R-1; overruling said decision; permitting construction of said block wall 5 feet high, 5 feet back from the Setback, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Mrs. Margaret K. Carter, 2673 Jonquil Drive, from the decision of the Zoning Committee in granting to Paul Wolcott, Jr., permission to build an addition to the existing residence with setback of 17-1/2 feet from the front property line, on Lot 10 Block L, Plumosa Park, at 2677 Jonquil Drive, in Zone R-1, Glenn A. Rick, City Planning Director, requested that the report be read.

Said report, dated June 5, 1953, signed by D. E. South, Senior Planning Technician, is as follows: "The Zoning Committee, at its last regular meeting May 27th, granted Mr. Paul Wolcott, Jr. permission to erect an addition to an existing residence at 2677 Jonquil Drive with a 17-1/2-foot setback instead of the average setback of 20 feet. Mrs. Carter, the adjoining property owner, appealed this decision of the Zoning Committee and Mr. Wolcott was contacted. He has agreed to observe the average setback of 20 feet and construction is now under way, and therefore this appeal need not be considered by the City Council and the property owners in the area will not be notified, as the variance will not now be necessary".

Discussion followed as to how the question would be resolved, and the appeal disposed of. It was suggested that the matter be filed, but the Mayor stated that for the record, the Clerk requested that a positive action be taken.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the appeal of Margaret K. Carter from the Zoning Committee's Resolution in granting Paul Wolcott, Jr., permission to build an addition to the existing residence with setback of 17-1/2 feet from the front property line, on Lot 10 Block L Plumosa Park, 2677 Jonquil Drive, in Zone, and variance granted by Said Resolution to the provisions of Municipal Code No. 101.0602 insofar as they relate to said property, was adopted.

However, before the roll was called, Councilman Wincote stated that "20 feet was O.K. with him", and wanted the matter filed.

Mr. Rick said that if the Council sustains the 17-foot line, if the property owner wishes to build out a bay window he can do so.

(A Resolution denying said appeal was not numbered - inasmuch as the action was considered later, and shown on Page 376 of these minutes.)

At this time the Council returned to the first order of business under appeal of Maurice F. and Charlotte S. Smith, at the request of Councilman Kerrigan.

Councilman Kerrigan stated that he thinks the ordinance regarding wall height in the setback area should be changed back to that provided in the original ordinance.

There was discussion between Councilmen Schneider and Kerrigan regarding

not permitting property owner to go more than 1 foot higher than the floor level, for such a wall. Councilman Schneider stated that on a side hill it is conceivable that such a wall would go up 10 feet.

The Mayor said that it was a question which could not be setted at this time, and suggested that it be referred to Council Conference.

RESOLUTION NO. 112667, recorded on Microfilm Roll No. 65, referring to Council Conference for consideration, the matter of ordinance provision for the height of walls erected in the setback area, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Councilman Schneider moved to reconsider the action taken (shown on page 375 of these Minutes) in connection with appeal of Mrs. Margaret K. Carter, 2673 Jonquil Drive, in connection with Zoning Committee Resolution No. 7439 which granted a variance to Paul Wolcott, Jr. to the provisions of Municipal Code No. 101.0602 for construction of addition to existing residence with 17-1/2 foot setback on Lot 10 Block L Plumosa Park.

RESOLUTION NO. 112668, recorded on Microfilm Roll No. 65, granting appeal of Mrs. Margaret K. Carter, 2673 Jonquil Drive, from the decision of the Zoning Committee in granting by its Resolution No. 7439 application No. 11918, for permission to build an addition to existing residence with setback of 17-1/2 feet from front property line on Lot 10 Block L Plumosa Park, at 2677 Jonquil Drive, in Zone R-1, and granting variance to the provisions of Municipal Code No. 101.0602 insofar as they relate to said property; overruling and denying said Zoning Committee decision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from M. J. Shelton, General Manager and Chief Engineer, La Mesa, Lemon Grove and Spring Valley Irrigation District, dated June 11, 1953, was presented. It presented petition relative to inclusion of City lands within the La Mesa, Lemon Grove and Spring Valley Irrigation for Inclusion Unit No. 1, covering lands owned by the City for pipe line right of way purposes. It requested Council authorizing for extension of the petition for such interests as the City may have within said unit (in connection with the Water Code of the State of California).

On motion of Councilman Schneider, seconded by Councilman Burgener, 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 reconstruction of safety lighting and traffic signal systems on Pacific Highway, Cedar Street to Laurel, and recommending award to California Electric Works, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said matter was continued to the meeting of next Tuesday - being June 23, 1953.

Communication from San Diego Municipal Employees' Assn., Inc., signed by Mary E. Harvey, Executive Secretary, calling the Council's attention to several problems in connection with lease on the City-owned Foster Park, was presented. Said communication, which has to do with property below San Vicente Reservoir, goes into considerable detail as to what the Association desires the City to do in connection with its lease.

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

Communication from Nell Cave, 4045 First Avenue, referring to inadequate service given by the San Diego Transit Company at certain times of the day, and offering opposition to increase of fares, was presented.

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

Communication from Rose (Mrs. Henry) Weinberger, 2404 Sixth Avenue, dated June 10, 1953, expressing approval of a proposal to construct a civic auditorium - the sooner the better - was presented.

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

The following communications - all having to do with the matter of rent control, were presented, but not read to the Council:

Mrs. Frank Meanea, Box 225, Jamul, Calif.; opposes administration rather than control;

Mrs. R. K. Corbett, (a lengthy letter, but no address shown) - although has difficulty with securing rentals, opposes control;

F. W. Fitzpatrick, no address shown - opposes control;

Carol Reid, 3530 - 5th Ave., San Diego 3, favors control;

Lottie M. Rubin, 4435 Campus Ave. - cheaper housing needed;

An unsigned letter from a 'long suffering owner' - favoring decontrol;

Florence (Mrs. Nels O.) Pierson, 3781 Hicock Street, apparently favoring control;

James L. Ballew, 4106 Highland Ave. - opposing control;

Mrs. Mildrum W. Rogers, Jr., 3435 Peckett Street - favoring control;

Kate Bresee, 294 H St., Chula Vista - favoring decontrol;

Harry A. Cross, 3781 - 37th St. - favoring decontrol;

Joe C. Monise, 3027 Lawrence St. - favoring decontrol;

Elmer A. Johnson, 5040 Narragansett St. - favoring decontrol;  
 F. W. Wagner, 4632 W. Pt. Loma Blvd. - favoring decontrol;  
 Fred J. Graham, 4650 Larkspur - favoring decontrol;  
 Jack T. Arneson, 2219 Mendocino Blvd. - favoring decontrol;  
 L. L. Wittenberg, 5105 W. Pt. Loma Blvd. - favoring decontrol;  
 Dick W. Arneson, 4741 Voltaire - favoring decontrol;  
 C. V. Bernardini, M.D. - favoring decontrol; (1007 - 5th Avenue)  
 Mrs. Arthur Nosler, 942 Glendale Street - favoring decontrol;  
 Mrs. Sophia Licari, 1336 Union Street - opposes "increase";  
 R. C. Singleton, 8661 Larsen Way, La Mesa - favoring decontrol.

RESOLUTION NO. 112669, recorded on Microfilm Roll No. 65, ratifying, confirming and approving Lease, a copy of which is on file in the office of the City Clerk as Document No. 470986, between the City of San Diego acting by and through the Harbor Commission, as Lessor, and Steve C. Ghio, as Lessee; directing the City Clerk to cause certified copies of said Resolution to be attached to the original and duplicate original of said lease, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

A communication from the Port of San Diego, signed by John Bate, Port Director, submitting said Lease, states that it covers 204 square feet of floor space in the United Taxi Building at the foot of Broadway; lease for term of 5 years replaces 5-year lease which is expiring; rental for the soft drink and popcorn stand is based upon 5% of gross income or \$50.00 per month, whichever is greater, was presented. It states that terms and provisions of said lease are in accord with established policy.

RESOLUTION NO. 112670, recorded on Microfilm Roll No. 65, authorizing and empowering the City Manager to do all the work in connection with disconnecting existing pumping and electrical equipment, and making connections, furnishing and installing connecting pipe, valves and meters for the Catalina Pumping Plant, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the Director of the Water Department has recommended said work, 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. 112671, recorded on Microfilm Roll No. 65, authorizing and directing the City Attorney to file petition with the Board of Supervisors of the County of San Diego, requesting that all taxes of record against Parcels 103 & 105 - Lots 53 & 56 City Gardens - together with all penalties and other expenses in connection therewith, be cancelled; that all deeds to the State for delinquent taxes be cancelled; and the City Attorney be authorized and directed to take whatever steps he may deem necessary otherwise to secure cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112672, recorded on Microfilm Roll No. 65, authorizing the City Manager to employ Griffith Company to grade the southerly portion of Thomas Avenue, and remove 3 trees from the area, at a cost of \$1.15 per cubic yard for excavation, a total of \$50.00 for removal of the trees, which cost is estimated at the sum of \$395.00, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City of San Diego has heretofore entered into contract with Griffith Company for paving and otherwise improving of Thomas Avenue between Jewell Street and Kendall Street under a 1911 Street Improvement Act proceeding; that in connection with said work it is necessary to grade the southerly portion of Thomas Avenue and remove 3 trees, which is addition to work provided in the proceedings; that said Company has offered to do the work at the prices stated, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112673, recorded on Microfilm Roll No. 65, authorizing and empowering the City Manager to enter into contract for and on behalf of The City of San Diego with O. D. Arnold & Sons, a partnership, subdivider of O. D. Arnold's Hazelwood Heights Unit No. 1 (formerly known as Don Diego Manor No. 1) providing for construction of extension of a 54" storm drain (being construction in said subdivision) across 54th Street and access road, to connect with existing storm drain in Furlow Heights Unit No. 3 Subdivision (Plans and Specifications on file in the office of the City Clerk as Document No. 470815, and Exhibit A attached to said Agreement), and for reimbursement by the City to the subdividers of \$5000.00 for the cost of the extended storm drain as requested by the City and not required by ordinance, upon execution and delivery to the City of Quitclaim Deed conveying to the City all right, title and interest of the subdividers in and to said storm drain facilities, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112674, recorded on Microfilm Roll No. 65, granting permission to Charles H. Brown, Town and Country Hotel (Camino del Rio, between Cabrillo Freeway and Highway 101, San Diego), to use 8" vitrified clay pipe for sewer main laterals with a 00.40" grade to connect to and conform to necessary grade in order to join extension to City sewer system; it being understood (1) that workmanship and materials used shall be up to standard set by the City; all joints to be mechanical type and laid to uniform grade; (2) elevation of buildings in development has been raised three feet above natural ground grade to facilitate proper operation of outfall system; and (3) request to apply to lateral mains only, all other waste lines to conform to code requirements for pipe sizes and grade;



proposed sewer to serve property located at above site, described as Lot 4 S.C.C. 1029 Pueblo Lot 1105; subject to approval of the Plumbing Inspection Section, Inspection Department, and City Manager's office, and on further conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112675, recorded on Microfilm Roll No. 65, granting permission to Charles W. Hitchcock, Jr., 4733 Cape May Avenue, San Diego 7, to install a 4" cast iron sewer pipe between the property line and the sidewalk, to be placed one foot outside the property line and run in a northerly direction, parallel to the westerly line of Lot 10 Block 13 Tres Lomas Subdivision, to point of intersection with public sewer, to serve property at 2531 Calle Serema; subject to approval of the Plumbing Inspection section of the Inspection Department, the Property Division, the Sewer section of the Engineering Department and the City Manager, upon conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112676, recorded on Microfilm Roll No. 65, granting permission to E. S. Jackson, owner (Allan R. Bradley, contractor, 636 Nautilus, La Jolla), to install 4" cast iron sewer line in the old San Diego Electric Railway right of way; to run in a westerly direction, parallel to the northerly line of Lot 6 Block 26 La Jolla Hermosa No. 2, to point of intersection with public sewer; to serve property at 6014 Beaumont Avenue; subject to approval of the Plumbing Inspection section of Inspection Department, property division, sewer section Engineering Department, and the City Manager; upon conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112677, recorded on Microfilm Roll No. 65, granting permission to Charlotte D. Young, 421 Retaheim Way, La Jolla, to install 2 14-foot driveways, as measured at the top of the full-height curb, on the southerly side of Retaheim Way between Electric Avenue and Dowling Drive, adjacent to Lot 60 La Jolla Gables; to be located at either side of the frontage to provide convenient off-street parking for two cars, and to be separated by a minimum of approximately 22 feet of full-height curb; off-street parking being desirable inasmuch as Retaheim Way has a narrow driveway - 30 feet; permitted on condition that curb breaking and construction of driveways to be in accordance with all rules, regulations and ordinances of The City of San Diego, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112678, recorded on Microfilm Roll No. 65, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, an agreement employing the services of Edna C. Barker as Bacteriologist II, in the Water Department Laboratory, during the period from June 18, 1953, to and including July 10, 1953, during the vacation of the regular bacteriologist, at a compensation of \$2.07 per hour for 2-1/2 hours per day, 5 days per week, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112679, recorded on Microfilm Roll No. 65, accepting subordination agreement, executed by William Gibbs Jr. and Barbara M. Gibbs, beneficiaries, and Southern Title and Trust Company, trustee, bearing date June 4, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 2 New Riverside, setting aside and dedicating to the public use for 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 certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112680, recorded on Microfilm Roll No. 65, accepting subordination agreement, executed by William Gibbs Jr. and Barbara M. Gibbs, beneficiary, and Southern Title and Trust Company, trustee, bearing date June 4, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 13 New Riverside, 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. 112681, recorded on Microfilm Roll No. 65, accepting subordination agreement, executed by San Diego Federal and Loan Association, beneficiary, and Southern Title and Trust Company, trustee, bearing date May 25, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 529 and 528 Clairemont Unit No. 5, to the right of way and easement for storm drain and 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 Kerrigan, adopted.

RESOLUTION NO. 112682, recorded on Microfilm Roll No. 65, accepting subordination agreement, executed by Union Title Insurance & Trust Company, beneficiary, and Silver Gate Building & Loan Association, trustee, bearing date June 4, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 2 to 12 inclusive Block 1 Emerson 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. 112683, recorded on Microfilm Roll No. 65, accepting deed of John M. McDaniel, bearing date May 15, 1953, conveying portions of the South Half of the North 26th of the West Half of the Southwest Quarter of Section 34 Township 16 South, Range 2 West, San Bernardino Meridian, being in Tract known as Rancho Ex-Mission, segregated interest; 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. 112684, recorded on Microfilm Roll No. 65, accepting deed of Raymond B. Talbot, as Tax Collector for the County of San Diego, bearing date May 20, 1953, conveying Lots M & N Block 2 Logan Park; S. 25 Ft Lot 2 Block 69 San Diego Homestead Union Sub.; W. of R/W Lot 9 Block 267, Lots 41 & 42 and E. of R/W Lots 43, 44, 45 Block 289 In South Chollas Addition; Lots 2 & 11 Block 8 In Wetmore & Sanborn's Add.; 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. 112685, recorded on Microfilm Roll No. 65, accepting deed of William Gibbs, Jr. and Barbara M. Gibbs, bearing date June 3, 1953, conveying easement and right of way for street purposes in portion of Lots 11 and 12 New Riverside, 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 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. 112686, recorded on Microfilm Roll No. 65, accepting deed of William Gibbs, Jr., and Barbara M. Gibbs, bearing date June 3, 1953, conveying easement and right of way for street purposes in portion of Lots 48 and 49 The Highlands, 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 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. 112687, recorded on Microfilm Roll No. 65, accepting deed of John Hansen, bearing date June 2, 1953, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 221; 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. 112688, recorded on Microfilm Roll No. 65, accepting deed of May K. Marshall, bearing date June 5, 1953, conveying easement and right of way for slope purposes in Lot 1 Block 71 Middletown 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. 112689, recorded on Microfilm Roll No. 65, accepting deed of Clairemont Company, bearing date May 25, 1953, conveying easement and right of way for storm drain and sewer purposes in portion of Lots 529 and 528 Clairemont Unit No. 5; 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. 112690, recorded on Microfilm Roll No. 65, accepting deed of Roy A. Cook and Virginia R. Cook, conveying easement and right of way for storm drain in portions of Lots 8, 9, 10, 11, 12, 13 Block 1 Emerson 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. 112691, recorded on Microfilm Roll No. 65, accepting deed of Cletus L. Kathol and Regina A. Kathol, bearing date January 30, 1953, conveying easement and right of way for water main purposes in portion of Lot 143 National Vista; authorizing and 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112692, recorded on Microfilm Roll No. 65, authorizing Councilman Clair W. Burgener to go to Washington, D.C., from June 20th to June 24th, inclusive, for the purpose of conferring with Federal officials re matching federal funds for Mission Bay Channel dredging and for disposal of Linda Vista units; authorizing him to incur all necessary expenses in connection with said trip, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 5651 (New Series) recorded on Microfilm Roll No. 65, appropriating the sum of \$1,100.00 from the Traffic Safety Fund for the purpose of providing funds for purchase of parking control signs and bases, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 5652 (New Series), recorded on Microfilm Roll No. 65, appropriating the sum of \$500.00 from the Unappropriated Balance Fund, for the purpose of providing funds for purchase of Park Benches, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

In connection with the next Ordinance, the City Manager made a verbal report for Council information

On motion of Councilman Godfrey, seconded by Councilman Burgener, the reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 5653, recorded on Microfilm Roll No. 65, authorizing the City Manager to execute recision of lease involving portion of Pueblo Lot 1101, with Silver Terrace Bayview Acres Improvement Association, Inc., on terms and conditions set out in form on file in the office of the City Clerk as document No. 471121, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

(The lease from the City is for the purpose of constructing, developing, and operating a community social and recreational center under and pursuant to Ordinance No. 5528 (New Series) - it now being determined that a mutual mistake of fact was made by the parties making it impossible to perform the contract.)

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the reading of the next proposed Ordinance in full prior to passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 5654 (New Series), recorded on Microfilm Roll No. 65, dedicating portion of Pueblo Lot 1258 for a portion of a public highway, and naming the same Fay Avenue; repealing all ordinances or parts of ordinances in conflict; was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Proposed Ordinance appropriating the sum of \$19,000.00, from the Capital Outlay Fund, for the purpose of providing funds for reconstruction of Safety Lighting and Traffic Signals on Pacific Highway, Cedar Street to Laurel Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, continued to the meeting of next Tuesday - June 23, 1953.

The proposed Ordinance establishing grade of the Alley in Block 196 Pacific Beach, between the easterly line of Cass Street and the westerly line of Dawes Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.



Proposed Ordinance establishing grade of the Alley in Block 197 Pacific Beach, between the easterly line of Dawes Street and the westerly line of Everts Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced.

Proposed Ordinance establishing the grade of the Alley in Block 224 Pacific Beach, between the westerly line of Cass Street and the easterly line of Bayard Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced.

Proposed Ordinance establishing the grade of the Alley in Block 225 Pacific Beach, between the westerly line of Bayard Street and the easterly line of Mission Boulevard, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced.

Proposed Ordinance establishing grade of Catoctin Drive, between the westerly prolongation of the southerly line of Saranac Street and the northerly line of Montezuma Road, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced.

Proposed Ordinance establishing grade of Lehigh Street, between the southwesterly line of Tonopah Avenue and the northeasterly line of Morena Boulevard, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced.

Proposed Ordinance establishing grade of Nashville Street, between the northeasterly line of Morena Boulevard and a line at right angles northerly to the southerly line of Nashville Street from a point thereon distant 105.65 feet westerly from the most northerly corner of Lot 26 Hazard Tract No. 1, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced.

Proposed Ordinance establishing grade of Tonopah Avenue, between a line parallel to and distant 8.00 feet northwesterly from the northeasterly prolongation of the northwesterly line of Lehigh Street, bearing N 36° 11' E, and a line parallel to and distant 66.00 feet southeasterly from said parallel line, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced.

Proposed Ordinance incorporating portion of Lot 1 Block 1 Rosedale; and portions of Lots 8 and 9 The Highlands, portions of Lots 72 and 78 Rancho Mission, into R-4, "C-P" and "C" Zones, repealing Ordinance No. 5252 (New Series) insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, introduced.

A hearing on said Ordinance was set for ~~for~~ the hour of 10:00 o'clock A.M., Thursday, July 9, 1953.

Proposed Ordinance incorporating Lot 648 Lomita Village Unit No. 4 into "R-2" Zone, and repealing Ordinance No. 117 (New Series) insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Dail, introduced.

A hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., Thursday, July 9, 1953.

Proposed Ordinance incorporating portion of Lot 9 La Mesa Colony into R-4 Zone, and repealing Ordinance No. 13558 insofar as it conflicts, was on motion of Councilman Wincote, seconded by Councilman Godfrey, introduced.

A hearing on said Ordinance was set for the hour of 10:00 o'clock A.M., Thursday, July 9, 1953.

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

The Manager stated that he had been requested by the Planning Director to introduce the matter.

Glenn A. Rick, City Planning Director, told the Council that proposal calls for a resubdivision of the property into larger lots.

In addition, a communication from the Planning Commission, signed by Harry C. Haelsig, submitted a final map of Balboa Vista Heights, with recommendation of approval, subject to posting of an adequate bond to insure installation of the required improvements.

RESOLUTION NO. 112693, recorded on Microfilm Roll No. 65, authorizing and directing the City Manager, for and on behalf of The City of San Diego, to execute a contract with Capital Incomes Corporation and Union Title and Trust Company, a corporation, as Trustee, for installation and completion of unfinished improvements and setting of monuments required for Balboa Vista Heights; directing the City Engineer to present ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112694, recorded on Microfilm Roll No. 65, adopting Map of

Balboa Vista Heights, being a Subdivision of portions of "Balboa Vista as outlined in said Resolution, including all of Webb Place, portion of Alley in Block 1 and portions of Lolly Circle, Blackton Drive, 55th Street, Laurel Street, Alleys, Place, Circle, Drive and Streets as shown on Map No. 2142, portions of Webb Place, Lolly Circle and Alley in Block B having been vacated and closed to public use; accepting on behalf of the public and declaring the same to be public street, portions of public streets, and alleys: Randlev Street, portions of Laurel Street, 55th Street and Blackton Drive, Alleys and portions of Lolly Circle; authorizing the Clerk of the City of San Diego to endorse upon said map as and for the act of the Council 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 Schneider, adopted.

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

RESOLUTION NO. 112695, recorded on Microfilm Roll No. 65, authorizing a member of the City Attorney's Office to go to Los Angeles, Riverside and Sun Valley, California, to investigate possible patent infringement by The City of San Diego; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Winco te, seconded by Councilman Burgener, adopted.

The Manager told the Council that an infringement is alleged relative to use by the City of San Diego of some product, but did not say what it was.

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

RESOLUTION NO. 112696, recorded on Microfilm Roll No. 65, authorizing Miss Clara Breed, City Librarian, and three members of the professional staff of the San Diego Public Library (not named in the Resolution), to attend the meeting of the American Library Association, to be held in Los Angeles June 21 through June 27, 1953; authorizing the incurring of all expenses in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Winco te, adopted.

The City Manager's requested, and was granted, unanimous consent to present the next two matters, which he explained to the Council:

RESOLUTION NO. 112697, recorded on Microfilm Roll No. 65, resolving that by the Council of The City of San Diego, Applicant, that agreement, a true and correct copy of which, including the Terms and Conditions, is attached thereto, and accepting the same without reservation or qualification, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Said Resolution states that there has been filed with the Government in behalf of The City of San Diego, an application for federal assistance under the Defense Housing and Community Facilities and Services Act of 1951, and the United States of America, acting by and through the Housing and Home Finance Administrator, transmitted to the Applicant for acceptance an Agreement of federal assistance in connection with the Project referred to in said application and described in said Agreement; stating that said Agreement has been duly read in open meeting, fully considered in accordance with all pertinent rules of procedure and legal requirements, and made a part of Applicant's public records; also, that it is deemed advisable and in the public interest that said agreement be accepted.

(Resolution adopted was a carbon copy; it having been determined through the City Manager's office that the original must go to the Federal Government).

Although none of the papers identify the matter, the City Manager's office advised that it is Redwood Village Standpipe.

RESOLUTION NO. 112698, recorded on Microfilm Roll No. 65, resolving that the Council of The City of San Diego, Applicant, that agreement, a true copy of which, including Terms and Conditions, is attached thereto, and accepting the same without reservation or qualification, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Said Resolution states that there has been filed with the Government in behalf of The City of San Diego, an application for federal assistance under the Defense Housing and Community Facilities and Services Act of 1951, and the United States of America, acting by and through the Housing and Home Finance Administrator, has transmitted to the Applicant for acceptance an Agreement of federal assistance in connection with the Project referred to in said Application and described in said Agreement; stating that said Agreement has been duly read in open meeting, fully considered in accordance with all pertinent rules of procedure and legal requirements, and made a part of the Applicant's public records; also, that it is deemed advisable and in the public interest that said agreement be accepted.

(Resolution adopted was a carbon copy; it having been determined through the City Manager's office that the original must go to the Federal Government).

Although none of the papers identify the matter, the City Manager's office advises that it is Catalina Street Project, Harbor Drive.....

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

Douglas Deaper, Deputy City Attorney, spoke relative to the previous Resolution on temporary housing, and told the Council that a new Resolution need to be adopted.

The City Manager stated that the original was not in proper form, that details need to be amended. In addition, he said that he was anxious to get the application in to Washing by June 30, 1953.

RESOLUTION NO. 112699, recorded on Microfilm Roll No. 65, amending the request of the Council pursuant to Resolution No. 111328 adopted on the 26th day of March, 1953, pursuant to Title VI of the Lanham Act, relative to requesting transfer of temporary housing, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Attached to said Resolution was a certificate of the City Attorney, signed by Douglas D. Deaper, with respect to relinquishment and transfer of the Government's right, title and interest in and with respect to housing more fully described therein. It gives an opinion relative to said Resolution being duly and legally adopted by the City Council, which is the governing body of the City. It states, further, that he is of the opinion that the City is a qualified and eligible applicant within the meaning of Title VI of the Lanham Act, Public Law 849, 76th Congress, as amended, and has legal authority to make the request, to accept the transfer of and operate the property involved and to perform its obligations under Title VI of the Lanham Act as amended.

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

Upon leaving the Council Chambers, the Mayor announced that members of the Council would go into Conference.

ATTEST:

FRED W. SICK, City Clerk

By

*August M. Haskins*  
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, June 23, 1953

Present--Councilmen Wincote, Schneider, Dail, Mayor Butler  
Absent---Councilmen Burgener (in Washington D.C., on City business), Kerri-  
gan, Godfrey.  
Clerk----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, June 16, 1953, and of Thursday, June 18, 1953, were presented to the Council by the Clerk.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids, for the construction of a Fire Station Building for Fire Engine Company No. 25, at 1972 Chicago Street, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

Said bids, on motion made and seconded, were opened and publicly declared.

Said bids were as follows:

The bid of Rogers Construction Company, 3669 California Street, accompanied by bond written by United States Fidelity and Guaranty Company in the sum of 10% of the amount bid, which bid was given Document No. 471504;

Councilman Godfrey entered the meeting at this time.

The bid of Nielsen Construction Company, 3127 Jefferson Street, accompanied by bond written by United States Fidelity and Guaranty Company in the sum of 10% of the amount bid, which bid was given Document No. 471505;

The bid of Robert A. Christ dba Cast Stone Co., 1070 Morena Blvd., accompanied by bond written by The Travelers Indemnity Company in the sum of 10% of the amount of the bid, not to exceed \$7,000.00, which bid was given Document No. 471506;

The bid of Owen A. Champion and Lewis P. Hodson doing business as Champion Construction Co., accompanied by bond written by United States Guarantee Company, in the amount 10% of the total amount of the bid, which bid was given Document No. 471507.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids 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 Resolution of Intention No. 111679, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

Said bids, on motion made and seconded, 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 \$400.00, which bid was given Document No. 471508;

Councilman Godfrey was excused from the meeting at this time.

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 \$400.00, which bid was given Document No. 471509;

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 \$3,600.00, which bid was given Document No. 471510;

The bid of Lawrence B. Callahan and Richard W. Callahan, a co-partnership doing business as Callahan Bros., accompanied by bond written by Pacific Indemnity Company in the sum of \$400.00, which bid was given Document No. 471511.

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 Pacific Beach Drive, within the limits and as particularly described in Resolution of Intention No. 111680, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

Said bids, on motion made and seconded, 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 \$3800.00, which bid was given Document No. 471513;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$4,000.00, which bid was given Document No. 471514;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$4,000.00, which bid was given Document No. 471515;

Councilman Godfrey returned to the meeting at this time.

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. 471516;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$5,000.00 which bid was given Document No. 471517.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 2 for a period of one year from and including March 16, 1953 to and including March 15, 1954, the Clerk reported that one written 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 \$210.30 written by San Diego Trust and Savings Bank.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for hearing on the Street Superintendent's Assessment No. 2132 made to cover the cost and expenses of 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 No. 108279, 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 protests were presented.

RESOLUTION NO. 112700, recorded on Microfilm Roll No. 66, confirming and approving the Street Superintendent's Assessment No. 2132 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 7 City Heights Annex No. 2; 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 the same in his office, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for hearing on the Street Superintendent's Assessment No. 2133 made to cover the costs and expenses of 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, the Clerk reported that no written appeals has 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. 112701, recorded on Microfilm Roll No. 66, confirming and approving the Street Superintendent's Assessment No. 2133 made to cover the cost and expenses of 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; 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 the same in his office, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for hearing on the Street Superintendent's Assessment No. 2134 made to cover the costs and expenses of 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 written appeals had been received from Carrie Knapp, Orville R. Vashaw, Mr. & Mrs. Lynn Marie Hamilton, Robert Pavich, which appeals were presented to the Council.

The City Engineer reported verbally, that there was a 16.6% appeal, based on assessment area and on the cost.

The Mayor inquired if any interested affected property owners were presented who desired to be heard.

RESOLUTION NO. 112702, recorded on Microfilm Roll No. 66, overruling and denying the appeals of Carrie Knapp, Orville R. Vashaw, Mr. and Mrs. Lynn Marie Hamilton, Robert Pavich, filed in the office of the City Clerk from the Street Superintendent's Assessment No. 2134 made to cover the costs and expenses of the work of paving and otherwise improving of Landis Street, within the limits and as particularly described in Resolution of Intention No. 108055, overruling and denying all other appeals; confirming and approving said Assessment; authorizing and directing the Street Superintendent to attach 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 next matter - in connection with scheduled hearing on Annual Appropriation Ordinance for 1953-1954 - was taken up out of order.

The Mayor stated that the Council is still discussing the Budget Ordinance, and that the hearing will have to be continued to Thursday.

Councilman Godfrey said that when people interested have taken time out to come down to the hearing, they should be heard.

Douglas Deaper, Deputy City Attorney, told the Council that it has to have 2 hearings after the Ordinance is prepared and is before the Council.

Ed Hall, president of San Diego Taxpayers' Association, told the Council that he can appear again. He said that he had a list of suggestions and comments. Mr. Hall asked to Council to consider the matter in Conference, if hearing would not be had today. He distributed copies of his comments and arguments to members of the Council, and handed in the original to the Clerk.

Hugh Brown, who stated that he represented the California Taxpayers' Association, told the Council that he came down from Los Angeles for this hearing, and that it would prove embarrassing, he he was not able to be heard.

It was then determined by the Council that the hearing should be held. (It will be shown later, on page 388 of these Minutes, in its regular place as listed on the Agenda).

The Council proceeded with business listed on its agenda, at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2135 made to cover the cost and expenses of 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 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. 112703, recorded on Microfilm Roll No. 66, confirming and approving the Street Superintendent's Assessment No. 2135 for the paving and otherwise improving of Wightman Street, between the limits and as particularly described in Resolution of Intention No. 107938; 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 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 Resolution No. 112249 of Preliminary Determination for the paving and otherwise improving of the Alley in Block 2 Chester Park Addition, 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. 112704, recorded on Microfilm Roll No. 66, determining that the proposed improvement of the Alley in Block 2 Chester Park Addition, within the limits and as particularly described in Resolution No. 112249 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. 112250 of Preliminary Determination for the paving and otherwise improving of the Alley in Block 178 Pacific 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. 112705, recorded on Microfilm Roll No. 66, determining that the proposed improvement of the Alley in Block 178 Pacific Beach, within the limits and as particularly described in Resolution No. 112250 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 Winco te, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 11251 of Preliminary Determination for the paving and otherwise improving Beaumont 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. 112706, recorded on Microfilm Roll No. 66, determining that the proposed improvement of Beaumont Avenue, within the limits and as particularly described in Resolution No. 112251 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 Dail, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 112252 of Preliminary Determination for the paving and otherwise improving of Cass 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. 112707, recorded on Microfilm Roll No. 66, determining that the proposed improvement of Cass Street, within the limits and as particularly described in Resolution No. 112252 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 Dail, 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. 112141 for the paving and otherwise improving of 37th Street, T Street and Jewell Street, within the limits and as particularly described in Resolution of Intention No. 112141, the Clerk reported that written protests had been received from Grace Ruth Burgert and Bessie M. Burgert, Maylon L. Taylor, Lloyd S. Burgert, Mrs. Anna F. McNay, Mae Ann Mills, which protests were presented.

The City Engineer reported a 9% protest by area, based on high cost, light traffic and "just a protest".

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. 112708, recorded on Microfilm Roll No. 66, overruling and denying the protests of Grace Ruth Burgert and Bessie M. Burgert, Maylon L. Taylor, Lloyd S. Burgert, Mrs. Anna F. McNay, Mae Ann Mills, against the paving and otherwise improving of 37th Street, T Street and Jewell Street, within the limits and as particularly described in Resolution of Intention No. 112141; overruling and denying all other protests thereon; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Dail, 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, being the time set for the continued hearing on the paving and otherwise improving of El Paseo Grande, Calle Clara, Vallecitos, Calle Frescota, Camino del Oro, Alleys in Blocks 9 and 12 La Jolla Shores Unit No. 1, Southerly Alley in Block 34 La Jolla Shores Unit No. 6, La Vereda and Public Land being a portion of Kellogg Park, on Resolution of Intention No. 112024 - heard originally under said Resolution on June 16, 1953 - the City Engineer reported verbally that 12.8% protests had been filed. He stated that the City Manager agreed that the City Manager had agreed to contribute on the part of the City to the storm drain which is estimated to cost \$20,520.00. He had agreed to a 50% contribution, the Engineer stated. The City Manager then told the Council that the storm drain is of more than local benefit. Robert L. Eller, who had spoken at the previous hearing, was heard again regarding the assessment spread.

The City Engineer said that while the City could change its assessment method, he was not anxious to recommend changing the formula.

Col. Eller told the Council that La Jolla Shores Drive is the main artery to the beach, and that all who get to La Jolla Shores would use it. As a result, he declared that the assessment should not be paid by the property owners on La Jolla Shores Drive.

Councilman Kerrigan spoke about a similar situation (a wide street), being Wightman Street and 43rd Street assessment.

Councilman Schneider was excused from the meeting at this time.

Councilman Winote stated that the property owners would be better off than the average under the assessment formula rather than be hurt thereby.

Col. Eller stated that the property on the east is in the City's Pueblo Lands, which will not pay for the improvement.

Councilman Winote agreed that the assessment will be high, but that he would not be willing to change the formula.

RESOLUTION NO. 112709, recorded on Microfilm Roll No. 66, overruling and denying the protest of Joseph N. McDonale, et al., and the verbal protest of Robert L. Eller, against the proposed improvement of El Paseo Grande, Calle Clara, Vallecitos, Calle Frescota,

Camino del Oro, Alley in Block 9 La Jolla Shores Unit No. 1, Alley in Block 12 La Jolla Shores Unit No. 1, south erly Alley in Block 34 La Jolla Shores Unit No. 6, LaVereda and Public land being portion of Kellogg Park, within the limits and as particularly described in Resolution No. 112024, overruling and denying all other protests under said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

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

Councilman Schneider returned to the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Annual Appropriation Ordinance, proposed to be adopted for the fiscal year 1953-1954 - upon which an informal discussion had been conducted earlier, and reported on page 392 of these Minutes, was resumed.

Councilman Schneider returned to the meeting.

Edward C. Hall, San Diego Taxpayers' Association president, was heard at this time. He said that he wished to "brief" the Council on the Association's letter of June 22, which had been mentioned earlier as having been filed.

There was discussion between Councilman Dail and Mr. Hall, relative to Sales Tax collections.

Mr. Hall referred to reduction in revenues as being too low. As a result, he stated, it has created a surplus. He read from the letter "2. Reserves". Mr. Hall stated that the assessed valuation is a matter of fact. He spoke regarding the salary savings, and asked for consideration of the City entering Social Security. He spoke regarding big cut out of the budgets taken by City retirement. Mr. Hall wondered about accuracies of actuarial statements, and spoke about being up against a 50% increase. He said he thought the City might "buy off" employees, and retire them. He said he wants a full statement regarding the situation.

Councilman Wincote said that the factors used are correct.

Mr. Hall declared that there may be need for study of personnel. He referred to the consolidation of some of the County and City Civil Service functions. He asked asked that the 1-1/2 time overtime payment provided be for emergency work only. He said that there is need to have strict rules, and that the City needs to set up definite rules on the subject.

Councilman Kerrigan told Mr. Hall that he believes the situation referred to is an administrative problem, in connection with the overtime pay.

There was discussion between Councilmen Kerrigan, Wincote and Schneider on the overtime issue.

Mr. Hall read from his communication about the Capital Outlay Fund.

John Borchers, Manager and Assistant Secretary of said Association, spoke regarding street maintenance - if that is included in the Capital Outlay.

Councilman Wincote said that the Capital Outlay, in the budget would add up to \$3,000,000.00.

Mr. Hall told the Council that there are differences of opinion regarding the "project list". He declared that it should be kept in effect.

Councilman Wincote said that if there is a change from the project set up, it can become embarrassing.

Mr. Hall stated that the public goes along year-to-year, without adequate information about the Capital Outlay.

The Mayor said to Mr. Hall that there is some flexibility, if not listed in the budget, rather than tying down each item. Some changes are found to be needed, he stated, rather than setting out each item and then adhering to the proposal.

Mr. Hall said that the non-Manageral budgets should be reviewed before being submitted to the Council.

Councilman Wincote pointed out that a check is made, as suggested.

Mr. Hall complimented the City for pioneering in many fields. Next, he recommended that a study be made relative to travel, department reports, publications and releases. He summarized the letter. Mr. Hall thanked the Council for the time allowed, and told the Council that the Taxpayers' Association is trying to help the City do a better job.

The Mayor thanked Mr. Hall and the San Diego Taxpayers' Association.

Hugh Brown, who appeared earlier, representing the California Taxpayers' Association, from Los Angeles, was heard at this time. He spoke about revenue estimates, and declared that they are low in the submitted budget. Following up the statement, he recommended inclusion of \$2,500,000.00. The outlook is for years of good times - and possibility of even better. He referred to authorities who have made such predictions, being with the Security National Bank, market examiner of the Los Angeles Examiner (newspaper) and a downtown expert. All agree that it will hold up. In the automobile field there are differences of opinion regarding 1953, he declared. Manufacturers are running well ahead of the corresponding period of last year, he declared. Economic conditions will continue high, in his opinion. In general, the volume will be for continued growth in California, Mr. Brown stated. New arrivals in non-California cars will continue, in the speaker's opinion. San Diego is continuing to hire man power, he reported, from hearing announcements to that effect on his car radio while driving down from Los Angeles. In connection with continued migration, he declared that the revenue figure can be raised. He said that he thinks building will continue, but not in the same ratio as at present. The subdividing rash has probably run its course, Mr. Brown stated. He also declared that the parking meters' revenue could easily be pushed over this years' realizations - referring to increased population, and installation of additional meters.

Inasmuch as the proposed Annual Appropriation Ordinance was not before the Council, Douglas Deaper, Deputy City Attorney, was asked about the situation. He replied that the Council could set new hearings; that the hearings are not on the Budget, but on the Appropriation ordinance.

6/25/55  
38

The Mayor stated that the matter can be continued under hearings. Councilman Kerrigan moved to continue the hearings one week, which motion was seconded by Councilman Schneider.

The Mayor stated that few people have anything to offer, relative to the appropriations. He announced that the hearings will be held next Tuesday and Thursday - of next week. He stated that there would be no technical difficulties as a result. Also, he said that the Council have the independent departments and the harbor budget to consider.

The roll was called on the motion, and the hearings were continued to Tuesday and Thursday of next week.

As the hearing closed, Mr. Hall introduced two members of the Taxpayers' Association, who had accompanied him to the hearing: Mr. Harry Hargreaves, of Marston's, and Mr. Eugene Ageno, of Walker's.

Communication from Wm. G. VanDorn, PhD, 310 Playa Del Norte, La Jolla, requesting hearing to submit to the Council a petition regarding construction of a cesspool in connection with his single-family residence at 6611 Muirlands Drive, La Jolla, was presented.

The City Manager stated that the matter refers to a home being constructed in Muirlands. Construction had been started, he stated, before the permit had been secured. The permit for the cesspool had been denied, the Manager declared. He added that Dr. VanDorn had been granted permission to complete foundation so forms would not be warped and spoiled. He said that the sewer problem is being worked out, and referred to a line being put in. It was the Manager's suggestion that the matter be referred to him.

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

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

A communication from East Mission Bay Coordinating Council, 2512 Frankfort St., San Diego 10, signed by Mrs. Logan E. Douglas, Secretary, was presented. Said letter requested that the writer be heard at the earliest convenience of the Council on an emergency matter of grave importance - concerning grading of Frankfort Street between Jellet and Ingulf Streets. It asks, also, that work on Frankfort Street be delayed until after an appearance before Council. It states that the request is made on behalf of the property owners on the west side of Frankfort.

Mrs. L. E. Douglas appeared before the Council, to be heard in connection with the communication. She said that a high bank has been left, and property damaged. As a result, the Assessor has lowered the valuation of the property. The house is now below the street, and has resulted in a condition dangerous to users. She said that the house had been built to the established grade. Mrs. Douglas stated that owners did not realize, on account of the vague wording, that the grade would be used. She told about the change in grade of other streets which had been considered. She asked the Council to look at the property, and the making of the street usable.

The City Engineer spoke regarding Frankfort Street north of Jellet Street. He said that one side is higher than the other. Garages on the up hill side are using the street. The drives are steeper, and the street cannot be lower without isolating the property. On the other side the garages are on the alley, he stated. There had been two hearings, Captain Fogg said, at which time no protests had been entered. There is a civil war out there, Engineer Fogg declared, and told the Council that both sides threaten to sue as a result.

Douglas Deaper, Deputy City Attorney, answering a Council question, said that a short stop order might be given without being a liability on the City.

The City Engineer said that in order to comply with the request, a change would have to be made, although the curbs are in now. He said that the former grade was impracticable.

Councilman Godfrey said that if there was an impossible grade, it had to be changed.

The City Engineer told the Council that the established grade was several feet lower than the present grade. He said that the Engineer's office had held to the grade of the existing road "pretty substantially", and that the road has been tipped. It meets the existing conditions as well as possible, he stated.

Mr. Deaper told the Council that the legal proceedings have been complied with.

The City Engineer said that the Attorney had stated that if the grade was established, property owners would have to build to them - instead of a change.

Councilman Wincote said that the property owners should have checked the grade. He said that some consideration should be given, since they had checked the grade.

Mrs. Douglas said that they can't even walk into the property.

The City Engineer explained again about the street grade - that it had been raised 1 foot, and "tipped".

Councilman Dail said that the City has no liability, but there is a moral obligation.

The City Engineer told the Council that the situation is no different than lots of other instances. He added, when asked about the change and the grade, that there is about a 5-foot raise.

Mrs. Douglas said that there is more on one end of the block; less on the other.

At this point, the City Engineer showed to the Council a plat of the grade level. He stated that if one grade is lowered, the other property would then be inaccessible. The contractor is into the contract now, Engineer Fogg stated.



Mrs. Douglas stated that only 2 garages are being used as such "on the other side" are used for purposes other than garages.

The City Engineer said that the City Engineer would have to provide steps on the low side, to enter the properties; also that the garages are on the Alley.

Mrs. Douglas stated that she had been informed that property owners may not build anything on City property, or maintain it.

Councilman Godfrey said that the point which is urgent, is that the work would proceed in the same manner. He said that the City should try to work out relief, and that the matter should be referred to the City Manager.

Councilman Dail said that a different formula for assessment might be needed.

The City Manager said that if property owners are injured, they might need consideration.

The roll was called, and the matter was referred to the City Manager, on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received June 10, 1953, from 2 bidders for reconstruction of safety lighting and traffic signal systems on Pacific Highway between Cedar Street and Laurel Street - which had been before the Council on June 18, 1953 - and continued to this date, was brought up again at this time. Said communication recommended that the bid of California Electric Works, the low bidder, be accepted and the contract awarded. It states that the bid is 4.7% below the estimate of the City Engineer.

The City Manager reported verbally, at the request of Councilman Kerrigan, that the matter does not involve traffic lights - just 2 heads. It is budgeted, the same kind of lighting as used presently.

Councilman Kerrigan moved to delete the communication recommending award from the docket.

The Mayor stated that the lighting is part of a continuing program.

Councilman Schneider seconded Councilman Kerrigan's motion.

Councilman Godfrey said that the lighting is for safety - and is not ornamental. It is the heaviest traveled area, he pointed out.

The Mayor told the Council that the lights indicated are the same as others being Mercury vapor lights. This, however, is the only exception made for installation without assessment. He said that the City no longer installs the old type "ornamentals".

The Mayor said that the City does have just such safety lighting at Mission Beach - Mission Bay - with no assessment.

The motion to delete the item was withdrawn.

RESOLUTION NO. 112710, recorded on Microfilm Roll No. 66, accepting bid of California Electric Works for reconstruction of safety lighting and traffic systems on Pacific Highway, Cedar Street to Laurel; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of the City of San Diego into the same, pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, reporting on bids received June 10, 1953, for alterations to Harbor Department from 9 bidders, was presented. Said communication recommends award to A. F. Anderson of San Diego in the sum of \$11,835.00. It states that the Harbor Department Engineer's estimate was \$17,825.00.

RESOLUTION NO. 112711, recorded on Microfilm Roll No. 66, accepting bid of A. F. Anderson for Alterations to Harbor Department Building, 1040 West Broadway; 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 for such work pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, reporting on bid for installing Curbs along Harbor Street between Harbor Drive and 8th Street, received June 5, 1953, from John B. Henry, sole bidder, was presented. It states that specifications were furnished to 5 prospective bidders, but only one in the sum of \$1,850.00 was received - the Harbor Engineer's estimate being \$1,336.00. It also recommended award.

RESOLUTION NO. 112712, recorded on Microfilm Roll No. 66, rejecting bid of John B. Henry received June 5, 1953, for installing curbs along Harbor Street between Harbor Drive and 8th Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, reporting on bids for construction of a Deck Extension at the Harbor House Cafe, received June 10, 1953, from 2 bidders, was presented. It states that 4 bidders were contacted on said work, which included driving and capping piles and marine work, for which few local firms are qualified. It recommended award to R. E. Staite, low bidder, at the price of \$2,125.00.

On motion of Councilman Kerrigan, seconded by Councilman Dail, the matter was continued to the Council Meeting of June 25, 1953.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, reporting on bids received June 11, 1953, from 5 bidders, for improvement of Gleason Road at Gleason Point from Ventura Boulevard, northerly, was presented. It states that the low bid of Griffith Company at \$32,955.55, is 43.2% below the Engineer's estimate; and it recommended award.

RESOLUTION NO. 112713, recorded on Microfilm Roll No. 66, accepting bid of Griffith Company for Improvement of Gleason Road at Gleason Point, from Ventura Boulevard northerly; awarding contract to Griffith Company, authorizing and instructing the

City Manager to enter into and execute on behalf of The City of San Diego a contract therefor, pursuant to plans and specifications on file in the Office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent reporting on bids received June 10, 1953, for improvement of the north section of Yacht Harbor Drive (installing curb inlet, 85 lineal feet of storm drain, 3,165 lineal feet of curb and gutter, 870 lineal feet of special curb and approximately 14,000 square yards of Bituminous surface treatment, was presented. It recommends award to Sim J. Harris Company of San Diego at \$18,189.85, low bidder - engineer's estimate \$19,300.00.

RESOLUTION NO. 112714, recorded on Microfilm Roll No. 66, accepting bid of Sim J. Harris Company for improvement of the North Section of Yacht Harbor Drive; awarding contract, authorizing and instructing the Harbor Commission to enter into and execute on behalf of The City of San Diego a contract, pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112715, recorded on Microfilm Roll No. 66, accepting bid of E. W. Camell, an individual, and W. A. Robertson & Co., a partnership, a joint venture, for installation of Small Water Main Replacements, Group No. VII, Items Nos. 1 to 20; declaring them to be the lowest, responsible and reliable bidder; rejecting all bids except said bidder mentioned - at the unit prices amounting to a total estimated sum of \$50,959.50 - authorizing and empowering the City Manager to execute for and on behalf of the City a contract upon execution, delivery, filing and approval of binds required, 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, reporting on bids for construction of Wabash Boulevard, Section "B" Bridges, located at Main Street, South Chollas Creek, National Avenue Bridge Extension, Ocean View Boulevard, Imperial Avenue, S.D. & A.E. Railway at Chollas Creek, "J" Street, Market Street and Market Street South Lane, and Las Chollas Creek, recommending award to M. H. Golden Construction Co., low bidder, in the sum of \$1,008,648.97 - low bid 14.8% below, the estimate, was presented. The report states that funds are partly available under Project #61, Fund 219 in the Gas Tax Funds for 1952-53 Fiscal Year, and that the balance of the cost estimated at \$78,339.70 is to come out of City funds.

RESOLUTION NO. 112716, recorded on Microfilm Roll No. 66, accepting bid of M. H. Golden Construction Company for construction of Wabash Boulevard, Section "B" Bridges, located at Main Street, South Chollas Creek, National Avenue Bridge Extension, Ocean View Boulevard, Imperial Avenue, San Diego and Arizona Eastern Railroad at Chollas Creek, "J" Street, Market Street, Market Street South Lane, and Las Chollas Creek, declaring said bid (there were 3 bids received) to be the lowest, responsible and reliable bidder; rejecting all other bids; authorizing and empowering the City Manager to execute, for and on behalf of the City, a contract with said M. H. Golden Construction Company, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, reporting on bids received June 5, 1953, from 3 bidders, for repairs to concrete bulkhead near the foot of Broadway, was presented. Said report states that although the Harbor Department's estimate was \$2,400.00, the low bid was \$2,865.00. It recommends rejection of bids, and calling for new bids.

RESOLUTION NO. 112717, recorded on Microfilm Roll No. 66, rejecting bids for repairs to Concrete Bulkhead near the foot of Broadway, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112718, recorded on Microfilm Roll No. 66, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for repairs to Concrete bulkhead near the foot of Broadway, bearing Document No. 471231; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, reporting on bids for improvement of San Diego Avenue, Mason, Congress and Twiggs Streets, received June 17, 1953, from 2 bidders, was presented. Said communication recommended award to R. E. Hazard Contracting Company, low bidder, in the sum of \$1794.08 - .3% below the estimate of the City Engineer.

RESOLUTION NO. 112719, recorded on Microfilm Roll No. 66, accepting bid of R. E. Hazard Contracting Company for improvement of San Diego Avenue, Mason, Congress and Twiggs Streets (including removal of existing curb and sidewalk and constructing Type G curb, sidewalk and pavement); awarding contract, authorizing and instructing the City Manager to enter into and execute the same on behalf of The City of San Diego, pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication submitting Resolution accepting bid of Daley Corporation for sale of City garbage for period of 5 years commencing June 24, 1953 - 3 bids received - was presented.

Said report was continued (and is found again on page 402 of these Minutes).

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, reporting on bids received June 18, 1953, from 2 bidders for furnishing the rental of 5-yard and 10-yard capacity dump trucks for use by various departments of the City, was presented. Said communication recommended award to Daley Corporation, the low bidder - \$4.81 per hour on 5-yard dump trucks and \$6.86 per hour on 10-yard dump trucks, including driver, fuel and maintenance - being approximately 6% higher than prices in effect on the previous contract.

RESOLUTION NO. 112720, recorded on Microfilm Roll No. 66, accepting bid of Daley Corporation for the rental of Dump Trucks; awarding contract, authorizing and instructing the City Manager to enter into and execute the same on behalf of The City of San Diego pursuant to 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 Assistant City Manager's stamp of approval, reporting on bids for furnishing Bulk Quick Lime for the Water Department for a period of 6 months beginning July 1, 1953, received June 18, 1953, recommending award to Arrowhead Lime & Chemical Company, the sole bidder, was presented. It states that the price is 50¢ higher per ton than the price currently paid for bulk quick lime, representing increased cost of fuel oil used in the manufacture.

RESOLUTION NO. 112721, recorded on Microfilm Roll No. 66, accepting bid of Arrowhead Lime & Chemical Co., Division of United States Lime Products Corporation for furnishing The City of San Diego with requirements of Bulk Quick Lime for a period of 6 months beginning July 1, 1953, at \$17.05 per ton f.o.b. Sloan and/or Henderson, Nevada, plus State Sales Tax; awarding contract, authorizing and instructing the City Manager to enter into and execute a contract with said Company pursuant to 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 Assistant City Manager's stamp of approval, reporting on bids for furnishing Pre-mixed and Transit-mixed Concrete for various City departments received June 18, 1953, from Pre-mixed Concrete Company of San Diego, only. It states that prices quoted average an increase of slightly less than 3% over prices currently paid, covering the increased price of cement used in the produce. It recommends award to said company.

The City Manager made a verbal explanation, relative to the prices of the various classes, and points of delivery.

RESOLUTION NO. 112722, recorded on Microfilm Roll No. 66, accepting bid of Pre-Mixed Concrete Company for furnishing requirements of Pre-mixed and Transit-mixed Concrete for a period of one year beginning July 1, 1953 and ending June 30, 1954 - in accordance with tabulation attached - awarding contract, 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 Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, reporting on bids for furnishing the City's requirements of Asphaltic Plant Mix Surfacing Material, received June 18, 1953, from 4 bidders, was presented. Said communication recommends award to Daley Corporation of San Diego, being 1.2% higher than prices currently paid - due to higher prices of asphaltic oils charged by the oil industry.

RESOLUTION NO. 112723, recorded on Microfilm Roll No. 66, accepting bid of Daley Corporation for furnishing the City's requirements of Asphaltic Plant Mix Surfacing Material - in accordance with tabulation attached - awarding contract, authorizing and instructing the City Manager to enter into and execute the same on behalf of the City of San Diego, pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, reporting on bids for Roughening and Chemical Staining of Tennis Courts at Morley Field, received June 11, 1953, from L. M. Scofield Company of Hunting Park, California, the sole bidder, at a price of \$2,400.00, was presented. It states that the company has satisfactorily performed many similar jobs in Southern California, including Hotel Del Coronado and La Jolla Tennis Club courts. It reports that the work is of a highly specialized nature, and that the bid is approximately the amount of the estimate. The communication recommends award.

RESOLUTION NO. 112724, recorded on Microfilm Roll No. 66, accepting bid of L. M. Scofield Company for Roughening and Chemical Staining of Tennis Courts at Morley Field; awarding contract, authorizing and instructing the City Manager to enter into and execute the same on behalf of the City of San Diego pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, submitting Resolution authorizing bids for 20,000 ft. Class 150 6" Asbestos Cement Pipe for the Storeroom, as per specifications on file in the office of the City Clerk bearing Document No. 471232, was presented.

RESOLUTION NO. 112725, recorded on Microfilm Roll No. 66, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing



20,000 ft. Class 150, 6" Asbestos Cement Pipe, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112726, recorded on Microfilm Roll No. 66, approving plans, and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of asphalt concrete pavement for foreign plane inspection area, Lindbergh Field, filed in the office of the City Clerk as official Document No. 471233; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112727, recorded on Microfilm Roll No. 66, approving plans, and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for resealing of the joints in concrete runways, taxiways, and parking aprons, Lindbergh Field, filed in the office of the City Clerk as official Document No. 471234; 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. 112728, recorded on Microfilm Roll No. 66, approving plans, and specifications for the furnishing of all labor, materials, equipment, transportation, tools, and other expense necessary or incidental for the improvement of portion of Sunset Point westerly of Ingraham Street (including construction of cement treated trainage ditch, concrete spillways, backfilling existing washes, placing of sand fill and stone rip-rap and restoration of site), filed in the office of the City Clerk as official Document No. 471236; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112729, recorded on Microfilm Roll No. 66, approving plans, and specifications for the furnishing of all labor, materials, equipment, transportation, tools and other expense necessary or incidental for the improvement of El Carmel Place on El Carmel Point, easterly from the east line of Bayside Walk (including grading, paving, construction of curbs, asphalt concrete berms, sewer main, water main and drainage spillways), filed in the office of the City Clerk as official Document No. 471235; 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 Godfrey, adopted.

RESOLUTION NO. 112730, recorded on Microfilm Roll No. 66, authorizing and directing the Purchasing Agent to advertise and sell equipment, listed on said Resolution, belonging to The City of San Diego, which is no longer desirable for use or retention by the City; directing 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 Godfrey, adopted.

Said Resolution recites that the City Manager has given notice that to the Purchasing Agent that certain equipment belonging to the City is no longer desirable for use or retention, and has recommended that the same be sold.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of Clairemont Manor Unit No. 5, was presented.

RESOLUTION NO. 112731, recorded on Microfilm Roll No. 66, adopting Map of Clairemont Manor Unit No. 5, being subdivision of portion of Lot 214 Clairemont Manor Unit No. 2; accepting on behalf of the public unnamed easements shown for public purposes; authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council that said unnamed easements are accepted on behalf of the public; authorizing and directing said City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 3 sections of the San Diego Municipal Code, in connection with Tentative Map of Highland Mesa, a 146 lot subdivision of portion of Lots 27 and 28 of The Highlands, was presented.

RESOLUTION NO. 112732, recorded on Microfilm Roll No. 66, suspending Sections 102.11-2, 102.18, 102.17-c of the San Diego Municipal Code in connection with the Tentative Map of Highland Mesa, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Highland Mesa, being 146-lot subdivision of portion of Lots 27 and 28 of The Highlands, located on the westerly side of the Cabrillo Freeway, opposite Montgomery Field in the area recently annexed to the City, was presented.

RESOLUTION NO. 112733, recorded on Microfilm Roll No. 66, approving Tenta-

8-11-67/23/53  
397  
tive Map of Highland Mesa, subject to 10 conditions, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 6 sections of the San Diego Municipal Code insofar as they concern the Tentative and Final Maps of Redwood Glen, was presented.

RESOLUTION NO. 112734, recorded on Microfilm Roll No. 66, suspending Sections 102.07-5, 102.11-2, 102.1206, 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 Redwood Glen, 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 Redwood Glen, subdivision of portion of Lots 27 and 28 Waterville Heights, a 46-lot subdivision on the extension of Streamview Drive and located between Redwood Village No. 7 and Hubner Park, subject to 11 conditions, was presented.

RESOLUTION NO. 112735, recorded on Microfilm Roll No. 66, approving Tentative Map of Redwood Glen, a 46-lot subdivision, subject to the conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, submitting petition proposing rezoning from R-1 to R-2 and R-4 Zones of property in Acacia Park, northerly from El Cajon Boulevard along 63rd Street, Art Street and Coctaw Drive, was presented. In addition to a detailed report, said communication recommended that the matter be forwarded to the City Attorney's office for drafting of an Ordinance prior to the setting for a public hearing, was presented.

RESOLUTION NO. 112736, recorded on Microfilm Roll No. 66, requesting the City Attorney to prepare and present the necessary ordinance for the rezoning from R-1 to R-2 and R-4 Zones a portion of Acacia Park, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, submitting petition for rezoning parcel of land approximately 80x130 feet, lying between the existing C zoning on 47th Street just north of Market Street and the R-2 zoning in Glencliff - being portion of Lot 31 Ex-Mission Lands - was presented. In addition to a detailed report, said communication recommended that the matter be forwarded to the City Attorney's office for drafting of a proper ordinance prior to the setting for a public hearing before the Council.

RESOLUTION NO. 112737, recorded on Microfilm Roll No. 66, requesting the City Attorney to prepare and present the necessary ordinance rezoning portion of Lot 31 Ex-Mission Lands from R-1 to Zone C, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, submitting petition for rezoning portion of P.L. 1176, from R-1 to R-2 Zone (for Mark Twain School), at the southwest end of the Linda Vista Housing Project, which is entirely surrounded by Federally-owned property, was presented.

RESOLUTION NO. 112738, recorded on Microfilm Roll No. 66, requesting the City Attorney to prepare and present the necessary ordinance for rezoning portion of P.L. 1176 from Zone R-1 to R-2, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, submitting petition for rezoning portions 1/4 Sections 77, 79, 80 and 103, RHO de la Nacion, from R-1 to R-4 (Navy Housing - Bay View Hills), was presented. In addition to making a detailed report, the communication suggested that the matter be forwarded to the City Attorney's office for drafting of a proper ordinance prior to setting for public hearing before the Council, was presented.

The Mayor recognized Harry Henson, attorney, who was heard. Mr. Henson told the Council that the Planning Commission ordinance making the change, subject to the Navy filing a subdivision. He stated that the Navy is anxious to cooperate, but that the Navy has no authority to sign a subdivision map. It is not a subdivision, he declared, but is being bought by the Government in a one-block parcel. He said that it could not be said that the property is being bought by the Navy for resale. It would take an act of Congress to authorize the signing of a subdivision map, Mr. Henson declared.

The City Manager stated that only 1 Wherry Act Project was on private land - and that a subdivision map had been filed in connection therewith. It is an important point, he stated. He mentioned running into a problem with the Navy. The Manager stated that the City cannot accept the property unless it has some control.

Mr. Henson said that there may be some confusion. There is a difference where the housing is built under the Lanham Act, he pointed out. He said that the property is not to be disposed of, and that it will be the property of the Government, operated privately. There is no subdivision taking place, Mr. Henson stated. The lease is to be in 2 sections, he stated, due to limitation on money - and referred to a figure of some \$5,000,000.00.

07/27/53 305

The Mayor stated that there would be an incidental power to the Wherry Act, regarding the signing of a subdivision map.

Mr. Henson replied that if the Secretary of the Navy has the power to sign said act, he wondered what would be gained. The City will own the water, and the City will require specifications for construction. He related the idea behind the Wherry Act, relative to the "sponsor". The title is the only thing holding up the project, he stated, and pointed out that the Title Company will not approve if it is in violation of zoning. He said that it would be possible to give "the same thing" in a deed. He declared that separate water meters are planned. The map would be recorded (not a subdivision map), for convenience, he said.

Glenn A. Rick, Planning Director, said that the City should have a subdivision map - and that there should not be an alternate method, unless it is impossible to comply with the better method of proceeding. He said that a record of survey map - as suggested by Mr. Henson - is awkward. A subdivision map is simpler, and would make for a better record, he stated. The question today, he told the Council, is re-zoning. He said that he is willing to change the zoning from R-1 to R-4; would even be willing to make the zoning ordinance an emergency one.

Douglas Deaper, Deputy City Attorney, said that the ordinance would not come within the clause relative to emergency under the Charter. He declared that the emergency is not as great as probably thought. Mr. Deaper said that they can start with the layout preceding the effectiveness of the Ordinance. The ordinance could be adopted without tying into the subdivision, he declared, and added that there could be other alternatives.

Councilman Kerrigan moved to refer the matter to the City Attorney, which motion was seconded.

Councilman Godfrey referred to starting right now.

Mr. Henson said that it is the ultimate aim to have improvements that the City wants; and also wants the zone change.

The motion was amended by the maker to include a hearing in two weeks (July 7).

The motion was called on the motion to refer the matter to the City Attorney for preparation and preparation of the necessary ordinance, on which a hearing will be conducted July 7, 1953.

RESOLUTION NO. 112739, recorded on Microfilm Roll No. 66, requesting the City Attorney to prepare and present the necessary ordinance for the rezoning of a portion of 1/4 Sections 77, 79, 80 and 103, RHO del Nacion (Navy Housing - Bay View Hills) - from Zone R-1 to R-4; setting a hearing for Tuesday, July 7, 1953, at the hour of 10:00 o'clock A.M., on said Ordinance, 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 Seaman's Subdivision and Waterville Heights (to be resubdivided as Bellevue Center Unit No. 2) from R-1 and C Zones to R-4 Zone - on the south side of University Avenue at about 58 Street, subject to the Tentative Map and final Map of said Bellevue Center Unit No. 2, was presented. In addition to making a detailed report, the communication 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.

RESOLUTION NO. 112740, recorded on Microfilm Roll No. 66, requesting the City Attorney to prepare and present the necessary ordinance for rezoning portions of Seaman's Subdivision and Waterville Heights from R-1, R-4 and C to R-4 Zones; setting a hearing for Tuesday, July 7, 1953, at the hour of 10:00 o'clock A.M., on said Ordinance, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Resolutions adopted Convair Gun Club, Local Union of B & W 465, La Jolla Woman's Club; Salesdrivers, Helpers and Dairy Employees, Local Union No. 683; Veterans of Foreign Wars, Aux. #2415; Building Service, Employees Union, Local 102, were presented to the Council as one document. All had to do with beaches, funds for improvement, etc.

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

Communication from Pacific Business and Professional Ass'n., P.O. Box 242, Pacific Beach Station, San Diego 9, California, signed by Leonard Lafferty, President, and Wm. N. Hamilton, Secretary, relative to the condition of the beaches, and requesting a cleaning program, was presented.

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

Communication from Chula Vista Motel, signed by Alan E. Price, President, San Diego Chapter, California Motel Association, relative to condition of beaches, and requesting taking of steps to correct the situation, was presented.

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

Communications from Mrs. J. C. Krabill, and from Beatrice E. Mills, 4104 Ingalls St., both objecting to fluoridation of water, were presented under one document.

On motion of Councilman Winote, seconded by Councilman Godfrey, said communications were ordered filed.



Communication from Arthur Booth, 1267 - 14th Street, protesting noise in various forms from Balboa Stadium, was presented.

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

Communication from R. H. Fleet, President, Point Loma Holding Corporation, dated 18 June 1953, thanking the City for prompt and favorable action taken on request of June 5 that inadequate water service in upper Point Loma area be corrected, was presented.

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

RESOLUTION OF AWARD NO. 112741, recorded on Microfilm Roll No. 66, accepting bid of T. B. Penick & Sons, a co-partnership 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; awarding contract therefor; within the limits and as particularly described in Resolution of Intention No. 111566, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

A written report from the City Engineer states that the low bid is 6.9% below the estimate.

RESOLUTION OF AWARD NO. 112742, recorded on Microfilm Roll No. 66, accepting bid of T. B. Penick & Sons, a co-partnership for the paving and otherwise improving of Winona Avenue and 50th Street; awarding contract therefor; within the limits and as particularly described in Resolution of Intention No. 111567, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

A written report from the City Engineer states that the low bid is 14.2% below the estimate.

RESOLUTION NO. 112743, recorded on Microfilm Roll No. 66, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 4 Washington Heights, under Document No. 470868; approving Plat No. 2463 showing the exterior boundaries of the district to be included in the assessment for the work and improvement; directing the City Clerk upon passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112744, recorded on Microfilm Roll No. 66, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Dwight Street and Wilson Avenue, under Document No. 470864; approving Plat No. 2440 showing the exterior boundaries of the district to be included in the assessment for the work and improvement; directing the City Clerk upon passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112745, recorded on Microfilm Roll No. 66, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Florence Street, under Document No. 470866; approving Plat No. 2255 showing the exterior boundaries of the district to be included in the assessment for the work and improvement; directing the City Clerk upon passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112746, recorded on Microfilm Roll No. 66, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Martin Avenue, under Document No. 470862; approving Plat No. 2469 showing the exterior boundaries of the district to be included in the assessment for the work and improvement; directing the City Clerk upon passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112747, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of the Alley in Block 58 H. M. Higgins' Addition, within the limits and as particularly described in Resolution of Intention No. 112022, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112748, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of Franklin Avenue and Commercial Street, within the limits and as particularly described in Resolution of Intention No. 112023, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112749, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 112025, was on motion of Councilman

Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112750, recorded on Microfilm Roll No. 66, Ordering Work for the furnishing of electric current for the lighting of the ornamental street lights located in Hermosa Lighting District No. 1, for a period of one year from and including May 1, 1953, to and including April 30, 1954, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112751, recorded on Microfilm Roll No. 66, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Kensington Manor Lighting District No. 1, for a period of one year from and including May 1, 1953, to and including April 30, 1954, to be done strictly in accordance with the Engineer's Report and Assessment filed May 1, 1953, in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 112752, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of the Alley in Block 43 Chas. Hensley's Subdivision, and 26th Street, 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. 112753, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of the Alleys in Blocks 5 and 24 Ocean Beach, 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. 112754, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of Scott Street, Ingelow Street and Jarvis Street, 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. 112755, recorded on Microfilm Roll No. 66, for the changing of the grade on Shadowlawn Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112756, recorded on Microfilm Roll No. 66, 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 San Diego Lighting District No. 2, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112757, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of the Alley in Block 4 Washington Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112758, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of Dwight Street and Wilson Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112759, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of Florence Street, within the limits - and to the modified grade indicated - and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 112760, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of Martin Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112761, recorded on Microfilm Roll No. 66, ascertaining and declaring the wage scale, for the paving and otherwise improving of the Alleys in Block 9 La Jolla Park, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112762, recorded on Microfilm Roll No. 66, ascertaining and declaring the wage scale, for the installation of sewers in Littlefield Street and Knoxville Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112763, recorded on Microfilm Roll No. 66, ascertaining and declaring the wage scale for the paving and otherwise improving of Opal Street and Dawes Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112764, recorded on Microfilm Roll No. 66, ascertaining and declaring the wage scale for the paving and otherwise improving of Redwood Street, and Haller Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112765, recorded on Microfilm Roll No. 66, 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 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 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 immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112766, recorded on Microfilm Roll No. 66, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the North and South Alley in Block 244 University Heights, within the limits and as particularly described in Resolution of Intention No. 105900 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 immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112767, recorded on Microfilm Roll No. 66, approving diagram of the property affected or benefited by the work of improvement to be done on installation of sewers in Alleghany Street, Bollivar Street, Potomac Street, Gables Street, Schuyler Street, Albemarle Street, Midwick Street, Lauder Street, Cumberland Street, Shaw Street, et al., within the limits and as particularly described in Resolution of Intention No. 106838, 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 immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112768, recorded on Microfilm Roll No. 66, approving diagram of the property affected or benefited by the work of improvement to be done 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; 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 Wincote, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, reporting on petition protesting paving of the Alley in Block 10 City Heights Annex No. 2, signed by owners of 66.8% of the area in the district, was presented. It states that since the majority of the property owners in said block protest Resolution No. 112762, it is recommended that it be amended to delete from the proceedings the improvement of said Alley. It states that the job will still consist of improving the Alley in Block 11 City Heights Annex No. 2 by grading, paving and installing water main and appurtenances, sewer laterals and water services as required.

RESOLUTION NO. 112769, recorded on Microfilm No. 66, adopting recommendation of the City Engineer filed in the office of the City Clerk June 17, 1953, under Document No. 470993; authorizing the City Engineer to amend proceedings for improvement of the Alley in Block 10 City Heights Annex No. 2 in accordance with said recommendation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, reporting on petition granted under Resolution No. 110221 for paving and otherwise improving Rhode Island Street; recommending that proceedings be amended to include fire hydrant and appurtenances complete, and gate valves, boxes and covers complete, and including improvement of additional portion of Madison Avenue, was presented.

RESOLUTION NO. 112770, recorded on Microfilm Roll No. 66, adopting recommendation of the City Engineer filed in the office of the City Clerk June 17, 1953, under



Document No. 470994; authorizing the City Engineer to amend proceedings for improvement of portion of Rhode Island Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 112771, recorded on Microfilm Roll No. 66, accepting bid of San Diego Gas & Electric Company for the furnishing of electric current for the lighting of the ornamental street lights located on or along the streets in El Cajon Boulevard Lighting District No. 2; awarding contract, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending granting petition to improve portions of Sherman Street, Banks Street, Custer Street, Grant Street, Anna Avenue, by private contract, in accordance with Document No. 470984 - including additional improvements - and deletion of Anna Avenue from the job, was presented.

RESOLUTION NO. 112772, recorded on Microfilm Roll No. 66, granting M. H. Golden Construction Company, Glen M. Smith, J. B. Carroll and others, permission to pave and otherwise improve portions of Sherman Street, Banks Street, Custer Street, Grant Street by private contract, in accordance with plans, etc. furnished by the City Engineer and filed in the office of the City Clerk under Document No. 470984, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112773, recorded on Microfilm Roll No. 66, establishing parking time limit of two hours, between the hours of 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted, on La Jolla Boulevard between the northerly line of Pearl Street and the southerly line of Ravina Street; establishing parking meter zone; authorizing and directing the City Manager to cause said meters to be installed and meter spaces to be designated; authorizing installation of the necessary signs and markings; repealing all resolutions or parts of resolutions in conflict, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112774, recorded on Microfilm Roll No. 66, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, a permit agreement with the County of San Diego authorizing the County to relocate a private road, construct ditches, and construct rock rip-rap on and across certain lots in Tract "C" Rancho El Cajon on the terms and conditions as set out in the form of permit agreement on file in the office of the City Clerk as Document No. 471655, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the County proposes to realign portion of Mission Gorge Road shown on plat of Road Survey No. 627 on file in the office of the Supervisor; that The City of San Diego has granted to the County an easement and right of way over its property at the easterly end of Mission Gorge for said realignment; that the County is desirous of constructing drainage ditches and structures to prevent erosion and relocating a driveway adjacent to said County Highway; that the construction and installation of said ditches and structures and relocation of driveway will be of benefit to said highway and to land adjoining and bordering on the highway.

RESOLUTION NO. 112775, recorded on Microfilm Roll No. 66, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego an agreement between the City and Clarence A. Winder, Public Utilities Consultant, for consulting services on public utility matters as may be required by the City under terms and conditions set forth in form of agreement on file in the office of the City Clerk as Document No. 471468, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112776, recorded on Microfilm Roll No. 66, declaring the bid of H. C. Fredericks for the East 40 feet of Lots 20, 21, 22, 23 Block 19 Subdivision of Lots 20 to 50 Block N Teralta, to be the highest bid received for said thereof; accepting said bid, and selling said property at the price bid at public auction held June 16, 1953, of \$7000.00; authorizing and empowering The Mayor and The City Clerk for and on behalf of the City to execute a deed quitclaiming to Herman C. Fredericks and Mae J. Fredericks, husband and wife as joint tenants, said property; authorizing and directing the Property Supervisor to place said deed in escrow with directions that the same be delivered to the successful bidder when all escrow instructions have been complied with; authorizing the Property Supervisor to return to H. B. Job, unsuccessful bidder, the deposit made by him, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that H. B. Jobe requested that said property belonging to the City be put up for sale, and accompanied request by a deposit of \$100.00 to cover costs pertaining to sale; the Property Supervisor had advertised said property for sale at public auction; that the sale was held and the City Manager recommended that the bid of H. C. Fredericks be accepted.

RESOLUTION NO. 112777, recorded on Microfilm Roll No. 66, approving request of Griffith Company dated May 27, 1953, contained in Change Order No. 3, for extension of 45 days to and including July 23, 1953, heretofore filed with the City Clerk as Document No. 470685, in which to complete contract for improvement of East Tecolote Drive, contract contained in Document No. 458067; extending said completion time to July 23, 1953; repealing Resolution No. 112559, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112778, recorded on Microfilm Roll No. 66, approving Change Order No. 1, dated June 3, 1953, heretofore filed with the City Clerk as Document No. 471472, issued in connection with contract between The City of San Diego and Ets-Hokin & Galvan for installation of power and telephone ducts and manholes on De Anza Point; contract contained in Document No. 467983 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$180.00, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112779, recorded on Microfilm Roll No. 66, approving Change Order No. 1, dated June 8, 1953, heretofore filed with The City Clerk as Document No. 471163, issued in connection with contract between The City of San Diego and R. E. Hazard Contracting Co., contract contained in Document No. 466298 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$5,931.25, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112780, recorded on Microfilm Roll No. 66, granting permission to Harbor Oil Company, represented by Lawrence M. Keller, Jr., owner, to construct addition to the existing sign on Pacific Highway at Sutherland Street, Lots 4, 5, 6 Block 245 Middletown: a 4 foot addition may be made to both the width and height of the existing sign, provided the present set-back of 14 feet 9 inches is maintained; rescinding Resolution No. 112417 on file in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112781, recorded on Microfilm Roll No. 66, authorizing and directing the San Diego Gas & Electric Company to install a 600-candle power overhead street light at each of the following locations:

The westerly side of 54th Street, north of Trojan Street;  
Taft Street, east, at Forward Street;  
Linda Rosa Street, east, at Forward Street;  
Ebers Street, at Green Street;  
33rd Street, at Fir Street;  
70th Street, at Saranac Street; and  
Fourth Avenue, at Walnut Street (NW cor & SE cor),

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

RESOLUTION NO. 112782, recorded on Microfilm Roll No. 66, authorizing the City Attorney to settle Superior Court Action No. 177545 in Superior Court of the State of California, in and for the County of San Diego, for the sum of \$2,850.00; authorizing and directing the City Auditor to draw his warrant in favor of Albert Hancock, Alma O. Hancock, Mary Lee Troutt, Edward Troutt and Charles A. Pratt, in full settlement of said case, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution states that on May 22, 1952, a water main burst in the vicinity of 1822 Una Street; that it caused a stream of water to strike premises at 1822 Una Street with great force causing damages to the residence and to personal property contained in said residence; that the owners filed an action in Superior Court through their attorney, Charles A. Pratt, demanding \$5,450.00; that under the laws of the State of California The City is liable for the damages caused; that the claimants have agreed to accept said sum of \$2,850.00 in settlement of their claim as reasonable compensation for the loss suffered.

RESOLUTION NO. 112783, recorded on Microfilm Roll No. 66, authorizing and directing the City Auditor to credit the water department revenue accounts with such amount of money as will represent the cost to the City of San Diego of delivering water to the San Diego Zoological Society for use and maintenance of a zoological exhibit in Balboa Park during the fiscal year expiring June 30, 1953, and to charge such moneys to that account in the General Fund described as Activity 21.9, Park and Recreation Department, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112784, recorded on Microfilm Roll No. 66, allowing the bill of San Diego Junior Chamber of Commerce, bearing date June 15, 1953, in the sum of \$400.00 for expenses incurred (re the Miss San Diego contest); authorizing requisition to be drawn on the Advertising and Publicity Fund of The City of San Diego for the fiscal year 1952-1953 for said sum, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the reading of the next Ordinance in full prior to final passage was dispensed with by a vote of not less than 4 members of the Council. There was available for consideration of each member

of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 5655 (New Series), recorded on Microfilm Roll No. 66, appropriating the sum of \$11,800.00 from the Traffic Safety Fund, for the purpose of providing funds for installation of Traffic Signals and Safety Lighting at the intersections of Grape Street and Kettner Boulevard, and at India Street, and the interconnection of Traffic Signals on Grape Street at same location, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next Ordinance in full prior to final passage was dispensed with by a vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 5656 (New Series), recorded on Microfilm Roll No. 66, appropriating the sum of \$450.00 from the Unappropriated Balance Fund, for the purpose of providing funds for change of grade on Shadowlawn Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Wincote, seconded by Councilman Schneider, the reading of the next Ordinance in full prior to final passage was dispensed with by a vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 5657 (New Series), dedicating for Street purposes, portions of Lots 32 and "C" La Mesa Colony, and of Cajon Avenue and Alice Street vacated and closed to public use, and naming the same Montezuma Road and El Cajon Boulevard, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next Ordinance in full prior to final passage was dispensed with by a vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 5658 (New Series), vacating an easement for sewer line traversing portion of Pueblo Lot 1298, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener.

Said Ordinance recites that on October 24, 1951, the Regents of the University of California conveyed an easement for sewer purposes; that it has not been used since its acquisition by the City to the present date; that the easement is unnecessary for present or prospective public use.

On motion of Councilman Schneider, seconded by Councilman Wincote, Ordinance appropriating \$19,000.00 from the Capital Outlay Fund, for the purpose of providing funds for reconstruction of Safety Lighting and Traffic Signals on Pacific Highway, Cedar Street to Laurel Street, was introduced by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

(Said Ordinance had been before the Council on June 18, 1953, and continued to this date).

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance appropriating \$35,000.00 from the Unappropriated Balance Fund, for the purpose of providing funds for construction of alterations to offices in the City-County Administration Building, and for the purchase of necessary equipment therefor, was introduced by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, Ordinance appropriating \$5,500.00 from the Capital Outlay Fund, for the purpose of providing funds to pay the City's share of the cost of a tributary to the Ingulf Street Outfall Sewer, was introduced by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

5655 N.S. - 5658 N.S.

Introduced ordinances



On motion of Councilman Schneider, seconded by Councilman Godfrey, Ordinance appropriating \$2,600.00 from the Unappropriated Balance Fund, for the purpose of providing funds to cover the cost of roughening and chemical staining of Tennis Courts, was introduced by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Schneider, seconded by Councilman Godfrey, Ordinance appropriating the sum of \$135.00 from the Capital Outlay Fund, for the purpose of providing additional funds for improvement of Afton Road and Hurlbut Street - in addition to funds heretofore appropriated by Ordinance No. 5357 (New Series) - was introduced by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, Ordinance changing the name of Randlev Street to Blackton Drive; changing the name of portion of Blackton Drive to Biloxi Street; changing the name of Fuerte Drive to 56th Street, and changing the name of portion of Laurel Street to 56th Street, was introduced by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Schneider, seconded by Councilman Wincote, Ordinance incorporating portions of Blocks 14 and 15 Loma Alta No. 1 into "C" Zone as defined by Section 101.0411 of the San Diego Municipal Code and repealing Ordinance No. 12793 and Ordinance No. 5446 New Series insofar as they conflict, was introduced by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener - and hearing set on said proposed Ordinance for the hour of 10:00 o'clock A.M., Tuesday, July 14, 1953.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance incorporating portions of Pueblo Lot 1237, Lots 1 to 8 inclusive Block 1, Lot 1 to 4 inclusive, Lot 10 Block 3, and portion of Lot 1 Block 8 C. C. C. Tadam's Bay Hills Mesa into "R-2" and "R-4" Zone, as defined by Sections 101.0406 and 101.0408 of the San Diego Municipal Code, and repealing Ordinance No. 13456 insofar as it conflicts, was introduced by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener - and hearing set on said proposed Ordinance for the hour of 10:00 o'clock A.M., Tuesday, July 14, 1953.

The matter which had been shown on page 391 of these Minutes, in connection with the Purchasing Agent's recommendation for acceptance of bid of Daley Corporation for sale of City garbage for the period of 5 years commencing June 24, 1953, and recommending award, was brought up again at this time.

The City Manager, having checked on the matter, reported that the City may terminate the proposed contract. If the Legislation should require cooking of the garbage, the City can service notice thereof.

RESOLUTION NO. 112785, recorded on Microfilm Roll No. 66, accepting bid of Daley Corporation for sale of City garbage for the period of 5 years commencing June 24, 1953, at base bid price of \$1.40 per ton based on existing market price of \$23.50 per CWT of medium and good hogs, such price to be adjusted 10% up or down for each two-cent change in the posted market price as posted on the Los Angeles live stock market; awarding contract, 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 Godfrey, seconded by Councilman Kerrigan, adopted.

After adoption of said Resolution, the City Manager told the Council that the purchaser of the garbage will cook it, if he has to. He referred, also, to the sliding scale provided for the sale price.

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

RESOLUTION NO. 112786, recorded on Microfilm Roll No. 66, granting permission to Irene Stroud and Thomas William Bradley, to use common lateral on their existing dwelling and proposed dwelling for the reason that the existing sewer crosses 47th Street diagonally from Beta Street in National City, and the existing sewer cannot be extended southward due to a drop in grade - to serve property at 1410 South 47th Street - granted with understanding that owners agree to include an easement of southern portion in event of subdivision (which is not contemplated), and upon approval of Plumbing Inspection Department, and City Manager, and upon conditions set forth therein, 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:

Communication from the Planning Commission, signed by Harry C. Haelsig, submitting Final Map of Clairemont Unit No. 15 for approval, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 112787, recorded on Microfilm Roll No. 66, 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, and the Union Title Insurance and Trust Company, a corporation, as trustee, for installation and completion of unfinished improvements and setting of monuments required for Clairemont Unit No. 15 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 Wincote, adopted.

RESOLUTION NO. 112788, recorded on Microfilm Roll No. 66, adopting Map of Clairemont Unit No. 15, being all of Lots 1540 and 1541 of Clairemont Unit No. 1, all of Clairemont Mesa Boulevard, portions of Clairemont Drive, Joplin Avenue, Lakehurst Avenue and Pocahontas Avenue; accepting on behalf of the Public said streets, alleys, paths and unnamed, and declaring them to be public streets, alleys, paths 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 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 Wincote, adopted.

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

Councilman Godfrey spoke regarding the Health Department rule regarding Food Handlers' permits. He read to the Council a newspaper clipping on the subject. He spoke about the matter being made permissive rather than compulsory for health examiners (as was true when the Health Department was under the City of San Diego). He declared that the public which eats out should be protected. He stated that vital services were to be continued when the City went into the County Health. Councilman Godfrey stated that the City should make a representation to the County Supervisors to the effect that the health examinations for food handlers should be compulsory.

The City Manager told the Council that if that is wanted in the City, the Council can pass an ordinance to that effect.

Councilman Godfrey said that if the service were on a County-wide basis and so continued it would be continuous - but if special, the City would have to pay the refor.

RESOLUTION NO. 112789, recorded on Microfilm Roll No. 66, directing the City Attorney to prepare and present a Resolution stating that the City Council wants compulsory food handlers' examinations on a health basis in the City, and requesting the Board of Supervisors of the County of San Diego to pass compulsory legislation to that effect throughout the County of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

A majority of the members of the Council executed the following undertakings with San Diego Gas & Electric Company, for the furnishing of electric lights (ornamental) in:

Presidio Hills Lighting District No. 1;  
Garner Street Lighting District No. 1;  
Crown Point Lighting District No. 1.

Councilman Schneider told Mayor Butler that due to a wedding, for which he would be out of town, he would be unable to attend the Council meeting of Thursday, June 25, 1953.

The Mayor stated that Councilman Burgener would be back from Washington, D.C., and that as a result there would be enough members of the Council present to act.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the Council adjourned - inasmuch as there was no further business to come before it at this time - at the hour of 12:30 o'clock Noon.

ATTEST:

By

*August M. Hadstrom*  
Deputy

*John D. Butler*  
Mayor of The City of San Diego, California

6/25/53

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California,  
Thursday, June 25, 1953

Present--Councilmen Wincote, Dail, Godfrey, Mayor Butler

Absent---Councilmen Burgener, Schneider, Kerrigan. (Councilman Burgener was in Washington, D.C. on City business)

Clerk----Fred W. Sick

The annual appropriation hearing having arrived as set for the hour of 10:00 o'clock A.M., for the fiscal year 1953-1954, the Mayor inquired if any interested affected persons were present who desired to be heard.

No one appeared to be heard, verbally.

The Mayor told John C. Leppert, of the San Diego Taxpayers' Association, that apparently there were no protests. Mr. Leppert replied that he had come to the hearing just in case it became necessary for him to speak, although he had nothing to present otherwise.

The Mayor recommended that the Manager's recommendations regarding an amendment to budget be accepted.

A discussion arose on the necessity of approving the recommendations.

For the record, said recommendation signed by O. W. Campbell, City Manager, dated June 25, 1953, showing an increase over the preliminary budget submitted May 5, 1953, and request inclusion of the sum of \$441,625.00 is shown as having been approved and filed - inasmuch as the proposed ordinance includes said figure.

On motion of Councilman Schneider, seconded by Councilman Dail, fixing, adopting and approving an Annual Fiscal Budget for the Fiscal Year 1953-1954, approving amounts therein estimated for the needs of The City of San Diego and the various departments, and appropriating out of the Treasury the necessary moneys to carry on the City and the operation of the various departments for said fiscal year, was introduced on motion of Councilman Dail - including the amendments. There was available for the consideration of each member of the Council prior to the day of final passage a written or printed copy.

Communication from the Purchasing Agent, continued from the meeting of June 23, 1953, reporting on bids received from 2 bidders, for constructing a deck extension at the Harbor House Cafe, was presented.

John McQuilken, City Auditor and Comptroller, read to the Council provisions of the lease with the Harbor House. The \$30,000.00 called for in the lease has been spent, he stated. He questioned the doing of said work under a City contract.

Douglas D. Deaper, Deputy City Attorney, stated that members of the Council were in favor of the proposal, as presented by Carl Reupsch of the Harbor Department. It would be a legal contract to provide for said work, he stated.

Councilman Dail told the Council that an explanation by the Harbor Department would be needed before City approval. He said that he does not like the "omissions".

Mayor Butler said that the matter should be held over and Mr. Reupsch should appear to explain the situation further.

Mr. Deaper pointed out that there is nothing in the lease which would require the improvement. It is a step, however, in increasing the seating. Inasmuch as the Harbor House is operating on a percentage lease, it would result in greater revenue to the City, he stated. Mr. Deaper pointed out to the Council that the matter is justifiable in law.

The Mayor said that it is legal, but not good business.

Councilman Wincote said that if it is the Harbor House obligation, it should be "turned back to him".

Councilman Dail said that the Council can get drawn into suits sometimes, if it authorizes acts which are illegal.

Councilman Godfrey moved to refer the matter to the City Attorney for legal interpretation.

RESOLUTION NO. 112790, recorded on Microfilm Roll No. 66, continuing the recommendation for award of contract to R. E. Staite, low bidder, to the Council Meeting of June 30, 1953; requesting the City Attorney to give a legal opinion thereon in connection with the lease of the Harbor House; requesting Carl Reupsch of the Harbor Department to be present at said meeting to explain the situation to the Council further, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

(Mr. Reupsch was notified by telephone of the continuance and request for his appearance - 6/25/53).

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing 10" Flanged Detector Check Valve for installation in the water supply system at De Anza Trailer Court (Mission Bay); recommending purchase without bids, one Hersey Valve type DC. on the open market from the local supplier, Squires-Belt Material Company at a price of \$1,920.00 plus State Sales Tax, was presented. The communication states that the Purchasing Agent has canvassed all known sources to secure prices on a competitive valve, but while such valves are made by other manufacturers to an 8" size, the Hersey Meter Company is the only manufacturer able to furnish it in said size.

The City Manager made a verbal explanation, along the lines of the communication, and the submitted Resolution.

RESOLUTION NO. 112791, recorded on Microfilm Roll No. 66, authorizing and 112790 - 112791



6/25/55 400

directing the Purchasing Agent to purchase in the open market, without advertising for bids, 1 Hersey 10" Flanged Double Check Valve type DC. at a price of \$1,920.00 plus State Sales Tax, from Squires-Belt Material Company, local supplier, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution states that the Water Department, Division of Distribution has advised about requirement; that the Hersey Meter Company is the only known manufacturer; that it will be for the best interest of the City to purchase the same in the open market.

Communication from the Port Director, requesting increase of \$25,435.00 in the Budget of the Harbor Department for the fiscal year 1953-54, in accordance with the details set forth therein, was presented.

Councilman Wincote moved to adopt the matter.

The City Manager told the Council that the increase has been included in the proposed Budget's annual appropriation ordinance.

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

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of Miguel Vista, subject to the successful closing of Potrero Street and posting of adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 112792, recorded on Microfilm Roll No. 66, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego, a contract with Cardiff Homes Inc., a corporation, subdivider, and the Security Title Insurance Company, a corporation, as trustee, for installation and completion of unfinished improvements and the setting of the monuments required for Miguel Vista Subdivision; directing the City Engineer to present ordinance establishing official grades of all streets within said subdivision, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112793, recorded on Microfilm Roll No. 66, adopting Map of Miguel Vista; accepting on behalf of the public Dell Anne Place, Potrero Street, Wade Street and unnamed easements, for public purposes; declaring them to be public street and unnamed easements 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 him to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 4 sections of the San Diego Municipal Code in connection with the Tentative Map of Country Club Terrace Unit No. 2, was presented.

RESOLUTION NO. 112794, recorded on Microfilm Roll No. 66, suspending Sections 102.11-2, 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code, in connection with the Tentative Map of Country Club Terrace Unit No. 2, insofar as they relate to the Tentative and Final maps, 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 Country Terrace, for subdivision of portion of Lot 210 (Pueblo) - 15-lot subdivision on the northwesterly side of Wing Street, southeasterly of Shadowlawn Street, subject to 10 conditions, was presented.

RESOLUTION NO. 112795, recorded on Microfilm Roll No. 66, approving Tentative Map of Country Club Terrace Unit No. 2, on 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, recommending suspension of 3 sections of the San Diego Municipal Code for the resubdivision of Lot 18 Soledad Terrace into two lots, each having approximately 17,390 square feet - located on Los Altos Road above Pacific Beach - was presented.

RESOLUTION NO. 112796, recorded on Microfilm Roll No. 66, suspending Sections 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code in connection with the Tentative Map of resubdivision of Lot 18 Soledad Terrace, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, for the re-subdivision of Lot 18 Soledad Terrace, subject to 6 conditions, was presented.

RESOLUTION NO. 112797, recorded on Microfilm Roll No. 66, approving Tentative Map for re-subdivision of Lot 18 Soledad Terrace, on 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, recommending denial of the Tentative Map for a 8-lot subdivision of Lot 23 Soledad Terrace - located above Pacific Beach on Los Altos Road, for various conditions set forth therein, was presented.

P. Q. Burton, from the Planning Department, explained the matter to the

Council, upon request of the Mayor. He told about the too-small lot sizes, and the 40-foot street which is undesirable. He stated that there is need to revamp the subdivision.

RESOLUTION NO. 112798, recorded on Microfilm Roll No. 66, adopting recommendation of the City Planning Department, recommending denial of request for approval of Tentative Map of Lot 23 Soledad Terrace; denying said proposal for said Tentative Map, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending amendment to Resolution approving Loma Linda Subdivision - heretofore approved June 4, 1953, by Resolution 112412 - was presented.

RESOLUTION NO. 112799, recorded on Microfilm Roll No. 66, amending Items 5 and 6 of Resolution No. 112412 adopted June 4, 1953, relative to inclusion of sidewalks and exclusion of sidewalks, paving of Calle Gaviota and Cumberland Street, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from George Georgeon for a cabaret license, at Georgeon's in the Park Hotel Building, 3365 Fifth Avenue (George Georgeon and Russell Segel), was presented with recommendations for approval from the interested City departments, was presented.

RESOLUTION NO. 112800, recorded on Microfilm Roll No. 66, granting permission to Russell Segel and George Georgeon to conduct a cabaret with paid entertainment at Georgeon's, 3365 Fifth Avenue in the Park Hotel, where liquor is sold; subject to the regular license fee, and to compliance with existing regulations, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, submitting petition for rezoning of approximately 20 acres at the intersection of Jamacha Road and Cardiff Street in Lomita Village Unit No. 5 - Tentative Map of which was approved in December, 1952 - from R-1 to RC, C and CP Zones, for Shopping Center, was presented.

RESOLUTION NO. 112801, recorded on Microfilm Roll No. 66, requesting the City Attorney to prepare and present ordinance to rezone portion of Lomita Village Unit No. 5, from R-1 Zone to Zones RC, C and CP; said Ordinance not to be effective until the Final Map of Lomita Village Unit No. 5 is filed of record, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from House of Hospitality Association, dated June 19, 1953, signed by Matilda Hadley, President, requesting amendment to Lease Agreement - particularly in connection with the maximum Revolving Fund, inasmuch as Cafe del Rey Moro is to be removed at a substantial cost - was presented.

RESOLUTION NO. 112802, recorded on Microfilm Roll No. 66, referring the communication from House of Hospitality - Cafe del Rey Moro, for amendment to lease, to the City Manager for detailed report to the Council, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from Tom Drake, Chairman, Beach Improvement Committee, dated 20 June 1953, in behalf of Chamber of Commerce, Ocean Beach, 4321 Voltaire Street, was presented. It refers to the condition of the beach area, and requesting support for keeping them clean and sanitary, was presented.

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

Communication from Willard Bascom, Oceanographic Engineer,, 8373 El Paseo Grande, La Jolla, dated 20 June, 1953, relative to proposed financing of additional dredging in Mission Bay, and proposals for ward at the entrance, was presented.

Councilman Dail stated that the matter had been listed on the Council's agenda for this date at his request. He stated that Mr. Bascom would be willing to give the Council the benefit of his advise. Councilman Dail pointed out that the writer is well qualified to deal with the subject, and added that he is not looking for a job.

On motion of Councilman Wincote, seconded by Councilman Burgenier, said matter was referred to the City Manager, and the Manager requested to answer the same.

RESOLUTION NO. 112803, recorded on Microfilm Roll No. 66, granting permission to Marvin R. Mace, 4077 Normal Street, to install a 4" cast iron sewer line between the property line and the sidewalk, to be placed 1 to 15 feet outside the property line and run in a northwesterly direction, parallel to the northeasterly line of Lots 10, 11, 12 Block 162 Middletown Subdivision, to point of intersection with public sewer; to serve property at 3618, 3620 and 3622 State Street; upon approval of the Plumbing Section of the Inspection Department, the Property Division, the Sewer section of the Engineering Department, and upon conditions set forth therein, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112804, recorded on Microfilm Roll No. 66, granting permission to W. F. W. Blackwell, 202 Roanoke Road, El Cajon, California, to install a 40-foot driveway on the westerly side of Boundary Street between Meade and Madison Avenues, adjacent to Lot 8 Illinois Manor; to provide access to 4 garages at 4470 Boundary Street; on condition that any curb cutting and driveway installation be in accordance with all rules, regulations and ordinances of The City of San Diego; 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 Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112805, recorded on Microfilm Roll No. 66, determining that the initial construction costs of the water feeder main in the La Jolla Muirlands area (as indicated on map in the City Clerk's Document No. 471578) shall be borne by the City of San Diego, with no initial contribution from the property owners to be benefited; that the property owners within said area to be benefited shall contribute a proportionate share of the cost for connection with said feeder main each family unit on lots of one acre or less shall pay \$80.00, for connection with said feeder main each family unit on lots of more than one acre but not to exceed one and one-half acres, shall pay \$100.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112806, recorded on Microfilm Roll No. 66, determining that the initial contribution cost of property owners in Narragansett Heights area (as indicated on Map in the City Clerk's Document No. 471580) to be benefited by construction of water feeder main and tank shall be: for Lomita Homes, Inc., Cardiff Homes, Inc., and Sweetwater Homes, Inc., contribution shall be as set forth in agreement dated October 8, 1953, City Clerk's Document No. 458337; which amounts provided are deemed sufficient to pay the construction costs; the proportionate share in Narragansett Heights as indicated in Document No. 471580 to be paid by the property owners for each connection shall be \$87.00 per family unit, or equivalent, if area is used for non-residential purposes, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112807, recorded on Microfilm Roll No. 66, prohibiting the parking of Automobiles at all times on the southeasterly side of Taylor Street, between Calhoun and Juan Streets; authorizing and directing installation of the necessary signs and markings to be made on said street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112808, recorded on Microfilm Roll No. 66, establishing parking time limit of two hours, between the hours of 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

12TH AVENUE between the north line of B Street and the south line of A Street;  
BROADWAY between the east line of 16th Street and the west line of 17th Street;  
establishing Parking Meter Zones; directing the City Manager to cause parking meters to be installed and parking meter spaces to be designated on streets; authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112809, recorded on Microfilm Roll No. 66, authorizing and empowering the City Manager to do all the work in connection with construction of an extension to the 48-inch pipe culvert over Lot 2 Block 223 Middletown, to connection with 6-foot by 2-foot concrete box storm drain in Kurtz Street, as shown on City Engineer's Drawing No. 4947-B by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Said Resolution states that the Engineering Department has recommended said work, 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. 112810, recorded on Microfilm Roll No. 66, authorizing and empowering the City Manager to do all the work in connection with installation of connections and the sterilization of existing mains which is necessary due to replacement of small water mains, Group 8, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112811, recorded on Microfilm Roll No. 66, authorizing the City Manager to execute a lease with William A. Avril and Norma V. Avril for portion of Barrett Reservoir site more particularly described in form of lease heretofore filed with the City Clerk as Document No. 471757, for recreational concession purposes at a monthly rental of \$15.00 plus 7% of the gross income to be derived, for a period of 1 year commencing on the first day of July, 1953, in accordance with terms and conditions of form of lease; said property has a value of \$2500.00 as disclosed by the report of the last appraisal made by the Auditor and Comptroller and which land is being leased for the reason that the City will derive revenue not otherwise obtainable, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.



RESOLUTION NO. 112812, recorded on Microfilm Roll No. 66, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego a concession lease between the City and Calvin Swalm for the junior fire truck concession in Balboa Park at a monthly rental of \$75.00 payable in advance, in accordance with the terms and conditions set forth in form of lease on file in the office of the City Clerk under Document No. 471791, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Prior to adoption of said Resolution, the City Manager made a brief verbal explanation to the Council.

RESOLUTION NO. 112813, recorded on Microfilm Roll No. 66, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

On the southerly side of Sterne Street, on first pole easterly of Locust Street;

Honeycutt Street, at Fortuna Avenue and at Pacific Beach Drive;  
Morrell Street, at Fortuna Avenue, at Grand Avenue, at Oliver Avenue,  
at Pacific Beach Drive, at Reed Avenue, and at Thomas Avenue; and  
Noyes Street, at Hornblend Street, at Oliver Avenue, at Reed Avenue,  
at Thomas Avenue, and at Grand Avenue;

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

RESOLUTION NO. 112814, recorded on Microfilm Roll No. 66, accepting subordination agreement signed by the Pacific Telephone and Telegraph Company bearing date June 11, 1953, whereby said Company subordinates interest in the northerly 10 feet of the westerly 65.09 feet of Lot 40 Rancho Mission of San Diego - Map of New Riverside No. 679 being subdivision of Ex-Mission Lot 38 shows length of Lot 38 to be 4562 feet and Map No. 707 being David's Subdivision of Ex-Mission Lot 39 shows length of said Lot 39 to be 4634 feet north and south which is in excess of; dimension said lots as shown on Partion Map of Rancho Mission and which said excess is extended on the south would cause an overlap on said Ex-Mission Lot 40 - to the right of way of easement heretofore conveyed to the City for public street proposed by subdivision map known as Cabrillo Heights Business Center; authorizing and directing the City Clerk to file said subordination agreement of record in the office of the County Recorder, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Prior to adoption of said Resolution, Douglas Deaper, Deputy City Attorney, told the Council that said Company had not signed the map of Cabrillo Heights Business Center, but offered the subordination agreement in lieu thereof.

RESOLUTION NO. 112815, recorded on Microfilm Roll No. 66, accepting quitclaim deed executed 14th day of June, 1953, by Young-Loftus Construction Company, quitclaiming all water mains and appurtenant structures constructed for the City's use, located in public streets, rights of way, highways and public places, either within or without the subdivision named Churchward Heights, being portion of Lot 15 of Partition of Rancho Mission; 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 Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112816, recorded on Microfilm Roll No. 66, accepting deed of Elsie Prudence Wright and Elizabeth Antoinette Wright, conveying portion of Lots 24, 25, 26, Block 10 Loma Alta No. 1; 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 Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112817, recorded on Microfilm Roll No. 66, accepting deed of I. F. Peterson, bearing date June 16, 1953, conveying easement and right of way for street purposes in portions of Lots 5, 6, 7 Block 78 Ocean Beach Subdivision; setting aside and dedicating the same to the public use as and for a public street and naming the same Cape May 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 Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112818, recorded on Microfilm Roll No. 66, accepting deed of Violet Johnston, bearing date June 16, 1953, conveying easement and right of way for street purposes in portion of Lots 1 to 4 inclusive, Block 78 Ocean Beach Subdivision; setting aside and dedicating the same to the public use, as and for a public street, and naming the same Cape May 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112819, recorded on Microfilm Roll No. 66, accepting deed of Roscoe E. Hazard and Muriel B. Hazard, bearing date June 16, 1953, 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112820, recorded on Microfilm Roll No. 66, accepting deed of Roscoe E. Hazard, Muriel B. Hazard and Helen Louise Abel, bearing date June 16, 1953, 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112821, recorded on Microfilm Roll No. 66, accepting deed of Nellie Harrington, also known as Nellie M. Harrington, bearing date May 19, 1953, conveying easement and right of way for sewer purposes in portion of Lots 13 and 14 Block 35 San Diego Property Union; 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. 112822, recorded on Microfilm Roll No. 66, accepting deed of E. C. Battitt, who acquired as Edward C. Babbitt, and Inez R. Babbitt, bearing date May 19, 1953, conveying easement and right of way for sewer purposes in portion of Lot 15 and 16 Block 35 San Diego Property Union; 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. 112823, recorded on Microfilm Roll No. 66, accepting deed of Frank A. Rose and Esther E. Rose, bearing date May 19, 1953, conveying easement and right of way for sewer purposes in portion of Lots 17 and 18 Block 35 San Diego Property Union; 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. 112824, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by San Diego Federal Savings and Loan Association, beneficiary, and Security Title Insurance Company, trustee, bearing date June 4, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 13 and 14 Block 35 San Diego Property Union, 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112825, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by George G. Hansen, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date June 1, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lots 17 and 18 Block 35 San Diego Property Union, to the right of way and easement for sewer 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 certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112826, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by Home Builder's Savings and Loan Association, beneficiary, and Paul Endicott and Russell K. Pitzer, trustee, bearing date June 9, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 17 and 18 Block 35 San Diego Property Union, 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112827, recorded on Microfilm Roll No. 66, accepting deed of R. E. Hazard Contracting Co., executed in favor of The City of San Diego, bearing date June 5, 1953, conveying easement and right of way for sewer purposes in portion of Lots 67, 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112828, recorded on Microfilm Roll No. 66, accepting deed of Union Title Insurance and Trust Company, bearing date June 9, 1953, conveying easement and

right of way for 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112829, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation, trustee, bearing date June 15, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot "C" Block 1 Mission Beach, to the right of way and easement for sewer, water main, electric power line, and/or telephone line 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 Dail, adopted.

Godfrey

RESOLUTION NO. 112830, recorded on Microfilm Roll No. 66, accepting Deed of G. Gordon Turner and Clementina L. Turner, bearing date May 22, 1953, conveying easement and right of way for sewer, water main, electric power line, and/or telephone line purposes in Lot "C" Block 1 Mission 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 Godfrey, seconded by Councilman Dail, adopted.

Councilman Dail, under unanimous consent granted by the Council, filed the transcript of the Rent Decontrol Hearing conducted Thursday, June 11, 1953, in the Television studios of KEMB.

No action was taken by the Council. It was placed in the files of the City Clerk on the subject.

On motion of Councilman Dail, seconded by Councilman Wincote, the reading of the next ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5659 (New Series), establishing the grade of the Alley in Block 196 Pacific Beach, between the easterly line of Cass Street and the westerly line of Dawes Street, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener, Schneider, Kerrigan.

On motion of Councilman Dail, seconded by Councilman Wincote, the reading of the next ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5660, (New Series), recorded on Microfilm Roll No. 66, establishing the grade of the Alley in Block 197 Pacific Beach, between the easterly line of Dawes Street and the westerly line of Everts Street, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener, Schneider, Kerrigan.

On motion of Councilman Dail, seconded by Councilman Wincote, the reading of the next ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5661 (New Series), recorded on Microfilm Roll No. 66, establishing the grade of the Alley in Block 224 Pacific Beach, between the westerly line of Cass Street and the easterly line of Bayard Street, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener, Schneider, Kerrigan.

On motion of Councilman Dail, seconded by Councilman Wincote, the reading of the next ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5662 (New Series), recorded on Microfilm Roll No. 66, establishing the grade of the Alley in Block 225 Pacific Beach, between the westerly line of Bayard Street and the easterly line of Mission Boulevard, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener, Schneider, Kerrigan.



On motion of Councilman Dail, seconded by Councilman Wincote, the reading of the next ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5663 (New Series), recorded on Microfilm Roll No. 66, establishing the grade of Catoclin Drive, between the westerly prolongation of the southerly line of Saramac Street and the northerly line of Montezuma Road, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted by the following vote, to-wit: Yeas--Councilmen Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener, Schneider, Kerrigan.

On motion of Councilman Dail, seconded by Councilman Wincote, the reading of the next ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5664 (New Series), recorded on Microfilm Roll No. 66, establishing the grade of Lehigh Street, between the southwesterly line of Tonopah Avenue and the northeasterly line of Morena Boulevard, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener, Schneider, Kerrigan.

On motion of Councilman Dail, seconded by Councilman Wincote, the reading of the next ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5665 (New Series), recorded on Microfilm Roll No. 66, establishing the grade of Nashville Street, between the northeasterly line of Morena Boulevard and a line at right angles northerly to the southerly line of Nashville Street from a point thereon distant 105.65 feet westerly from the most northerly corner of Lot 26 Hazard Tract No. 1, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener, Schneider, Kerrigan. Nays--Councilmen None.

On motion of Councilman Dail, seconded by Councilman Wincote, the reading of the next ordinance in full prior to its final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5666 (New Series), recorded on Microfilm Roll No. 66, establishing the grade of Tonopah Avenue, between a line parallel to and distant 8.00 feet northwesterly from the northeasterly prolongation of the northwesterly line of Lehigh Street, bearing N 36° 11' E, and a line parallel to and distant 66.00 feet southeasterly from said parallel line, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener, Schneider, Kerrigan. Nays--Councilmen None.

On motion of Councilman Godfrey, seconded by Councilman Dail, Ordinance establishing the grade of Z Street, between the northeasterly line of Acacia Street and the west line of 36th Street, was introduced by the following vote, to-wit: Yeas--Councilmen Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener, Schneider, Kerrigan. Nays--Councilmen None.

On motion of Councilman Godfrey, seconded by Councilman Dail, Ordinance establishing grade of the Alley lying northeasterly of and contiguous to Lots 38 to 47 inclusive, of Catalina Villas, between the northwesterly line of Wells Street and the southeasterly line of Catalina Boulevard, was on motion of Councilman Godfrey, seconded by Councilman Dail, introduced, by the following vote, to-wit: Yeas--Councilmen Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener, Schneider, Kerrigan. Nays--Councilmen None.

On motion of Councilman Godfrey, seconded by Councilman Dail, Ordinance establishing the grade of Rhode Island Street, between the north line of Madison Avenue and the south line of Golden Gate Drive, was on motion of Councilman Godfrey, seconded by Councilman Dail, introduced, by the following vote, to-wit: Yeas--Councilmen Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener, Schneider, Kerrigan.

On motion of Councilman Godfrey, seconded by Councilman Dail, Ordinance establishing the grade of the Alley in Block 24 Sunset Cliffs, between the northerly line of Guizot Street and the southerly line of Froude Street, was on motion of Councilman Godfrey, seconded by Councilman Dail, introduced, by the following vote, to-wit: Councilmen Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener, Schneider, Kerrigan.

On motion of Councilman Godfrey, seconded by Councilman Dail, Ordinance establishing the grade of 43rd Street, between the northerly prolongation of a line parallel to and distant 10.00 feet northerly from the north line of Lot 23 Block 13 Morrison's Marscene Park, and a line parallel to and distant 100.00 feet southerly from said line, was introduced, by the following vote, to-wit: Councilmen Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener, Schneider, Kerrigan.

On motion of Councilman Godfrey, seconded by Councilman Dail, Ordinance establishing the grade of the Alley in Block 1 Ocean Front, between the westerly line of Bayard Street and the easterly line of Mission Boulevard, was on motion of Councilman Godfrey, seconded by Councilman Dail, was introduced, by the following vote, to-wit: Councilmen Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Burgener, Schneider, Kerrigan.

The City Manager requested, and was granted, unanimous consent to present the next matter, not listed on the agenda. Prior to adoption of the Resolution in connection therewith, he made a verbal explanation to the Council.

Communication from P. Beermann, Director of the Water Department, addressed to the City Manager, and submitted to the Council with the Assistant City Manager's stamp of approval, submitting various papers in connection with Water Feeder for service to area shown on water Drawing No. 5953-A dated 5-5-53 (A.R. 17) - Cabrillo Heights, was presented. In addition to reporting in detail, it recommended that the report and attached water Department Drawing No. 5953-W entitled "Water District Plat Cabrillo Heights Area" be approved and that the charges be authorized by Resolution.

RESOLUTION NO. 112831, recorded on Microfilm Roll No. 66, stating that the minimum initial construction cost of portion of feeder main which is larger in size than needed for the Wherry Project, which serves area delineated on the Map of Cabrillo Heights Area (City Clerk's Document No. 471811) was borne by The City of San Diego with no initial contribution from the property owners to be benefited; that the minimum initial construction cost of the new Chesterton Standpipe which will serve Cabrillo Heights Area shall be borne by the City with no initial contribution from the property owners to be benefited thereby; that the proportionate share of the cost of the larger size feeder main which services said Area (designated No. 471811) to be paid by the property owners within said area for connection with the feeder main shall be \$20.00 per family unit or its equivalent (if area is used for non-residential property); that the proportionate share of the cost of the New Chesterton Standpipe, as indicated in Document No. 471811 to be paid by the property owners for service from said tank is \$25.00 per living unit, or equivalent, if area is used for non-residential purposes; total contribution per property owner for each connection with the water mains shall be \$45.00 per family unit, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The City Manager reported, verbally, that he had a conference with Mr. Waters regarding the proposed rezoning in Marilou Park, to permit him to construct a bottling plant and where the question of road alignments has arisen. He told the Council that he was to have a meeting this afternoon on the subject, with "all three".

RESOLUTION NO. 112832, recorded on Microfilm Roll No. 66, urging the Board of Supervisors of the County of San Diego, to adopt such ordinances or resolutions or to cause its Board of Health to adopt such resolutions or regulations as will make compulsory the health examinations of food handlers in the County of San Diego, the other cities in the County contracting with the County for furnishing public health services and (by virtue of sections 41.09, 41.10 and 42.0106 of the San Diego Municipal Code, in the City of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City and the County entered into negotiations for performance of public health services in the City by the County, which negotiations culminated in contract executed by the parties on January 30, 1953; that the basis of such negotiations and contract was that to the greatest possible extent, the health ordinances of the City and the County and of the other cities in the County entering into similar agreements with the County should be identical or as nearly similar as possible. The Resolution declares that the County ordinances relating to the health examination of food handlers made such examination compulsory only if the Board of Health by regulation required it, whereas the corresponding City ordinance made such an examination compulsory by its very terms. Also, it states that in order to comply with the request of the County regarding identity or close similarity of their respective ordinances, the City amended its ordinance to conform to that of the County; that, although it was assumed by the City during negotiations that the County would shortly issue such regulations under its County ordinance as would have the effect of making health examinations for food handlers compulsory, no such regulations have been issued as yet; that it is the opinion of the Council that failure to require health examinations of food handlers presents a grave threat to public health.

Mayor Butler spoke about the zoning of property in the County of San Diego "fringe property" in the City of San Diego, relative to effect on the City and future annexations.

The City Manager told the Council that such matter would come in "next Tuesday" - which would be June 30, 1953.

There was no action.

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

Councilman Godfrey spoke about the many complaints he has received - and he said other members of the Council probably have - relative to the rough handling of trash receptacles and garbage pails. He told about their being beaten up unnecessarily. Councilman Godfrey expressed the belief that the situation needs to be studied by the City Manager. He told about the sanitation men being choosy about what will be picked up, but that they in turn are unnecessarily careless with the receptacles. He said that he does not want to condemn all, but stated that there is need for more supervision.

RESOLUTION NO. 112833, recorded on Microfilm Roll No. 66, referring to the City Manager for report and recommendation the matter of handling of trash receptacles and garbage pails, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

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

Upon leaving the Council Chambers, the Mayor announced that members of the Council would go into conference.

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, Calif-  
ornia, Tuesday, June  
30, 1953

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

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

On motion of Council Kerrigan, seconded by Councilman Dail, the Minutes of the Regular Meetings of Tuesday, June 23, 1953, and of Thursday, June 25, 1953; were presented to the Council by the Clerk; and approved without reading.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for Small Water Mains Replacements, Group No. VIII, 1952-53 - Specification No. 46 - the Clerk reported that 3 bids had been received, which bids were presented to the Council.

Said bids, on motion made and seconded, were opened and publicly declared. Said bids were as follows:

The bid of W. V. Hutchison, 1624 Torrey Pines Road, La Jolla, accompanied by bond written by Fireman's Fund Indemnity Company in the sum of 10% of the amount of the accompanying bid, not to exceed \$6,100.00, which bid was given Document No. 471948;

The bid of Walter H. Barber, an individual, 7309 El Cajon Boulevard, La Mesa, California, accompanied by bond written by Hartford Accident and Indemnity Company, which bid was given Document No. 471949;

Councilmen Burgerer and Godfrey entered the meeting at this time.

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, 5515 University Avenue, San Diego, accompanied by bond written by Fidelity and Deposit Company of Maryland, which bid was given Document No. 471950.

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 the ornamental street lights located in Talmadge Park Lighting District No. 4, for a period of one year from and including April 1, 1953, to and including March 31, 1954, the Clerk reported that one bid had been received, which bid was presented to the Council.

Said bid, on motion made and seconded, was opened and publicly declared. Said was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check written by San Diego Trust and Savings Bank in the sum of \$136.68, which bid was given Document No. 471947.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for hearing on the Street Superintendent's Assessment No. 2136, made to cover the costs and expenses of the work of paving and otherwise improving of Kendall Street, Chico Street, Shasta Street and Crown Point Drive, within the limits and as particularly described in Resolution of Intention No. 106666, the Clerk reported that written appeal had been received from Mrs. May Conley, per E. N. Leach, was presented.

The City Engineer reported that a "1% protest" had been received, regarding a crack. He stated that the crack will be repaired by the contractor.

RESOLUTION NO. 112834, recorded on Microfilm Roll No. 66, overruling and denying the appeal of May K. Conley, from the Street Superintendent's Assessment No. 2136 made to cover the costs and expenses of the work of paving and otherwise improving of Kendall Street, Chico Street, Shasta Street and Crown Point Drive, within the limits and as particularly described in Resolution of Intention No. 106666; overruling and denying all other appeals; confirming and approving the Street Superintendent's Assessment No. 2136, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing the Street Superintendent to record the same - the warrant, diagram and assessment - in his office, was on motion of Councilman Schneider, seconded by Councilman Wilcote, adopted.

No verbal appeals were made in response to the Mayor's inquiry if any interested affected property owners were present who desired to be heard.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2137 made to cover the costs and expenses of 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, the Clerk reported that written appeal had been received from Edwin F. Ehlers and Catherine B. Ehlers, which appeal was presented to the Council.

The City Engineer reported verbally that there was a 4-1/2% appeal, based on the lack of drainage.

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

Mrs. E. F. Ehlers was heard. She told the Council that there were no drains installed, and spoke about the property having been washed in deep trenches.

The Mayor told Mrs. Ehlers that this hearing is on the fairness of the assessment; not on the inclusion of additional work. He said that the drain was not included.

Mrs. Ehlers asked what provision had been made for drainage. She stated that water will wash across the property. In addition, she spoke about children having knocked dirt down, and said that eventually the water will undermine the property. She told of having had a portion paved by private contract, to afford entrance to the property. She said that she signed the original petition for paving. In addition, Mrs. Ehlers stated that she had 18 loads of dirt put in for filling.

The City Engineer said that Mrs. Ehlers signed the original petition. Also, he said that the street has a deep gully and dip. He showed members of the Council a map of the improvement. The work was put in in accordance with the plans, he stated. He said that he can look into the problem.

Councilman Kerrigan said that the matter can be referred to the City Manager to check regarding the drainage.

Mrs. Ehlers said that the paving is all right; also the assessment. She said that she was interested in the drainage only.

Councilman told Mrs. Ehlers that property owners had not petitioned for installation of drainage, and as a result the City Engineer did not include it in the plans.

There was discussion between Councilman Wincote and Mrs. Ehlers regarding the paving and the drain.

RESOLUTION NO. 112835, recorded on Microfilm Roll No. 66, referring the matter of drainage in connection with the Street Superintendent's Assessment No. 2137 made to cover the costs and expenses of the paving and otherwise improving of E Street west of 30th Street, upon which Mrs. Edwin F. Ehlers, 2951 E Street, filed appeal, for report, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

(Two other motions, having to do with overruling protests and confirming the assessment, adopted at this point, were not numbered inasmuch as the matter was reconsidered, and was shown again as the next item.)

The two motions, confirming the overruling of protests and confirming of the assessment for the paving and otherwise improving of E Street, were reconsidered at this time, inasmuch as Emma Lipshitz appeared and wished to be heard.

Mrs. Lipshitz told the Council that the assessment is too high.

The Mayor explained to the speaker about manner of securing bids and the spread of the assessment.

Councilman Schneider states that the lowest bid had been accepted.

There was discussion between Mrs. Lipshitz, Councilmen Wincote and Burgener.

The Mayor pointed out that the assessment may be paid over a period of 10 years.

RESOLUTION NO. 112836, recorded on Microfilm Roll No. 66, overruling and denying the appeals of Edwin F. Ehlers and Catherine B. Ehlers, and of Emma Lipshitz, from the Street Superintendent's Assessment No. 2137 made to cover the costs and expenses of the work of paving and otherwise improving of E Street west of 30th Street, within the limits and as particularly described in Resolution of Intention No. 108555; overruling and denying all other appeals thereon; confirming and approving said Assessment; authorizing and directing the Street Superintendent to issue the same in the manner and form provided by law, directing him to record the same in his office, including 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. 112244, for the paving and otherwise improving of the Alley in Block 52 Park Villas, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

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

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

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 112373 of Preliminary Determination, the paving and otherwise improving of the Alley in Block 22 City Heights, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been presented.

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

A. E. Williams, 2916 Haller Street, spoke in objection to the assessment, and told about interviews which had been had with City employees on the subject. He said that the assessment would be greater than the total valuation.

The City Engineer reviewed the figures, and stated that the bonds issued would be on the property, with improvements.

Douglas D. Deaper, Deputy City Attorney, answering a Council question, stated that that reference is to bare land. (Although there was discussion on that point, Mr. Deaper gave his verbal opinion and was not instructed by motion and second to put it in writing).

Councilman Dail stated that there is nothing new where improvements become greater than the valuation of the property, and he referred to an Encanto project as an example.

Councilman Godfrey said that if the protest is valid, it must be recognized. He said that the City's legal position should be determined on the situation.

John Thornton, of the City Attorney's Office, said that on this set where this hearing is being held, reference is to whether or not the debt limitation should be used.

Councilman Godfrey asked that the matter be continued one week, and that a written opinion be given.

The City Engineer referred to the petition, which he checked.

Mr. Williams conducted a discussion with Councilman Kerrigan.

The City Engineer reviewed for the Council, the improvement. He said that over 50% of the original petition is "still in". He said that the property drops into a canyon, and that the original idea for improvement had been changed. He told of what Mr. Williams' wanted to know about lot included in the petition, and the signatures therefor.

There was over-the-table discussion over the map, in which Mr. Williams, members of the Council, and the City Engineer took part, regarding the Warner property.

The City Engineer stated that a check is made by his office in the Recorder's office regarding ownership.

RESOLUTION NO. 112837, recorded on Microfilm Roll No. 66, continuing for one week - to the meeting of Tuesday, July 6, 1953, at 10:00 o'clock A.M., hearing on Resolution No. 112373 of Preliminary Determination, for the paving and otherwise improving of the Alley in Block 22 City Heights, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

(Although the motion did not call for an opinion from the Attorney relative the valuation of property, Douglas D. Deaper, Deputy City Attorney, stated that he would supply one for Council guidance).

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 112374, for the paving and otherwise improving of the Alley in Block 4 Eastgate, 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. 112838, recorded on Microfilm Roll No. 66, determining that the proposed improvement of the Alley in Block 4 Eastgate, within the limits and as particularly described in Resolution of Preliminary Determination No. 112374 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. 112375 of Preliminary Determination, for the paving and otherwise improving of the Alleys in Blocks 4 and 5 Frary Heights, and Thorn Street, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from Jennie E. Tanner and from Mr. & Mrs. Walter F. England, which protests were present to the Council.

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

The City Engineer said, when no one responded to the Mayor's invitation to be heard, that protests constituted 4.4%, one based on no frontage and the other relative to having no use of the proposed Alley. Improvement would be done to a modified grade, he told the Council. There is a 63.2% petition in favor of the work, he stated.

RESOLUTION NO. 112839, recorded on Microfilm Roll No. 66, overruling and denying the protest of Jennie E. Tanner and the protest of Mr. and Mrs. Walter F. England, against the proposed improvement of the Alleys in Blocks 4 and 5 Frary Heights and Thorn Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 112375, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112840, recorded on Microfilm Roll No. 66, determining that the proposed improvement of the Alleys in Blocks 4 and 5 Frary Heights, and Thorn Street, within the limits and as particularly described in Resolution No. 112375 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 Wincote, seconded by Councilman Burgener, adopted.

Discussion was held relative to the matter of change of grade, notices to property owners of such change, between members of the Council, the City Engineer and the City Manager. The City Manager said that there is "something else contemplated for notification", in relation to discussion having taken place in Conference.

No action was taken.



The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 112376 of Preliminary Determination for the paving and otherwise improving of Thomas Avenue, public rights of way and the Alley in Block 274 Pacific Beach, the Clerk reported that written protests had been from Richard Catano and others, and from Robert Gilmour, which protests were presented to the Council.

The City Engineer, at the request of the Mayor, reported verbally. He told the Council that there was a 14.2% protest - based on costs. He mentioned, also, the modified grade of 3 feet.

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

Richard Catalano spoke about the cutting down of the corner 6 feet. He is not interested in the storm drain, he told the Council, since that would cost too much. Speaking of the cost, he stated that it does not include water. Mr. Catalano stated that the improvement will cost about 3 times the original cost of the lot. Why cost so much, he asked. He referred to Thomas Avenue costing almost double that of Reed.

There was a conference between members of the Council, the City Engineer, and several property owners over a map which the City Engineer spread out on the Council table.

Mrs. Janowski, Wagner, Dillar expressed their views in said conference, not recorded inasmuch as their conversation was heard only partially.

The Mayor said that the estimates which had been given out by the City Engineer may prove high. Bids are coming in lower, now, he stated.

Mr. Catalano told the Council that his assessment would be close to \$2,100.00. If the street is cut down, it would mean having to cut down Morrell Street. He said that he would not be able to get into the garage. When he built the garage he obtained the elevation from the City Engineer, and had lowered his property to build it, he stated. Several homes have been built low, he told the Council, and added that it was no concern of his that they had been built that way. He felt that he should not be held responsible for that act and have to suffer for it.

Councilman Wincote said that he was conscious of the grade and injury to property owners. He felt that the hearing should be delayed 1 week.

Mr. Catalano spoke about use of other storm drain which would relieve the assessment.

Councilman Burgener spoke about having had other information, and wondered what is correct.

Charles E. Dillars told the Council that he opposed the paving, inasmuch as he can't pay for it.

The Mayor said that despite Mr. Dillars' inability to pay, the Council has to go on a majority petition.

Mr. Dillard declared that he does not see why property should be left high. He said that he has an old place, and added that he would have to pay to get others out of water.

C. F. Wagner told the Council that he is against the protests to hold up the street being paved. He said that it would probably be \$1,600.00 or \$1,700.00. He said that he would stand a prorate on Lamont Street, inasmuch as he has a residence there. He stated that he felt it was not enough, to protest the paving. (Reference to "not enough" apparently meaning the amount of the assessment.)

Councilman Wincote moved to continue the hearing one week; the City Manager to report back to the Council relative to the grade and cost; property owners to be notified about the grade change and estimate of cost.

Mr. Jankowski (Bernard) told the Council that everybody should be notified.

The Mayor stated that the matter would be based on an estimate, rather than on a definite cost.

There was further discussion between members of the Council and several of the property owners, which discussion was not recorded.

Councilman Schneider seconded the motion.

RESOLUTION NO. 112841, recorded on Microfilm Roll No. 66, continuing the hearing on Resolution of Preliminary Determination No. 112376 for the paving and otherwise improving of Thomas Avenue, Public Rights of Way and Alley in Block 274 Pacific Beach, to the hour of 10:00 o'clock A.M., Tuesday, July 7, 1953; directing the City Manager to report back to the Council regarding the grade proposed, and the cost; property owners to be notified regarding the grade change and the estimate of cost for the proposed improvement, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Councilman Kerrigan was excused from the meeting during the discussion under the preceding hearing. He returned to the meeting during the discussion, and prior to adoption of Resolution No. 112841.

The time set for the continued hearing on:

The Annual Appropriation Ordinance for the fiscal year 1953-1954, which had been introduced January 25, 1953, the Clerk reported that no written protests had been received.

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

On motion of Councilman Godfrey, seconded by Councilman Schneider, the hearing was closed.

Douglas D. Deaper, Deputy City Attorney told the Council that the Ordinance can be adopted on the date of its introduction - but not prior to July.

Councilman Kerrigan stated that it may be adopted later, than that in the meantime to provide for operation interim funds could be set up.

(No action beyond closing the clearing was taken.)

The hour of 10:00 o'clock A.M. having arrived, being the time set for hearing protests against the calling of an election for annexation of Kensington Park to the City of San Diego, 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.

Albert H. Brown, who had with him a petition of protest against such annex-

ation. He told about a circulator having been injured, preventing his completion of the petition which would otherwise have been larger. It would have been larger, also, if it had not been for "political trick" by proponents of the annexation, he declared.

The Mayor told Mr. Brown that the election will determine the annexation, rather than petition for or against it. The Council does not care what action property owners taken, he declared. It is just machinery to start the proceedings, the Mayor stated.

Mr. Brown told the Council that he would vote for annexation under certain conditions - notably fire protection. There would be no adjustment on the fire insurance rates for 6 months, he stated he had been informed by insurance men. It could not go into effect that fast, he told the Council.

Councilman Wincote (who is in the insurance business), differed with Mr. Brown. He said that the fire insurance rate would be reduced immediately.

The City Manager told the Council and Mr. Brown that the fire equipment would go in immediately upon annexation, but that the fire hydrants would come soon although not at once.

The Fire Chief, who was at the back of the room, was asked about the date for fire service. He said it could "go in today".

Mr. Brown said that Orin Cope, Assistant to the City Manager, could not give a date regarding fire protection.

Mr. Cope said that there had been restricted remarks relating to fire hydrants only.

Councilman Godfrey stated that it is up to the affected area, if it comes in or not. People are apparently misinformed, he stated. He made the comment that Mr. Cope had been conservative in his answer.

Mr. Brown said that there had been only one fire in 30 years.

Councilman Kerrigan was excused

Councilman Godfrey said that the City can put out fires, fire plugs, or not install fire plugs - whatever is wanted.

Mr. Brown stated that the area is out of debt; does not owe anything. There would be an increase in cost to property owners, if annexed, he stated. If that can be combated, property owners would go along, he added.

There was discussion between Councilman Schneider and Mr. Brown regarding services in the area.

Mr. Brown then filed the petition of protest, referred to in the beginning of this hearing.

Councilman Kerrigan returned to the meeting.

Councilman Wincote stated that there is a charge now for sewer main service in connection with pumping. He added that there may be a lot of misinformation circulated.

Councilman Dail pointed out that Mr. Brown may be laboring under misapprehension on the fire matter - perhaps on other issues, also.

Mr. Brown stated that there was much ill feeling, and as a result 2 Deputy Sheriffs were present at the meeting, by request of protestants.

On motion of Councilman Schneider, seconded by Councilman, the protest filed in connection with annexation of area designated as Kensington Park was ordered filed, and the hearing relative to calling an annexation was closed, by Resolution No. 112842, recorded on Microfilm Roll No. 66.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portions of Pueblo Lots 1257, 1259 and 1262 into "R-2" Zone, and repealing conflicting Ordinance, 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.

ORDINANCE NO. 5667 (New Series), recorded on Microfilm Roll No. 66, incorporating portions of Pueblo Lots 1257, 1259 and 1262 into "R-2" Zone, as defined by Section 101.0406 of the San Diego Municipal Code, and repealing Ordinance No. 13294 insofar as the same conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating Lot 3 C. C. Seaman's Subdivision into "R-2" Zone, and repealing conflicting Ordinance, the Clerk reported that no writests 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. 5668 (New Series), recorded on Microfilm Roll No. 66, incorporating Lot 3 C. C. Seaman's Subdivision into "R-2" Zone, as defined by Section 101.0406 of the San Diego Municipal Code, and repealing Ordinance No. 184 (New Series) insofar as the same conflicts, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Absent--Councilmen None. Nays--Councilmen None.

The next matter, which had been before the Council on June 25, 1953, was presented, at this time.

Communication from the Purchasing Agent recommended acceptance of bid of R. E. Staite, the low bidder, at the price of \$2,125.00, was presented again. Accompanying the communication from the Purchasing Agent was an opinion from Robert T. Sjogren, Deputy City Attorney, approved by J. F. DuPaul, City Attorney, stating that the proposal to construct a deck extension and thereby enlarge the facilities of the Harbor House Cafe, is a legal one. It states that there is nothing which prohibits or makes illegal expenditure of Harbor Department trust funds for said addition and improvement.

In addition to having been considered on June 25, 1953, the matter had been before the Council on June 23, 1953, also.

RESOLUTION NO. 112843, recorded on Microfilm Roll No. 66, accepting bid of R. E. Staite for constructing Deck Extension at the Harbor House Cafe, for the sum of \$2,125.00; awarding contract, authorizing and directing the Harbor Commission to enter into and execute a contract therefor pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, reporting on bids received June 25, 1953, from 5 bidders for furnishing approximately five hundred tons of Liquid Sodium Silicate for Alvarado Filtration Plant for a period of six months beginning July 1, 1953, recommending award to Los Angeles Chemical Company, Inc., which maintains a branch in San Diego - \$25.60 per ton, f.o.b. Alvarado Filtration Plant, terms 1%, 10 days, plus State Sales Tax, was presented.

RESOLUTION NO. 112844, recorded on Microfilm Roll No. 66, accepting bid of Los Angeles Chemical Company, Inc., for furnishing approximately 500 tons of Liquid Sodium Silicate for a period of six months; awarding contract, authorizing and instructing the City Manager to enter into and execute contract therefor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said report states that the low bidder failed to notarize his bid, but that omission does not invalidate it unless the City elects to disqualify the bid for that reason.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, making detailed report on bids received June 24, 1953, from 7 bidders for furnishing the City's requirements of Lubricating Oil for a period of one year commencing July 1, 1953, was presented. It recommended award to Richfield Oil Corporation.

RESOLUTION NO. 112845, recorded on Microfilm Roll No. 66, accepting bid of Richfield Oil Corporation for the furnishing of requirements of Lubricating Oil for a period of one year, July 1, 1953, through June 30, 1954, as set forth in detail in said Resolution; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of the City a contract for furnishing said oil pursuant to specifications on file in the Office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, reporting on bids received May 13, 1953, from 2 bidders for Erosion Control for embankments at Sunset Cliffs Bridge, Midway Drive Bridge, Redwood Street fill at 32nd Street, Wabash and Federal Bridge and Morena Street Interchange, was presented. Said report states that the low bid of Jack W. Brem was for \$7,992.18; that since receipt of bids, it has been determined that soil preparation prior to planting may be accomplished more economically by omitting process of mulching and by using existing weed growth to stabilize soil while planting cuttings. It recommended that bids be rejected and the Purchasing Agent be authorized to re-advertise for bids on specifications designed to reduce cost.

RESOLUTION NO. 112846, recorded on Microfilm Roll No. 66, rejecting bids received May 13, 1953, for Erosion Control for embankment at Sunset Cliffs Bridge, Midway Drive Bridge, Redwood Street fill at 32nd Street, Wabash and Federal Bridge, and Morena Street Interchange, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 112847, recorded on Microfilm Roll No. 66, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for erosion control on embankments of Sunset Cliffs Bridge, Midway Drive Bridge, Redwood Street fill at 32nd, Wabash at Federal Bridge and Morena Interchange, filed under Document No. 471819; 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.

In connection with the next matter, Councilman Godfrey asked about the use of Fire Alarm Boxes. He said he understood from magazine articles that he had read on the subject, that it is the tendency to get away from their use.

The City Manager said that the City is getting away from the use of Fire Alarm Boxes in residential area. However, it is necessary to use them in certain areas, for insurance rate purposes. Alarms from such boxes in residential areas are minor, the Manager told the Council, and added that they are often false. Some had been installed in new residential areas, where a shortage of telephones existed, he stated. The Manager said that in industrial districts and schools, where no one is around, they are used - with the Underwriters' approval. He stated that their use is restricted to areas where it is felt advisable to have them.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, recommending award of contract for furnishing Fire Alarm Boxes to Superior



American Fire Alarm Division of Ansley Electronics, Inc., at \$140.78 plus State Sales Tax, was presented.

RESOLUTION NO. 112848, recorded on Microfilm Roll No. 66, accepting bid of Superior American Fire Alarm Division of Ansley Electronics, Inc.; awarding contract, authorizing and instructing the City Manager to enter into and execute the same on behalf of The City of San Diego a contract therefor, pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, reporting on bids for installation of foundations for two houses to be constructed at Torrey Pines Filter Plant, and Bernardo Bridge at Lake Hodges, recommending award to O. D. and R. E. Maurer at its bid price of \$1,526.00, was presented.

RESOLUTION NO. 112849, recorded on Microfilm Roll No. 66, accepting bid of O. O. & R. E. Maurer for installation of foundations for 2 houses to be constructed at Torrey Pines Filter Plant, and Bernardo Bridge at Lake Hodges, for the sum of \$1,526.00; awarding contract, authorizing and instructing the City Manager to enter into and execute contract for such work pursuant to plans and specifications on file in the Office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, reporting on bids for furnishing the City's requirements of Ferric Chloride for one year beginning July 1, 1953, received June 24, 1953, from Dow Chemical Company, sole bidder - 8,000 gallon tank cars \$4.55 per CWT f.o.b. San Diego; 1,100 gallon tank trucks, \$4.45 per CWT f.o.b. Los Angeles (Dow Chemical Company the only manufacturer in the Southwestern United States), was presented. The report states that prices are identical with those in effect at price and which were bid to the approximately one year ago. It recommended award to Dow Chemical Company.

RESOLUTION NO. 112850, recorded on Microfilm Roll No. 66, accepting bid of Dow Chemical Company for furnishing the City's requirements of Ferric Chloride for a period of one year beginning July 1, 1953: 8,000 gallon tank cars f.o.b. San Diego @ \$4.55 per CWT; 1,100 gallon tank trucks f.o.t. Los Angeles @ \$4.45 per CWT; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract therefor pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Said Resolution recites in detail the shipment, and contractor's right to change price, and authority for City to purchase requirements in the open market (with right to deduct the same from the contract) in event Contractor refuses to meet competitive prices should the general market price decline below that specified in the contract.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, reporting on bids received June 3, 1953, for furnishing one 6-ton capacity truck crane for the Public Works Department, from 5 bidders, was presented. It recommended award to Shaw Sales & Service Co., of Los Angeles, low bidder, for furnishing 1 Shield Bantam truck crane Model T-35 mounted on Federal Truck at \$13,857.50 less trade-in of one war surplus City truck crane at \$2,000.00, or a net price of \$11,857.50, terms 2%, 30 days, plus State Sales Tax.

RESOLUTION NO. 112851, recorded on Microfilm Roll No. 66, accepting bid of Shaw Sales & Service Co. for furnishing one Shield Bantam Truck Crane Model T-35 mounted on Federal Truck, less trade-in of one war surplus City truck crane; awarding contract, authorizing and instructing the City Manager to enter into and execute a contract with said Shaw Sales & Service Co., was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing approximately 11 Truck Chassis for refuse collection units for the Public Works Department as per specifications on file in the office of the City Clerk bearing Document No. 471794, was presented.

RESOLUTION NO. 112852, recorded on Microfilm Roll No. 66, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing approximately 11 3-Ton Truck Chassis, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, reporting on bids for furnishing approximately 10,000 cubic yards of Decomposed Granite during the period of July 1, 1953, through June 30, 1954, received June 17, 1953 from 2 bidders, was presented.

Said communication recommended award to El Cajon Granite Co., low bidder, at its price of \$.44 per cubic yard, creened, f.o.b. City trucks.

RESOLUTION NO. 112853, recorded on Microfilm Roll No. 66, accepting bid of El Cajon Granite Co., for furnishing approximately 10,000 cubic yards of Decomposed Granite for the period of July 1, 1953 through June 30, 1954; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of the City of San Diego, a contract pursuant to the specifications on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112854, recorded on Microfilm Roll No. 66, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of Laurel Street, between Harbor Drive and Pacific Highway (including removal of pavement and various obstructions, grading and paving, construction storm drains, retaining walls, curbs, concrete island, relocation of existing traffic signal), bearing official Document No. 471795; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112855, recorded on Microfilm Roll No. 66, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain at Imperial Avenue and San Jacinto Drive, bearing official Document No. 471796; authorizing and directing the Purchasing Agent to publish in accordance with law, notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112856, recorded on Microfilm Roll No. 66, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of a storm drain in Harbison Avenue, between El Cajon Boulevard and Amherst Street, bearing official Document No. 471797; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, submitting Resolution authorizing bids for 100 6" Hug End Gate Valves for Storeroom as per specifications on file in the office of the City Clerk bearing Document No. 471798, was presented.

RESOLUTION NO. 112857, recorded on Microfilm Roll No. 66, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 100 6" Hub End Gate Valves, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 6 sections of the San Diego Municipal Code, in connection with the Tentative Map of Muirlands Heights Addition, was presented.

RESOLUTION NO. 112858, recorded on Microfilm Roll No. 66, suspending Sections 102.09-1, 102.09-2, 102.11-2, 102.11-1, 102.18, 102.17-c of the San Diego Municipal Code, in connection with the Tentative Map of Muirlands Heights Addition, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the Planning Commission recommending approval of the Tentative Map of Muirlands Heights Addition, subject to 9 conditions, was presented.

RESOLUTION NO. 112859, recorded on Microfilm Roll No. 66, approving the Tentative Map of Muirlands Heights Addition, a 59 lot subdivision in a portion of Pueblo Lot 1773 - located on the hill sloping toward the ocean, westerly from Inspiration Drive - on conditions set forth therein, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, 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 Huntington Park Unit No. 3, a 49-lot subdivision of a portion of the NW-1/4 of Quarter Section 81 Rancho de la Nacion, was presented.

RESOLUTION NO. 112860, recorded on Microfilm Roll No. 66, suspending Sections 102.07-5, 102.12-16, 102.18, 102.17-c of the San Diego Municipal Code in connection with the Tentative Map of Huntington Park Unit No. 3, 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 of Hunting Park Unit No. 3, for a 49-lot subdivision in portion of the NW-1/4 of Quarter Section 81 Rancho de la Nacion, located in Paradise Hills south of Alleghany Street, subject to 10 conditions, was presented.

RESOLUTION NO. 112861, recorded on Microfilm Roll No. 66, approving the Tentative Map of Hunting Park 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 Harry C. Haelsig, recommending suspension of 3 sections of the San Diego Municipal Code in connection with Tentative Map of O. D. Arnold's Hazelwood Heights Unit No. 1, was presented.

RESOLUTION NO. 112862, recorded on Microfilm Roll No. 66, suspending Sections 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code, insofar as they relate to the Tentative Map of O. D. Arnold's Hazelwood Heights Unit No. 1, 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 O. D. Arnold's Hazelwood Heights Unit No. 1, for subdivision of portion of Section 34, T-16-S, R-2-W, WBBM, into 68 lots, located on the west side of 54th Street southerly of Redwood Street, was presented.

RESOLUTION NO. 112863, recorded on Microfilm Roll No. 66, approving the Tentative Map of O. D. Arnold's Hazelwood Heights Unit No. 1, subject to 10 conditions set forth therein, 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 Final Map of Belleview Center Unit No. 2, subject to posting of adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 112864, recorded on Microfilm Roll No. 66, authorizing and directing the City Manager to execute a contract with Belleview Properties South Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Belleview Center Unit No. 2; directing the City Engineer to present an ordinance establishing official grades of all streets within said subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112865, recorded on Microfilm Roll No. 66, adopting Map of Belleview Center Unit No. 2, a subdivision of portions of Lots 42, 43, 57 of Seaman's Subdivision of the East Half of Section 27 Township 16 South, Range 2 West, and portions of Lots 17, 18, 21, 22, 23 Waterville Heights, and portion of Lots 8, 9, 10, 11, 12 Block G El Cerrito Heights Unit No. 3; accepting on behalf of the public 58th Street, Bates Street, Ascot Street, and unnamed easements shown on said map for public purposes, declaring them to be public streets and unnamed easements and dedicated to the public use; rejecting portion marked "Reserved for Future Street"; authorizing and directing the City Clerk to endorse upon said map, as and for act of the Council that said Streets and unnamed easements are accepted on behalf of the public as stated; directing the City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Harbor Commission recommending adoption of Resolution authorizing work by City forces for various projects on the Fish Market Pier, at an estimated cost of \$2,000.00, was presented.

RESOLUTION NO. 112866, recorded on Microfilm Roll No. 66, authorizing and empowering the Port Director to do all the work in connection with removal of three small structures on Fish Market Pier, removal of top deck on Fish Market Pier, reworking deck for reuse and installation of temporary derrick at Pan Pacific Fisheries Pier, and reconstruction of the existing three small structures, by appropriate City forces in accordance with recommendation, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Said Resolution states that the Harbor Department has recommended said work, that the Port Director has submitted estimates and has indicated that the same can be done by City forces more economically than if let by contract.

Communication from the City Manager informing the Council that effective July 1, 1953, Robert C. Dorland will be appointed Director of Building Inspection, was presented.

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

Communication from San Diego Municipal Employees' Association, signed by Mary E. Harvey, executive secretary, requesting permission to hold election on the question of entering the State Employees Retirement System, was presented.

RESOLUTION NO. 112867, recorded on Microfilm Roll No. 66, referring to Council Conference communication from San Diego Municipal Employees' Association, filed in the office of the City Clerk (Document No. 471788), requesting election authorization on question of entering State Employees Retirement System, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City of El Cajon, signed by Delight V. Swan, City Clerk, transmitting certified copy of Resolution No. 1609 approving San Diego County Disaster Mutual Aid Agreement and Operational Plan between the City of El Cajon and the City of San Diego, was presented.

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



423

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, stating that the claim of H. E. Blumberg has been closed by payment of \$28.54 on June 25, 1953, was presented.

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

Communication from L. R. Lerch, 1083 Morena Blvd., protesting improvement of Morena Boulevard and new road, was presented.

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

Communication from Douglas A. Gee, 2104 Abbott Street, relative to the condition of the beaches, and making reference to rentals dependant thereon, was presented.

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

Agreement for disposition of War Housing in San Diego, was presented.

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

RESOLUTION NO. 112868, recorded on Microfilm Roll No. 66, directing notice of filing of the Street Superintendent's Assessment No. 2144 made to cover the costs and expenses of the work done on the installation of sewer mains in Catoctin Drive, La Dorna Street and Montezuma Road, within the limits and as particularly described in Resolution of Intention No. 108054, and of the time and place of hearing, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112869, recorded on Microfilm Roll No. 66, directing notice of the filing of the Street Superintendent's Assessment No. 2143 made to cover the costs and expenses of the work done on the paving and otherwise improving of La Palma Street, between Fanuel and Gresham Streets, as particularly described in Resolution of Intention No. 107165, and of the time and place of hearing, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112870, recorded on Microfilm Roll No. 66, 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 San Diego Lighting District No. 3, for a period of one year from and including July 16, 1953, to and including July 15, 1954, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 112871, accepting bid of Callahan Bros., a co-partnership, and awarding contract, 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 Resolution of Intention No. 111679, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted, awarding contract to Callahan Bros.

A written report from the City Engineer stated that the low bid is 11.7% below the estimate.

RESOLUTION OF AWARD NO. 112872, recorded on Microfilm Roll No. 66, accepting bid of Griffith Company, a corporation, and awarding contract for the paving and otherwise improving of Pacific Beach Drive, within the limits and as particularly described in Resolution of Intention No. 111680, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

A written report from the City Engineer stated that the low bid is 17.4% below the estimate.

RESOLUTION OF AWARD NO. 112873, recorded on Microfilm Roll No. 66, 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 University Avenue Lighting District No. 2, in accordance with Engineer's Report and Assessment filed April 10, 1953, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 112874, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of 37th Street, T Street and Jewell Drive, within the limits and as particularly described in Resolution of Intention No. 112141, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 112875, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of El Paseo Grande, Calle Clara, Vallecitos, Calle Frescota, Camino del Oro, Alley in Block 9 La Jolla Shores Unit No. 1, Alley in Block 12 La Jolla Shores Unit No. 1, Southerly Alley in Block 34 La Jolla Shores Unit No. 6, La Vereda and Public Land being a portion of Kellogg Park, within the limits and as particularly described in Resolution No. 112024, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112876, recorded on Microfilm Roll No. 66, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located on or along the streets in Hermosa Lighting District No. 1, for a period of one year from and including May 1, 1953, to and including April 30, 1954, in accordance with Engineer's Report and Assessment for Hermosa Lighting District No. 1, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 112877, recorded on Microfilm Roll No. 66, for installation of sewers in Littlefield Street and Knoxville Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 112878, recorded on Microfilm Roll No. 66, for installation of sewers in Plantano Street, Castana Street, Nogal Street, Escuela Street, Cereza Street, Imperial Avenue and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 112879, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of the Alley in Block 139 University Heights, Tyler Avenue, and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 112880, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of Redwood Street and Haller Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 112881, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of Opal Street and Dawes Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 112882, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of the Alley in Block 9 La Jolla Park, and the Alley between Blocks 9 and 21 La Jolla Park, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 112883, recorded on Microfilm Roll No. 66, 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 Schneider, adopted.

RESOLUTION OF INTENTION NO. 112884, recorded on Microfilm Roll No. 66, for the furnishing of electric current and maintenance of appliances in Mission Beach Lighting District Number Two, for a period of one year from and including August 17, to and including August 16, 1954, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112885, recorded on Microfilm Roll No. 66, directing the City Engineer to furnish diagram of property affected and benefited by installation of sewer main in Alley lying northerly of and contiguous to Lots 26 to 36 inclusive, Resub-division of Block H and Lots 26 to 38 inclusive of Block G Encanto Heights, and 63rd Street, within the limits and as particularly described in Resolution of Intention No. 109910, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112886, recorded on Microfilm Roll No. 66, approving diagram of the property affected or benefited by the work of improvement to be done on the paving of Steel Street, Gillette Street, 33rd Street and Imperial Avenue, within the limits and as particularly described in Resolution of Intention, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112887, recorded on Microfilm Roll No. 66, 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 Prospect Street between the northeasterly line of La Jolla Boulevard and the southwesterly line of Cuvier Street; authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112888, recorded on Microfilm Roll No. 66, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, amendment to lease with Charles H. Coleman and W. H. Coleman, which leased portion of Rancho San Bernardo for stock grazing and agriculture to said lessees, which amendment to lease with Charles H. Coleman and W. H. Coleman deletes Paragraph 21 requiring posting of satisfactory performance bond as set out in form of amendment on file in the office of the City Clerk as Document No. 472026, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112889, recorded on Microfilm Roll No. 66, creating and establishing Taxicab Stands on the following street:

Southerly side of Newport Avenue between points 46 feet and 58 feet west of the westerly line of Cable Street;

Southerly side of Newport Avenue between points 305 feet and 317 feet west of the westerly line of Bacon Street; authorizing the installation of necessary signs and markings; repealing Resolution No. 88602 passed March 2, 1948 creating Taxicab Stand, authorizing signs and markings authorized under said Resolution No. 88602 to be removed, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112890, recorded on Microfilm Roll No. 66, authorizing the City Manager to execute contract with San Diego Gas & Electric Company for general overhead street lighting, for a period of one year from July 1, 1952, to and including June 30, 1953, based upon specifications contained in Document No. 453030 and schedule of rates of the Public Utilities Commission of the State of California, a copy of which is filed in the office of the City Clerk under Document No. 456879, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112891, recorded on Microfilm Roll No. 66, adopting plan of the Administration Building Control Committee for allocating space between the City of San Diego and the County of San Diego, within the San Diego City and County Administration Building, as set forth in detail in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution states that said Resolution shall take effect only if it is concurred in by Resolution of the Board of Supervisors of the County of San Diego.

RESOLUTION NO. 112892, recorded on Microfilm Roll No. 66, granting permission to A. H. Nelson, 4540 - 160th Street, San Diego 15, to remove 45 feet of curb on the northerly side of Acorn Street between College Avenue and 62nd Street, for installation of driveway adjacent to Lot 40 El Cerrito Terrace; to provide access to 3 garages and an off-street parking area; installation to be permitted on condition that curb cutting and driveway installation be in accordance with rules, regulations and ordinances of The City of San Diego; also that if at any time 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. 112893, recorded on Microfilm Roll No. 66, granting permission to Paul Picco, 400 - 16th Street, San Diego, to install 4" cast iron sewer line between the property line and sidewalk, to be placed 1.0 feet outside property line and run in westerly direction parallel to southerly line of Lot 6 Block 20 Sherman's Addition to point of intersection with public sewer, to serve property at 400-16th Street; subject to approval of Plumbing Inspection Section of the Inspection Department; Property Division, Sewer Section of the Engineering Department and City Manager, upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112894, recorded on Microfilm Roll No. 66, granting permission to Security Trust and Savings Bank of San Diego to install 2 25-foot driveways on the northerly side of Hornblend Street between points 12 feet and 37 feet, and points 63 feet and 88 feet, west of the west line of Bayard Street, adjacent to Lots 21 to 24 inclusive Block 225 Pacific Beach, to provide access to parking lot directly back of bank building,



subject to driveway widths to be measured at top of full-height curb; also, if at any time area to be served by driveways is not used for parking of motor vehicles permit granted shall be null and void; to be permitted on condition that curb restoration and driveway installation be in accordance with all rules, regulations and ordinances of The City, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112895, recorded on Microfilm Roll No. 66, granting permission to L. L. Angel, 1621 Scott Street, San Diego 6, to install 75-foot driveway measured at top of full-height curb, on the southerly side of Keats Street, approximately between points 25 feet and 100 feet east of east line of Scott Street, adjacent to Lots 11 and 12 Block 93 Roseville, subject to installation to be permitted on condition that curb cutting and driveway installation be in accordance with rules, regulations and ordinances of the City; that if at any time area to be served by said driveway is not used for parking of motor vehicles, permit granted shall be null and void, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112896, recorded on Microfilm Roll No. 66, granting application of Tom H. Haynes (Stadium Racing Association), 3963 Park Boulevard, San Diego, to hold public display of fireworks at Balboa Stadium, on July 4, 1953, between 10:00 p.m. and 11:00 p.m.; upon condition that permittee comply with all laws of the State, Ordinances of The City, and regulations and rules adopted by the State Fire Marshal pertaining to public display of fireworks, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112897, recorded on Microfilm Roll No. 66, authorizing the City Manager to execute lease with Wieland H. Collins and Jennie Collins for portion of Hodges Reservoir site, described in form of lease heretofore filed with the City Clerk as Document No. 472027, for recreational concession purposes at a monthly rental of 7% of gross income to be derived, for period of 3 years commencing on the 14th day of June, 1953, in accordance with form of lease; value of property \$1,000.00 as disclosed by report of the last appraisal made by the Auditor and Comptroller, leased for the reason that the same will derive revenue not otherwise obtainable, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112898, recorded on Microfilm Roll No. 66, authorizing the City Manager to execute for and on behalf of The City, agreement with Wieland H. Collins and Jennie Collins, whereby said Collins will sell permits and tickets, on behalf of the City at Hodges Reservoir under terms and conditions set forth in form of agreement filed in the office of the City Clerk as Document No. 472028, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112899, recorded on Microfilm Roll No. 66, authorizing the City Auditor and Comptroller to transfer \$500.00 from Maintenance and Support, Street Division, Public Works Department Fund, to Maintenance and Support, City Clerk's Fund, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

ORDINANCE NO. 5669 (New Series), recorded on Microfilm Roll No. 66, appropriating \$135.00 from the Capital Outlay Fund, for the purpose of providing additional funds - in addition to Ordinance No. 5357 (New Series), for improvement of Afton Road and Hurlbut Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None. The reading of said Ordinance was dispensed with by not less than 4 members of the Council, prior to final passage. Copies were available prior to final passage.

ORDINANCE NO. 5670 (New Series) - continued from previous meetings - appropriating \$19,000.00 from Capital Outlay Fund, for providing funds for reconstruction of safety lighting and traffic signals on Pacific Highway, Cedar Street to Laurel Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Schneider, seconded by Councilman Wincote, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None. The reading of such Ordinance was dispensed with by not less than 4 members of the Council, prior to final passage. Copies were available prior to final passage.

ORDINANCE NO. 5671 (New Series), recorded on Microfilm Roll No. 66, appropriating \$35,000.00 from the Unappropriated Balance Fund, for providing funds for construction of alterations to offices in the City-County Administration Building, and for purchase of necessary equipment, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None. The reading of such Ordinance was dispensed with by not less than 4 members of the Council, prior to final passage. Copies were available prior to final passage.

ORDINANCE NO. 5672 (New Series), recorded on Microfilm Roll No. 66, appropriating \$5,500.00 from the Capital Outlay Fund, for providing funds to pay the City's share of cost of tributary to Ingulf Street Outfall Sewer, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The reading of such Ordinance was dispensed with by not less than 4 members of the Council, prior to final passage. Copies were available prior to final passage.

ORDINANCE NO. 5673 (New Series), recorded on Microfilm Roll No. 66, appropriating \$2,600.00 from the Unappropriated Balance Fund, for the purpose of providing funds to cover the cost of roughening and chemical staining of tennis courts, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The reading of such Ordinance was dispensed with by a vote of not less than 4 members of the Council, prior to final passage. Copies were available prior to final passage.

ORDINANCE NO. 5674 (New Series), recorded on Microfilm Roll No. 66, changing the name of Randlev Street to Blackton Drive; changing name of portion of Blackton Drive to Biloxi Street; changing name of Fuerte Drive to 56th Street; changing name of portion of Laurel Street to 56th Street, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The reading of such Ordinance was dispensed with by a vote of not less than 4 members of the Council, prior to final passage. Copies were available prior to final passage.

On motion of Councilman Dail, seconded by Councilman Schneider, ordinance appropriating \$5,000.00 from the Capital Outlay Fund, for the purpose of providing funds to pay the City's share of the cost of installing storm drain across 54th Street, in connection with Hazelwood Heights Unit No. 1 subdivision, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Wincote, ordinance repealing Ordinance No. 9424 of the Ordinances of The City of San Diego, entitled "An Ordinance regulating erection and maintenance of blinker lights upon and adjacent to public highways and providing for issuance of permits heretof and providing penalty for violation of any of the provisions hereof", approved April 1, 1924, and Sections 54.10, 54.10.1, 54.10.2 and 54.10.3 of the San Diego Municipal Code wherein the foresaid ordinance is codified, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Wincote, Mayor Butler.

Councilman Kerrigan wondered about the effect of the ordinance, and if it would control Neons.

The City Mayor replied that to cover that matter it would take another ordinance.

On motion of Councilman Schneider, seconded by Councilman Wincote, ordinance naming the most northerly alley running northeasterly and southwesterly, and portion of the Alley running northwesterly and southeasterly in Block 78 Ocean Beach, Cape May Place, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Councilman Schneider was excused from the meeting at this time.

Prior to adoption of the next matter, it was introduced under unanimous consent granted to the City Manager who explained it to the Council.

RESOLUTION NO. 112900, recorded on Microfilm Roll No. 66, authorizing and empowering the City Manager to execute for and on behalf of the City, an agreement with William A. Avril and Noma V. Avril, whereby said Avril will sell permits and tickets, on behalf of the City, at Barrett Reservoir, under terms and conditions set forth in form of agreement filed in the office of the City Clerk as Document No. 472029, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Mayor Butler requested, and was granted unanimous consent to present the next matter not listed on the Council's agenda. He made a brief verbal report.

Councilman Kerrigan told the Council that in his opinion there should be a metropolitan planning body. There is need to go further than proposed, he stated, in the unincorporated areas also. Development in some places is done on account of a good plan, he stated, including City and County regulations. There are several items which enter

into the picture and need to be considered. In the areas where there is a metropolitan planning board there could be more effective operation, he stated.

There was discussion on that point between Mayor Butler and Councilman Kerrigan.

RESOLUTION NO. 112901, recorded on Microfilm Roll No. 66, requesting the Board of Supervisors of San Diego County to adopt by resolution a policy to adopt community master plans and to adopt zoning ordinances for "fringe areas" as may constitute the community, as rapidly as necessary technical work can be completed; requesting the Board of Supervisors of San Diego County to direct the County Planning Commission to prepare such community master plans and zoning ordinances, in cooperation with plans commission of the neighboring cities concerned, and submit such plans and ordinances to it for adoption as soon as possible; directing the City Clerk to forward a certified copy of said Resolution to the Board of Supervisors of the County of San Diego (2 were sent), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Councilman Kerrigan spoke again about the Metropolitan Planning body, and thought the matter should be referred to Council Conference and to the City Attorney.

The City Manager spoke about going to regional or metropolitan board in relation to several phases, and referred to "several gradations." He said that it can be analyzed and reported to the Council.

RESOLUTION NO. 112902, recorded on Microfilm Roll No. 66, referring to the Planning Commission, the City Manager, and to the City Attorney for study and report the matter of creating a metropolitan planning body, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The City Manager requested, and was granted, unanimous consent to present the next matter - not listed on the agenda. The Manager spoke about the Waters matter (proposed rezoning of Marilou Park property, to Zone C to permit operation of a Nehi Bottling Plant). He stated that he had discussed the matter with Mr. Waters and Mr. Morgan, in conference. He told the Council that it does not seem possible to work out with Mr. Morgan the street problem. He showed to the Council a map of the area, and told the Council about the proposals and needs. In order to rezone the property to "C", the Attorney will have to prepare the Ordinance, he stated.

Douglas D. Deaper, Deputy City Attorney, told the Council that he wants to look into the point covering streets.

The City Manager referred to the immediate proposal as being another step, that Mr. Waters wants to use the property as proposed, and that he will also need a zone variance for such purpose.

Councilman Godfrey referred to public street being open to everybody.

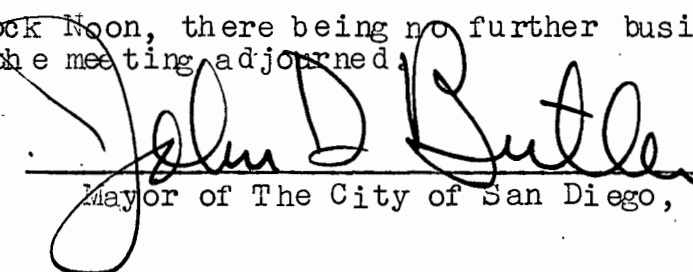
The City Manager stated that there is legal access now, and Mr. Waters and others have the right to use it. He pointed out that Mr. Waters has been waiting a long time, and that there appears to be no solution to the problem as long as Mr. Morgan has property for sale. He suggested that the City Attorney be instructed to prepare the ordinance for the proposed re-zoning, and furnish a legal opinion.

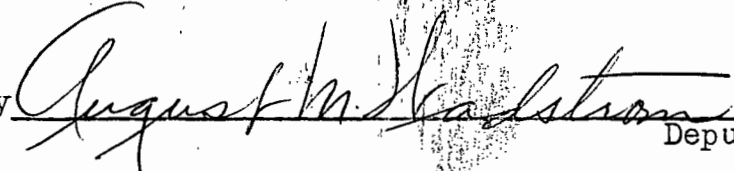
RESOLUTION NO. 112903, recorded on Microfilm Roll No. 66, directing the City Attorney to prepare and present to the Council rezoning Block 36 Marilou Park to Zone C, requesting the Attorney to present an opinion regarding the use of streets in said area, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

At the hour of 12:00 o'clock Noon, there being no further business to come before the Council, the Mayor adjourned the meeting adjourned.

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, July 2, 1953

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey.  
Absent---Mayor Butler.

In the absence of Mayor Butler, Councilman Charles C. Dail, Vice Mayor, acted as Chairman, and called the meeting to order at the hour of 10:07 o'clock A.M.

The agenda for this meeting showed that twenty members of the Junior League were to have attended.

As a result, Vice Mayor Dail welcomed the ladies and asked them to arise.

There was no response, the Junior Leaguers having not arrived. They did not put an appearance during the meeting.

Mayor Butler arrived at this time, and assumed the duties of Chairman.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Daniel H. R. Pain, attorney for F. M. Sawyer, owner, and K. L. Hutchison, lessee, from the Zoning Committee's denial of application for permission to erect a double-faced neon sign, approximately 5 feet by 12 feet, which would project at right angles on an existing pylon on a store building located at 3465 Ingraham Street, Lot 366 Block 17 Crown Point, in R-C Zone, a report from the Planning Commission was presented and read.

The report said that the R-C Zone permits signs on the fact of buildings, but does not allow them to project more than 16 inches beyond the fact of any building nor above the parapet or eaves, and does not allow signs to exceed more than .5 of a square foot for each lineal foot of street frontage. It states that the Zoning Committee visited the property and found that although there are other signs in violation of R-C Zone, there are no violations similar to the one proposed, and did not feel that R-C Zone regulations for signs should be ignored and thus set a precedent in the area. The report states that the Zoning Committee instructed the Planning Office to make an investigation of the illegal signs in the area and take whatever steps might be necessary for their elimination, that the Committee denied the application by a vote of 3 to 0; but because of number of signatures the application had obtained, it recommended that he apply to the Planning Office to have the area changed to C Zone (from R-C).

Harry C. Haelsig, Assistant City Planning Director, showed members of the Council a map, and referred to consideration of the zoning. He spoke about deed restriction on the property. There had been a discussion in the Planning Department regarding signs. It had been agreed that signs would adhere to the zoning, he added. It is not a neighborhood commercial center, as intended, but stated that it is being used to attempt stop through traffic, instead. He referred to the R-C zone established in Crown Point, for the purpose of serving the area. He said that he could not rule on the deed restriction penalty.

Councilman Schneider said that the area in R-C zone is served by such sign.

Asked about the service station, Mr. Haelsig replied that it is in under a non-conforming use.

Mr. Pain, attorney for appellants, was heard at this time. He showed a drawing of the sign, told of its location. The only issue, he stated, is if the Council would waive the regulation regarding the flush sign. The crown of the sign would be below the top of the building, Mr. Pain said.

Mr. Haelsig said that the sign in question might conform to requirements in a C Zone.

Mr. Pain told the Council that the only question is if the sign does not have to be flush.

D. E. South, Senior Planning Technician, stated that the office has had a telephoned protest on the request.

Mr. Pain spoke about late operation of the sign. It will be turned off, he stated. He passed around photographs of the area, and added that there is need for the sign to be at right angles.

Mr. Haelsig and Mr. South were heard again, at which time they referred to minor violations regarding signs in the area. The real estate office is permitted in R-C zone, it was said, in answer to Councilman Wincote.

Mr. Pain stated that it would work a hardship if the sign is not permitted. There had been no objection to the proposal at the time the petition for variance had been circulated, he stated. A drug store is a service needed, and there is need to advise residents when it is open. He declared that the sign ordinance provision is unconstitutional, since there is the matter of aesthetics involved. He stated that the ordinance is arbitrary and unreasonable.

The Mayor stated that the City Attorney had ruled, at the time the Ordinance was adopted, that it was constitutional as drafted, and that matter could not be "tried here."

(Cont. next page)

Councilman Schneider moved to grant the appeal - provided that there is an agreement not to operate the sign after 9:00 o'clock P.M.

Douglas D. Deaper, Deputy City Attorney, stated that if there is a requirement regarding flat sign in the zoning section of the Code, it can be waived - but that if it is in the sign ordinance it cannot be waived. He said that there would then be no authority to grant without amendment to the Ordinance (if it is in the sign ordinance, rather than a zoning matter.)

There was discussion between Mr. Deaper and Mr. Pain, at which time Mr. Pain read from the Ordinance.

Mr. Deaper replied to Mr. Pain that the section he read relates to approval of signs for exterior design, and that such section does not apply to the question.

There was further discussion between Mr. Deaper and Mr. Pain. Mr. Pain contended that the Council does have jurisdiction in the matter.

The Mayor said that there should be referred to the City Attorney the matter of Council jurisdiction. He said that the hearing was getting into the legal field, which could not be settled in this hearing.

Councilman Godfrey referred to not caring what the law is. He added "Get it?"

The Mayor responded that that he "does get it!!" The Council may not have anything on which to act, he stated.

Councilman Wincote wondered if the sign could go on top of the building, if not more than 16" over the sidewalk area.

Mr. Deaper told the Council that it could deny the appeal, but that it is a question if it could grant. He read from the sign ordinance. It said that it seems it could not be built on the building.

Councilman Schneider said that the sign would be on 2 streets.

Mr. Deaper, when questioned, told the Council that the marquee is not the eave of the building, in answer to Councilman Wincote.

Councilman Dail said that all the questions involved should have been raised in the Planning hearing.

The Mayor said that the legal question should precede the action.

Councilman Burgener added that the Council needs to hear the legal situation, first.

Councilman Wincote said that a written opinion is no more binding than a verbal opinion.

Councilman Kerrigan moved to continue the hearing 1 week.

Mr. Haelsig said that 4 years ago a study had been made regarding signs in the Crown Point area. The Thrifty Mart sign had been denied, he said, but that the Council had overruled the denial. It is a non-conforming use in R-4 zone, he added.

There was further discussion between Councilman Wincote and Mr. Haelsig, relative to the general situation in the area.

Councilman Kerrigan moved to continue the hearing one week, and refer the matter to the City Attorney relative to the legal situation, which motion was seconded by Councilman Burgener.

Before the roll was called, Louis Ott, 2423 Bayonne Drive, who stated that he lives directly opposite the proposed sign, was heard. Its operation would be an annoyance, he stated, inasmuch as the bedrooms would be opposite the sign. He said that he did not like the method employed in attempting to obtain the permit. Mr. Ott added that he might not oppose the matter, if the sign were turned off at 9:00 o'clock A.M. He told the Council that the drug store is a community store in a residential district.

The roll was called, resulting in

RESOLUTION NO. 112957, recorded on Microfilm Roll No. 66, continuing to the meeting of July 9, 1953, at the hour of 10:00 o'clock A.M., the hearing held this date on appeal of Daniel H. R. Pain, attorney for F. M. Sawyer and K. L. Hutchison, owner and lessee, from the decision of the Zoning Committee in denying application for permission to erect a double-faced neon sign, 12 feet by 4 feet 9 inches at right angles to the face of the building on a pylon, on Lot 366 Block 17 Crown Point, located at 3465 Ingraham Street, in Zone R-C; referring the matter to the City Attorney for a legal opinion on the situation, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

(Said Resolution, adopted at this point, was given a later number.)

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Louis M. Foster from the decision of the Zoning Committee in granting request of Mid-City Heights, Inc., and Clairemont Land Co. for permission to erect a church on a portion of Lots 134 and 135 Morena Acre Lots, south of Jellett Street at the terminus of Fairfield and Arnott Streets, in Zone R-1, on certain conditions, the Zoning report was presented and read.

Said report states that the site was inspected by the Zoning Committee and it was recalled that a Tentative Subdivision had been plotted at said point of land, but that due to narrowness of the parcel of land it did not seem feasible to divide it into residential lots in opinion of the Zoning Committee. It reports that at the meeting of the Zoning Committee much time was given to both the opponents and proponents, and that points brought out by the opponents dealt with the probable depreciation of their property, that inadequacy of proposed off-street parking, and that erection of church at end of the street would create additional traffic hazard for children because sidewalks have not been required in their subdivision. The report states that the hearing was closed and the Zoning Committee continued discussion after the meeting, going over 4 questions on the application, point by point. It states that Committee members arrived at the conclusion that the property in question was of unusual topography, and approved the application by a vote of 3-0, with the condition that 42 off-street parking spaces be provided, and that completed plans for the church be approved by the Planning Department.

112957 (out of order)

Councilman Burgener told the Council that he has an interest in the property, and that as a result he would abstain from voting. (He left his Council chair, and moved over to the Press table.)

Harry C. Haelsig, Assistant City Planning Director, showed to the Council a photograph of Clairmont Units Nos. 1 and 2. He told about the desire to provide church sites, but that some do not conform to the plan.

Loris M. Foster, 2606 Fairfield, the appellant, was heard at this time. He stated that the church does not now own the land, and that it is buying the same contingent upon the granting of the needed zone variance. The property owners who were at the zoning hearing are at this meeting, he declared. It makes no difference if it is granted or not, he said in an unclear statement. He said that owners of property across the street had been shown a plat of the area and told that it would be subdivided for homes. There are no special circumstances or hardship to church, in relation to securing a variance, he said - inasmuch as it does not own the property. It would be a hardship to nearby home owners, Mr. Foster said. Many children would be on the street, and there is inadequate parking provided, Mr. Foster told the Council, and added that there is a social hall proposed, also.

Councilman Dail said that the Council had considered an off-street parking Ordinance (not adopted), providing for 1 automobile space for each 10 seats for churches.

Mr. Foster declared that the parking spaces provided are inadequate. Most of those who would attend could come by car, he stated, and said also that there are no sidewalks.

Councilman Wincote told Mr. Foster that automobile drivers can park where they wish, and that they can walk. The Council has no control over that, he stated.

Mr. Foster spoke about special circumstances and hardships, in the petition for variance, including no detrimental effect. Those conditions do not exist, he stated.

Mrs. J. M. Rigger was heard next. She said that there will be a problem in connection with children, due to the heavy traffic. She said that they had moved out in to the Clairmont area on account of its being residential. She is not against churches, Mrs. Rigger stated, and told the Council that they have their places.

Mrs. Fowler, 2046 Fairfield, told the Council that she objects to the traffic.

Richard Wilson, who resides on Fairfield, spoke. He said that he was concerned with traffic, and told the Council that Fairfield is a main street. He stated that he would not have bought the property, if he had known that a church was to go in.

Robert A. Oaks, attorney for Mid-City Corporation, Clairmont and the Pioneer Congregation Church members, spoke. He said that all 3 signed the application, and are anxious to have the variance. He said that there is a firm buy-and-sell agreement in escrow. Mr. Oaks told the Council that the land is on an isolated promontory. The Zoning Ordinances provide for variances, for church purposes, he stated. He said that the seating would be approximately 300, with 41 parking places. There was a showing of hands in favor of the variance, when the Mayor asked. Mr. Oaks said that the Church and governing body, owners, had spent several months looking for a site. The one in question is an ideal location, he stated.

Councilman Dail said that there will be additional access streets, in the form of a question.

Mr. Oaks replied "No", but that there are other streets available.

Councilman Wincote asked if all who had raised their hands are residents of the district.

The same persons raised their hands again.

Rev. Joseph Reddington, 2816 Fairfield, minister of the church, spoke. He said that a study had been made of a place to build, and that in the early units of the subdivision there were not enough areas provided for churches and gas stations. He told about areas in which a church could be built on account of a "focal point". It is out of the community, yet in the community Rev. Reddington said. It would work a hardship to find another site, he stated. He pointed out that the church cannot go into the shopping site on account of the liquor laws. It is the major protestant church assigned by the Council of Churches, Rev. Reddington stated. Then he referred to a communication from the Council of Churches relative to adequate for churches in the Clairmont Area, which matter was not presented at this time but is shown later in these Minutes at the point where it appears on the agenda.

Lloyd Ruocco, architect for the church, showed to the Council a plat of the site & church. In addition, he showed the proposed street, and pointed out that the church provides off-street parking. There are no houses near the proposed development, he stated. It is proposed to build a low church with no spire, he stated, and showed a drawing of the proposed church.

Councilman Wincote moved to deny the appeal and sustain the action of the Zoning Committee. The roll was not called at this time.

Mrs. Fowler wanted to know what assurance there is that the particular church shown in the drawing would be built. Will it be temporary, she asked.

Mr. Haelsig replied that there is a provision for the building in the variance now.

Councilman Wincote stated that the variance is for "this church".

An unidentified man asked who go here, when the church already owns a site. Other land could be bought, he stated.

The roll was called, resulting in

RESOLUTION NO. 112904, recorded on Microfilm Roll No. 66, overruling and denying the appeal of Loris M. Foster, 2606 Fairfield Street, from the decision of the Zoning Committee in granting application No. 11954 by its Resolution No. 7468, which granted permission to Pioneer Committee Congregational Church, purchaser, Mid-City Heights, Inc., owner of Lot 134 and Clairmont Land Co., owner of Lot 135, to erect a church on Lots 134 and 135 Morena Acre Lots, description on file in the Planning Office, south of Jellett Street at terminus of Fairfield and Arnett Streets, in a Zone R-1, on condition that 42 off-street parking spaces be provided and maintained as shown on plans submitted and on file in the Planning Office, and that completed plans be approved by the Planning Department, and granting variance to the provisions of Ordinance No. 100 New Series as to the particulars stated; sustaining said Zoning Committee action, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted by the following vote, to-wit: Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler - Councilman Burgener abstained from voting.



Communication from the Planning Commission recommending suspension of 7 sections of San Diego Municipal Code, in connection with the Tentative Map of Clairemont Terrace Unit No. 2, a resubdivision of portions of Tecolote Heights, Mission Bay Heights, and Pueblo Lots 1178, 1191 & 1192, was presented.

RESOLUTION NO. 112905, recorded on Microfilm Roll No. 66, suspending Sections 102.09-1, 102.09-2, 102.07-5, 102.11-2, 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code in connection with Tentative Map of Clairemont Terrace Unit No. 2, a resubdivision of portions of Tecolote Heights, et al., insofar as they relate to the Tentative and Final Maps, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission recommending approval of the Tentative Map of Clairemont Terrace Unit No. 2, subject to 10 conditions, was presented.

RESOLUTION NO. 112906, recorded on Microfilm Roll No. 66, approving Tentative Map of Clairemont Terrace Unit No. 2, subdivision of portions of Pueblo Lot 1178, 1191 and 1192, Tecolote Heights, and Mission Bay Heights (previously approved by Resolution 101465 under the name of Clairemont Heights Unit No. 2), subject to conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Port of San Diego, signed by John Bate, submitting form of Assignment of Tideland Lease which assigns to Shelter Island, Inc., lease formerly entered into with Arthur LaShelle covering restaurant site at the north end of Shelter Island, assignment made upon condition that Mr. LaShelle is to remain liable for prompt payment of rental and performance of covenants of the lease, was presented.

RESOLUTION NO. 112907, recorded on Microfilm Roll No. 66, ratifying, confirming and approving Agreement for Assignment, copy of which is on file in the Office of the City Clerk as Document No. 472065, entered into between Arthur LaShelle, Assignor, and Shelter Island, Inc., Assignee, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Port of San Diego, signed by John Bate, submitting form of sublease to Eva and Jon Cammann covering portion of building erected by Shelter Island, Inc., covering operation of gift shop at a rental of ten per cent payable to Shelter Island, Inc.; the Harbor Commission, in accordance with established policy, granted permission of sublease upon condition that three percent of the gross income from the business be paid to the Harbor Department, was presented.

RESOLUTION NO. 112908, recorded on Microfilm Roll No. 66, ratifying, confirming and approving Concession Agreement, copy of which is on file in the Office of the City Clerk as Document No. 472068 between Shelter Island, Inc., Licensor, and Eva and Jon Cammann, Licensees, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Port of San Diego, signed by John Bate, submitting form of agreement for amendment of tideland lease, Amendment No. 2, which amends former amendment entered into with San Diego Yacht Club, was presented. The report states that the amendment is identical in intent with amendment previously approved by the City Council but provides for reimbursement by warrant in the amount of \$1,000 instead of withholding said amount from the rental.

RESOLUTION NO. 112909, recorded on Microfilm Roll No. 66, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, amendment No. 2 with San Diego Yacht Club, copy of which amendment No. 2 is contained in Document No. 472071 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 Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Port of San Diego, signed by John Bate, submitting form of Agreement for Amendment of Tideland Lease with United Air Lines, Inc., which adds approximately 590 square feet of the second floor of the Lindbergh Field Terminal Building to the basic United Air Lines Lease - rental for addition area being \$2.00 per square foot per year in accordance with established policy, was presented.

RESOLUTION NO. 112910, recorded on Microfilm Roll No. 66, ratifying, confirming and approving Agreement for Amendment of Tideland Lease between the City of San Diego, as Lessor, and United Air Lines, Inc., as Lessee - copy of agreement for amendment contained in Document No. 472076 on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Port of San Diego, signed by John Bate, submitting form of lease with John Crivello, Peter Crivello and Jack Showalter, a co-partnership doing business under the name and style of Pacific Marine & Industrial Maintenance, was presented.

The report states that lease is for 5 years with 2 5-year options to renew and covers 27,750 square feet adjacent to Union Oil Company dock at the foot of Beardsley Street.

Premises are to be used for construction, maintenance and repair of Marine and Industrial Machinery - rental established at 4-1/2¢ per square foot per year, subject to review every 2-1/2 years under terms of the lease and options periods - Lessee agrees that they will construct building, fence, and paved driveway at a cost of approximately \$12,000 on leased premises. The communication states that the lease conforms with established policy.

RESOLUTION NO. 112911, recorded on Microfilm Roll No. 66, ratifying, confirming and approving lease, copy of which is on file in the Office of the City Clerk as Document No. 472081 between the City of San Diego acting by and through the Harbor Commission, as Lessor, and Pacific Marine & Industrial Maintenance, Lessee, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said lease is for 5 years with 2 5-year options to renew, covering 27,750 square feet adjacent to Union Oil Company dock at foot of Beardsley Street.

Communication from Port of San Diego, signed by John Bate, submitting form of sub-lease agreement entered into by Willard T. Evenson, Franklin F. Evenson, Clarence R. Evenson, and Justin C. Evenson and Brown-Bevis Industrial Equipment Company as sub-lessee, was presented.

Said sub-lease covers office space in building owned by Evenson Brothers, and is for term of ten months, ending March 31, 1954, with option to renew for 2 years - rental is \$25.00. The Commission established payment of 5% of the rental collected as consideration for approving the lease.

RESOLUTION NO. 112912, recorded on Microfilm Roll No. 66, confirming, ratifying and approving Sub-Lease, copy of which is on file in the Office of the City Clerk as Document No. 472083, between Willard T. Evenson, Franklin F. Evenson, Clarence R. Evenson, Justin C. Evenson, sub-lessors, and Brown-Bevis Industrial Equipment, sub-lessees, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Port of San Diego, signed by John Bate, submitting form of lease with C. J. Hendry Co., was presented.

The communication states that lease is for term of 5 years with 2 5-year options to renew, and covers land area of approximately 28,000 square feet and water area of approximately 10,000 square feet at intersection of Byron Street and Anchorage Lane. It states that rental is established at 7¢ per square foot per year and \$10.00 per month for water; premises to be used for operation of ship chandlery and Lessee has agreed to construct a building, pier, float and paving at a cost of approximately \$20,000.00.

RESOLUTION NO. 112913, recorded on Microfilm Roll No. 66, ratifying, confirming and approving Lease, copy of which is on file in the Office of the City Clerk as Document No. 472086, between the City of San Diego acting by and through the Harbor Commission, as Lessor, and C. J. Hendry Company, as Lessee, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by D. E. South, reporting on application No. 11987 dated May 15, 1953, of Harvey D. and Stella Allen, to erect single-family residence in addition to two existing residences on portion of Pueblo Lot 1120, lying north of Camino del Rio, was presented, and statement made that it was referred because of the question of additional land for future widening of Camino del Rio. It states that Mr. and Mrs. Allen felt that since the Allens had granted land to the City for widening of the now existing Freeway, they should not be required to grant any more land to the City without some remuneration. It stated that it has been the policy of the Zoning Committee to request 20 feet of land for future widening and access rights along Camino del Rio when granting variance in the area, such as required of The Town and Country Hotel, Wesley T. Pearce, Charles H. Brown, and others within the last year. It states that because of said policy of acquiring property for future street widening, and because of a letter receiving from State Highway Department, stating that future plans of Camino del Rio would possibly require additional 60 feet from the existing front property line, it was agreed that the application be referred to the Council, with recommendation that the Allens be permitted to construct the third residence on said parcel, but leaving the decision of whether or not additional lands should be required to the Council's discretion.

The Mayor stated to Harvey Atherton, attorney, who was in the Council Chambers, that the Council had determined in Conference to refer the matter to the City Manager.

Mr. Atherton said that the question of granting the road without compensation is unjust.

Councilman Schneider said that it is hoped that the owners will not build on the 20 feet which could be a right of way.

Mr. Atherton told the Council that the owners want to be treated like the rest, and added that it is a State problem.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the was continued one week, and referred to the City Manager.

Communication from Robert T. Sjogren, Deputy City Attorney, approved by J. F. DuPaul, City Attorney, reporting on request for recommendations concerning legality of amending the present Sound Truck ordinance by exacting a license fee of \$50.00 for each vehicle operating with sound equipment whether such vehicle is engaged in commercial or non-commercial activities, was presented.

In addition to a detailed report, said communication recommended that the Municipal Code be amended to set a fixed license fee under Section 33.0702.3 of the Code to cover cost of investigation and administration of sound truck regulations for any commercial use. It also says that if the City Council so decides, a license fee could legally be charged for non-commercial use of sound truck equipment but that could be done only if the section exempting the license fees for non-profit organizations was repealed or

expressly stated as not applicable to non-commercial use of sound equipment.

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

Communication from Mrs. Walter M. Gumoski, 3663 Richmond St., San Diego, dated June 30, 1953, making detailed report on her claim for \$108.00 for damage to linoleum from sewage overflow, which had been denied, and requesting a hearing this date, was presented.

Mrs. Gumoski appear, and was asked by the Mayor if she wished to be heard. Mrs. Gumoski replied that she did. Thereupon, the Mayor said that the situation is an old one. The City, however, is faced with a legal problem. He said that he felt that the only remedy is a suit. He recommended suit in the Small Claims Court.

Mrs. Gumoski told the Council that there is no dangerous, defective equipment in her establishment. She told about the great pressure about every 6 months, when the manhole fills up.

The Mayor said that is a just claim.

Councilman Wincote said that if the trouble is in the manhole, it alter the decision.

Councilman Dail stated that the Council is not in a position to grant the claim.

Mrs. Gumoski said that the manhole had been cleaned before.

Councilman Wincote stated that if trouble is in the manhole, and has been cleaned before there might be a difference.

Aaron Reece, Deputy City Attorney, stated that there had never been any previous trouble. He said that the Council cannot grant, unless his facts are wrong.

Councilman Dail stated again that the Council is not in a position to grant the claim. He told about the Encanto Community Church where trouble had occurred relative to parking lot, that the City at his instigation had agreed to go in and take care of the situation but had been stopped inasmuch as it would have been an illegal act.

On motion of Councilman Wincote, seconded by Councilman Dail, the matter was referred to the City Manager for report back to the Council in one week (for the meeting of July 9, 1953).

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated June 29, 1953, reporting on claim of Neal Du Brock, stating that the case went to trial June 25, 1953, and was dismissed as to the City of San Diego, was presented.

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

Communication from Fraternal Order of Eagles, Aerie No. 244, P.O. Box 710 San Diego 12, dated June 9, 1953, signed by Elmer Dietrich, Worthy President, and Frank Curran, Secretary, was presented.

Said communication, in the form of a Resolution, requests the Mayor and Council to place the highest possible priority on the construction of a civic auditorium on the list of desirable and necessary civic projects, also pledges wholehearted support and assistance to the erection of an adequate civic auditorium.

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

Communication from Office of Rent Stabilization, Washington 25, D.C., dated Jun 24 1953, signed by Glenwood J. Sherrard, Director of Rent Stabilization, pursuant to Resolution recently sent, calling for termination of Federal rent control in San Diego, an amendment has been issued decontrolling rents effective June 25, 1953, was presented.

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

Communication from Bearing Engineer Company, 753 - 13th Street, San Diego 2, California, (San Diego Flying Service) 1123 Morena Blvd., San Diego, relative to the routing of Morena Boulevard, was presented.

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

Communication from Pacific Beach Town Council, signed by Leonard Lafferty, President, dated June 26, 1953, relative to increase in traffic over Balboa Avenue, requesting consideration of widening and straightening from Highway 101 to Pendleton Street, was presented.

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

(Said matter was referred to the City Manager for his information).

Communication from Mission Beach Civic Council, 3425 Mission Blvd., signed by Bert Lembeck, President, dated June 26, 1953, relative to oil on the beaches, etc., was presented.

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



Communication from South of Broadway Association, 630 F Street, San Diego, 1, Calif., signed by O. B. Tout, Sec.-Mgr., expressing appreciation for work done on streets in the area, and stating that new paving on G St., from Fourth to Eighth Avenues, is appreciated, was presented. It states that work was done with minimum inconvenience to business houses along the way.

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

Communication from citizens of San Diego and residents of the First District, protesting the keeping and feeding of hogs, was presented.

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

Communication from Ralph E. Flanders, 5131 East Falls View Drive, San Diego 15, referring to the stabling of horses in a residential area, was presented. It states that he and his neighbors have invested from \$500.00 to \$1500.00 each in improvements to backyards, but find they are eaten up by flies and nauseated by horse urine. It refers to previous communication on the same subject, and requests information on what is being done to rectify the condition and when the City expects to complete action thereon.

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

Communication from San Diego Council of Churches, signed by Wayne A. Neal, dated June 26, 1953, requesting the Mayor and Council to uphold the action of the Comity Commission to which various denominations send representatives, relative to allocation of several churches in the general Clairemont area, one being the Pioneer Committee Church (acted upon at the beginning of this meeting); and making further observations in connection with churches for said area, was presented.

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

Communication from San Diego Chamber of Commerce, dated June 30, 1953, signed by Arnold Klaus, Assistant Manager, recommending that the Metropolitan Water District, the San Diego County Water Authority, and the City of San Diego make a study of problem re need for additional water storage capacity in San Diego County, specifically provided for Colorado River water, which may be used by distributors lacking facilities, was presented.

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

Communication from Mike Weibel, Eskimo Pie Distr., 1898 - South 28th St., San Diego, dated June 29, 1953, relative to the new ordinance governing ice cream trucks with sound equipment, requiring them to drive at least 10 miles per hour, was presented. The communication states that it is found to be too fast for selling ice cream, and that customers are past before they can get out to the trucks.

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

RESOLUTION NO. 112914, recorded on Microfilm Roll No. 66, authorizing and approving expenditure of \$7096.00 for purchase of portion of the North 2/6 of the West 1/2 of the Southwest 1/4, of Section 34, Township 16 South, Range 2 West, S.B.M., for site for fire station on the westerly side of 54th Street north of Nutmeg Street, from the funds heretofore appropriated by Ordinance No. 5633 (New Series), for purchase of real property for public improvements, was on motion of Councilman Godfrey, seconded by Councilman Winco te, adopted.

RESOLUTION NO. 112915, recorded on Microfilm Roll No. 66, authorizing and approving expenditure of \$1918.18 for purchase of portions of Lots 30 and 31 Lemon Villa for widening University Avenue east of College Avenue and land needed for Chollas Parkway, from funds heretofore appropriated by Ordinance No. 5633 (New Series) for purchase of real property for public improvements, was on motion of Councilman Godfrey, seconded by Councilman Winco te, adopted.

RESOLUTION NO. 112916, recorded on Microfilm Roll No. 66, authorizing and approving expenditure of \$1406.90 for purchase of portion of Lot 93 Las Alturas Villa Sites for extension of Logan Avenue, from funds heretofore appropriated by Ordinance No. 5633 (New Series) for purchase of real property for public improvements, was on motion of Councilman Godfrey, seconded by Councilman Winco te, adopted.

RESOLUTION NO. 112917, recorded on Microfilm Roll No. 66, consenting to and authorizing the City Manager to sign, on behalf of the City, sub-lease executed June 12, 1953, by Benjamin L. Hansen, sub-lessor, and Ernest E. Potts, sub-lessee, of portion of lease between The City of San Diego as Lessor, and Benjamin L. Hansen, Lessee, heretofore executed and filed in the office of the City Clerk as Document No. 438382, covering restaurant and snack bar on Santa Clara Point; more particular description of property and terms and conditions to be set forth in form of sub-lease filed in the office of the City Clerk under Document No. 472093, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112918, recorded on Microfilm Roll No. 66, approving Change Order No. 2, dated June 18, 1953, heretofore filed with the City Clerk as Document No. 472017, issued in connection with contract between The City of San Diego and Ets-Hokin & Galvan, for construction of Manholes and Conduits for Power and Telephone Utilities on Shelter Island; contract contained in Document No. 464241 on file in the office of the City Clerk under Document No. 464214; changes amounting to \$789.20, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112919, recorded on Microfilm Roll No. 66, ratifying and approving purchase of drapes for the Mayor's Office in the Civic Center, in October, 1952, in the amount of \$771.42, together with lamp shades and tables in the sum of \$491.77, chairs in November, 1952, in the sum of \$116.70, and tables in December, 1952, in the sum of \$122.57; authorizing and directing the City Auditor and Comptroller to issue his warrant in favor of Benbough Company, Ltd., in the total sum of \$1502.46 in payment for said equipment, said moneys to be paid out of any unencumbered funds in the City Treasury for the fiscal year 1952-53, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112920, recorded on Microfilm Roll No. 66, accepting quitclaim deed executed on the 18th day of June, 1953, by Magnolia Downs, Inc., 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 "Magnolia Downs", being subdivision of portion of Pueblo Lot 1202; 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.

RESOLUTION NO. 112921, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date June 10, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lots 17, 18 and 19 Block 1 Corella Tract, 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112922, recorded on Microfilm Roll No. 66, accepting Subordination agreement, executed by Phil Gershon, beneficiary, and Land Title Insurance Company, trustee, bearing date June 9, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lots 1 and 2 Block 1 Corella Tract, 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112923, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by Silvergate Building and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date June 12, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lots 1 and 2 Block 1 Corella Tract, 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112924, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by Lois F. Torgerson, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date June 18, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 4 of partition of Pueblo Lot 1105; 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. 112925, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by Carl W. Switters, beneficiary, and Security Title Insurance Company, trustee, bearing date June 15, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 22 Block 2 Corella Tract; authorizing 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. 112926, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by Silvergate Building and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date June 16, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lots 37 and 38 Block 2 Corella 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 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. 112927, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by First National Trust and Savings Bank of San Diego, beneficiary and trustee, bearing date June 18, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Pueblo Lot 1262; 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. 112928, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by First National Trust and Savings Bank of San Diego, beneficiary and trustee, bearing date March 12, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Pueblo Lot 242, 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 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. 112929, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by Helen Blocher, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date March 11, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Pueblo Lot 242, 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112930, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by Silver Gate Building and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date March 3, 1953, wherein said parties subordinate all their right, title, and interest in and to portion of Pueblo Lot 242, 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112931, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by First National Trust and Savings Bank of San Diego, beneficiary and trustee, bearing date March 12, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Pueblo Lot 242; 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. 112932, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by The Prudential Insurance Company of America, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date June 9, 1953, said parties subordinating all their right, title and interest in and to portion of Lots 15 and 16 Block 35 of San Diego Property Union; 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. 112933, recorded on Microfilm Roll No. 66, accepting deed of Charles H. Brown and Ella Mae Brown, bearing date June 4, 1953, conveying easement and right of way for street purposes in portion of Lot 4 of Partition of Pueblo Lot 1105, 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 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. 112934, recorded on Microfilm Roll No. 66, accepting deed of Frank M. Crosby and Ethelyn K. Crosby, bearing date June 24, 1953, conveying easement and right of way for street purposes in portion of Lot 26 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 certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Roll No. 66,

RESOLUTION NO. 112935, recorded on Microfilm/accepting deed of Ramon Zamora, bearing date June 5, 1953, conveying easement and right of way for street purposes in portion of Lot 22 Block 2 Corella Tract, setting aside and dedicating the public use as and for a public street, and naming the same Lehigh 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. 112936, recorded on Microfilm Roll No. 66, accepting deed of Fred R. Merchant and Laura Merchant, bearing date June 5, 1953, conveying easement and right of way for street purposes in portion of Lots 17, 18 and 19 Block 1 Corella Tract, setting aside and dedicating the same to the public use as and for a public street, naming the same Lehigh 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. 112937, recorded on Microfilm Roll No. 66, accepting deed of Jack Milner and Clarice Milner, bearing date June 5, 1953, conveying easement and right of way for street purposes in portion of Lots 1 and 2 Block 1 Corella Tract, setting aside and dedicating the same to the public use as and for a public street and naming the same Lehigh 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. 112938, recorded on Microfilm Roll No. 66, accepting deed of M. Burright and Lyndon Burright, bearing date June 10, 1953, conveying easement and right of way for street purposes in portion of Lots 37 and 38 Block 2 Corella Tract; setting aside and dedicating the same to the public use as and for a public street and naming the same Lehigh 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. 112939, recorded on Microfilm Roll No. 66, accepting deed of Roy E. Hall, bearing date June 2, 1953, conveying portion of Lot 93 Los Alturas Villa Sites; setting aside and dedicating the same to the public use as and for a public street and naming the same Logan Avenue, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112940, recorded on Microfilm Roll No. 66, accepting deed of Charles M. Beall and Theresa M. Beall, bearing date Dec. 9, 1952, conveying portion of Lot 142 National Vista; setting aside and dedicating the same to the public use as and for a public street and naming the same Lorenz 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. 112941, recorded on Microfilm Roll No. 66, accepting deed of Cletus L. Kathol and Ragina A. Kathol, bearing date Dec. 2, 1952, conveying portion of Lots 143 and 145 National Vista; setting aside and dedicating the same to the public use as and for a public street, and naming the same Lorenz 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. 112942, recorded on Microfilm Roll No. 66, accepting deed of Joseph W. Clifford and Florence E. Clifford, bearing date April 29, 1953, conveying portion of Lot 19 Block 34 Lexington Park; setting aside and dedicating the same to the public use as and for a public street, and naming the same Poplar Street; authorizing and directing the City Clerk to transmit said deed, together with 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. 112943, recorded on Microfilm Roll No. 66, accepting deed of George Agnew and Elizabeth Agnew, bearing date June 15, 1953, conveying easement and right of way for street purposes in portion of Pueblo Lot 190; setting aside and dedicating the same to the public use as and for a public street, and naming the same Talbot 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. 112944, recorded on Microfilm Roll No. 66, accepting deed of Point Loma Holding Corporation, bearing date June 17, 1953, conveying easement and right of way for street purposes in portion of Pueblo Lot 190; setting aside and dedicating the same to the public use as and for a public street, and naming the same Talbot 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. 112945, recorded on Microfilm Roll No. 66, accepting deed of Freda E. Smither, bearing date June 15, 1953, conveying easement and right of way for street purposes in portion of Pueblo Lot 190; setting aside and dedicating the same to the public use as and for a public street, and naming the same Talbot 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. 112946, recorded on Microfilm Roll No. 66, accepting deed of La Jolla Country Club, Inc., bearing date May 21, 1953, conveying easement and right of way for street purposes in portion of Pueblo Lot 1262; setting aside and dedicating the same to the public use as and for a public street, and naming the same West Muirlands 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 Wincote, adopted.

RESOLUTION NO. 112947, recorded on Microfilm Roll No. 66, accepting deed of Clarence P. Lee and Ethelyn G. Lee, bearing date June 9, 1953, conveying easement and right of way for street purposes in portion of Pueblo Lot 1262; setting aside and dedicating the same to the public use as and for a public street, and naming the same West Muirlands 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 Wincote, adopted.

RESOLUTION NO. 112948, recorded on Microfilm Roll No. 66, accepting deed of J. Harold Peterson and Helen S. Peterson, bearing date June 17, 1953, conveying easement and right of way for storm drain in portion of Lots 2 and 3 Block 223 Middletown; 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. 112949, recorded on Microfilm Roll No. 66, accepting deed of Freda E. Smither, bearing date June 15, 1953, conveying easement and right of way for access rights for street purposes in portion of Pueblo Lot 190; 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. 112950, recorded on Microfilm Roll No. 66, accepting deed of George Agnew and Elizabeth Agnew, bearing date June 15, 1953, conveying easement and right of way for street purposes in portion of Pueblo Lot 190; 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. 112951, recorded on Microfilm Roll No. 66, accepting deed of Harry H. Hopkins, Alice Louise Turner, Bernice Iola Couch, Ruth Elanor Jackson, and Benjamin Frank Cummings, bearing date March 4, 1953, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 242; 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. 112952, recorded on Microfilm Roll No. 66, accepting deed of William F. Troop and Susie E. Troop, bearing date February 26, 1953, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 242; 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. 112953, recorded on Microfilm Roll No. 66, accepting deed of The United States of America, Housing and Home Finance Agency, Public Housing Administration, bearing date June 9, 1953, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 242; 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. 112954, recorded on Microfilm Roll No. 66, accepting deed of Myron Blake and Ethel Blake, bearing date February 27, 1953, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 242; 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. 112955, recorded on Microfilm Roll No. 66, accepting deed of Martha B. Wallace, bearing date May 19, 1953, conveying portion of Lot 3 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 112956, recorded on Microfilm Roll No. 66, accepting deed of Elizabeth Coulter, bearing date June 19, 1953, conveying portion of Pueblo Lot 1204; 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. 112957 (See page 430 of these Minutes)

ORDINANCE NO. 5675 (New Series), recorded on Microfilm Roll No. 66, establishing the grade of Z Street, between the northeasterly line of Acacia Street and the westerly line of 36th Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgenier, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Prior to the final passage of said Ordinance the reading was dispensed with by the following vote, to-wit: Yeas--Councilmen Burgenier, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None. A written or printed copy of said Ordinance was available for consideration of each member of the Council prior to the day of its final passage.

ORDINANCE NO. 5676 (New Series), recorded on Microfilm Roll No. 66, establishing the grade of the Alley lying northeasterly of and contiguous to Lots 38 to 47 inclusive, Catalina Villas, between the northwesterly line of Wells Street and the southeasterly line of Catalina Boulevard, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgenier, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Prior to the final passage of said Ordinance the reading was dispensed with by the following vote, to-wit: Yeas--Councilmen Burgenier, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None. A written or printed copy of said Ordinance was available for consideration of each member of the Council prior to the day of its final passage.



ORDINANCE NO. 5677 (New Series), recorded on Microfilm Roll No. 66, establishing the grade of Rhode Island Street, between the north line of Madison Avenue and the south line of Golden Gate Drive, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Prior to the final passage of said Ordinance the reading was dispensed with by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 5678 (New Series), recorded on Microfilm Roll No. 66, establishing the grade of the Alley in Block 24 Sunset Cliffs, between the northerly line of Guizot Street and the southerly line of Froude Street, by the vote of Councilman Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None; on motion of Councilman Schneider, seconded by Councilman Godfrey.

Prior to the final passage of said Ordinance the reading was dispensed with by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 5679 (New Series), recorded on Microfilm Roll No. 66, establishing the grade of 43rd Street, between the northerly prolongation of a line parallel to and distant 10.00 feet northerly from the north line of Lot 23 Block 13 Morrison's Marscene Park, and a line parallel to and distant 100.00 feet southerly from said parallel line, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Prior to the final passage of said Ordinance, the reading was dispensed with by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 5680 (New Series), recorded on Microfilm Roll No. 66, establishing the grade of the Alley in Block 1 Ocean Front, between the westerly line of Bayard Street and the easterly line of Mission Boulevard, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Prior to the final passage of said Ordinance the reading was dispensed with by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 5681 (New Series), recorded on Microfilm Roll No. 66, fixing, adopting and approving an Annual Fiscal Budget for the Fiscal Year 1953-1954, approving the amounts therein estimated for the needs of the City of San Diego and the various departments thereof, and appropriating out of the Treasury the necessary moneys to carry on the City and the Operation of the various departments for said Fiscal Year, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Prior to the final passage of said Ordinance, it was introduced on motion of Councilman Schneider, seconded by Councilman Wincote, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None; Also prior to the adoption, the reading of such Ordinance was dispensed with, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance appropriating \$82,000.00 out of the Capital Outlay Fund, for the purpose of providing funds for construction of Wabash Boulevard, Section "B" Bridges, located at Main Street, South Chollas Creek, National Avenue Bridge Extension, Ocean View Boulevard, Imperial Avenue, San Diego & Arizona Eastern Railway at Chollas Creek, J Street, Market Street and Market Street South Lane, and Las Chollas Creek, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance changing the name of portion of Montezuma Road to El Cajon Boulevard, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance incorporating portion of Pueblo Lot 1176 into "R-2" Zone, as defined by Section 101.0406 of the San Diego Municipal Code and repealing Ordinance No. 13457 approved February 15, 1932 insofar as the same conflicts, introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None - and a hearing set for the hour of 10:00 o'clock A.M., July 23, 1953.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance incorporating portion of Acacia Park into R-2 Zone and R-4 Zone as defined by Sections 101.0406 and 101.0408 respectively of the San Diego Municipal Code and repealing Ordinance No. 13558 adopted July 5, 1932 insofar as the same conflicts, was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None - and a hearing set for the hour of 10:00 o'clock A.M., July 23, 1953.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance incorporating portion of Lot 31 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) adopted September 12, 1932, insofar as the same conflicts, was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None - and a hearing set for the hour of 10:00 o'clock A.M., July 23, 1953.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance incorporating Lots 899, 900, 901, 902 Lot B and Portions of Lots 898, and Lot A Lomita Village Unit No. 5, into "R-C", "C-P", and "C" Zones, as defined by Sections 101.0409, 101.0410 and 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 117 (New Series) adopted January 3, 1933 insofar as the same conflicts, was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None - and a hearing set for the hour of 10:00 o'clock A.M., July 23, 1953.

The following items were withdrawn from Council Conference, and were filed:

Communication from Mission Beach Civic Council re need for improving Balboa Avenue;  
 Communication from Property Owners objecting to Day Camp etc. in Park near Southwest corner of Richmond Street and Upas Street;  
 Copy of Letter from Park Superintendent to City Manager re lease for Youth Activity and Day Camp Center;  
 Communication from Richard S. Bell re policy on Park Lands, etc.  
 Communication from Owen S. Olds protesting Jewish Welfare Community Center in Balboa Park;  
 Communications from various individuals protesting Jewish Welfare Community Center in Balboa Park;  
 Protest of George E. Storey against use of portion of Balboa Park by Jewish Welfare Group;  
 Communication from San Diego Federation of Jewish Agencies re lease of section of Balboa Park for youth activities, etc.  
 Proposed Ordinance amending San Diego Municipal Code re leasing land in Balboa Park, etc.  
 Proposed Ordinance outlining principles for use of Park lands in the City, etc.  
 Communication from San Diego Transit System re application for authority to increase rates;  
 Communication from Planning Director transmitting Planning Commission Resolution re Municipal Auditorium and Civic Theatre;  
 Resolutions from several organizations urging restoration of the Ocean Beach area and the dredging of Mission Bay Channel - requesting funds withheld relative to beach oil, for the purpose;  
 Communication from San Diego County Planning Congress relative to zoning in "fringe areas" around incorporated cities, etc.  
 Communication from San Diego Highway Development Association submitting statement memorializing the Council to take action on request set forth therein, in connection with toll roads, tunnels, etc.  
 Communication from Tudor Engineering Company relative to survey for new road or tunnel (through the mountains) east to Imperial Avenue.  
 Communication from San Diego County Development Federation favoring the Southwest Tunnel.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Dail, at the hour of 11:29 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By August M. Headstrom Deputy

John D. Butler  
 Mayor of The City of San Diego, California

Ordinances introduced  
 Conference matters withdrawn - and filed

## REGULAR MEETING

Chamber of the Council of The City of San Diego, California, Tuesday, July 7, 1953

Butler

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor

Absent---Councilman Godfrey

Clerk----Fred W. Sick

On motion of Councilman Schneider, seconded by Councilman Burgener, the Minutes of the Regular Council Meetings of Tuesday, June 30, 1953, and of Thursday, July 2, 1953, were presented to the Council, approved - and signed by the Mayor.

Councilman Godfrey entered the meeting at this time.

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

Glenn A. Rick, City Planning Director - 25 years;  
Charles J. Rimbach, Construction and Maintenance Man I in the Public Works Division of Streets - 30 years;  
John C. Bell, Water Services Coordinator in the Water Engineering Department - 25 years;  
Herbert L. Neild, Chemical Equipment Repairman for the Water Department - 25 years;  
Abe Manuel, Statistician Crewman in the Division of Sanitation of the Public Works Department - 25 years.

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. IX, 1952-53, 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 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 of Maryland in the sum of ten percent of the amount of the bid, which bid was given Document No. 472416;

The bid of Walter H. Barber, an individual, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of ten percent of the amount of the accompanying bid, which bid was given Document No. 472417;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company, of Baltimore, in the sum of ten percent of amount bid, which bid was given Document No. 472418.

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 the Alley in Block 109 Central Park, within the limits and as particularly described in Resolution of Intention No. 111921, 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 six hundred dollars, which bid was given Document No. 472419;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of six hundred dollars, which bid was given Document No. 472420;

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of six hundred dollars, which bid was given Document No. 472421;

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 the Alley in Block 80 City Heights, and Dwight Street, within the limits and as particularly described in Resolution of Intention No. 111922, 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 seven hundred and no/100 dollars, which bid was given Document No. 472431;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of seven hundred dollars, which bid was given Document No. 472430;

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 seven hundred and no/100 dollars, which bid was given Document No. 472429.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, 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 Jennings Street, Albion Street, and Silvergate Avenue, within the limits and as particularly described in Resolution of Intention No. 111923, 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 two thousand and no/100 dollars, which bid was given Document No. 472436;

The bid of Griffith Company accompanied by bond written by National Surety Corporation in the sum of two thousand dollars, which bid was given Document No. 472435;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of two thousand dollars, which bid was given Document 472434;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of two thousand & no/100 dollars, which bid was given Document No. 472433;

Councilman Dail was excused at this time

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of twenty-four hundred and no/100 dollars, which bid was given Document No. 472432.

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 Dail returned to the meeting at this time.

A majority of the members of the Council signed undertaking with San Diego Gas & Electric Company, for the furnishing of electric current in Talmadge Park Lighting District No. 1.

The hour of 10:00 o'clock having arrived, the time set for the continued hearing on Resolution of Preliminary Determination No. 112373 for the paving and otherwise improving of the Alley in Block 22 City Heights, within the limits and as particularly described in said Resolution, the City Engineer reported 61.2% on the petition, 59.2% on petition for the present district, 54.9% on present district deleting name where was change of ownership. In addition to the oral report made by the City Engineer at the request of the Mayor, the City Attorney filed a written report to the same effect, stating there was 67.9% original petition on present district deleting name where there was change of ownership but adding names received July 2, 1953.

RESOLUTION NO. 112958, recorded on Microfilm Roll No. 66, overruling and denying the verbal protest of A. E. Williams against the proposed paving and otherwise improving of the Alley in Block 22 City Heights, within the limits and as particularly described in Resolution of Preliminary Determination No. 112373, overruling and denying all other protests thereon, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112959, recorded on Microfilm Roll No. 66, determining that the proposed improvement of the Alley in Block 22 City Heights, within the limits and as particularly described in Resolution No. 112958 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 Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing for the paving and otherwise improving of Thomas Avenue, Public Rights of Way and the Alley in Block 274 Pacific Beach, within the limits and as particularly described in Resolution of Preliminary Determination No. 112376, the City Engineer reported that 3 or 4 men had protested the grade recommended. He said that if built to the established grade, the area would have been flooded. He said that he can change the grade, but that would necessitate storm drain, which would be more than \$1,800.00 in the block. It is "humped up" at the intersection assessment would be against this one block.

Richard Catalano, who had been heard at the previous hearing, appeared again, but did not speak.

The Mayor stated that if built to grade it will raise the cost.

Mr. Catalano wondered about the increased cost.

Councilman Burgener said it would be \$300.00 extra for Mr. Catalano.

The City Engineer said that property owners would pay a portion, and the City a portion - \$1,000.00 to the lots and \$2,000.00 to the City - referring to the storm drain.

Mr. Catalano wondered why the storm drain would not be under the bond issue for which he had voted.

Councilman Schneider told Mr. Catalano that he would be even better off than under the provisions of the bond issue, inasmuch it would be \$1,000. to \$2,000., instead of 50-50 as provided for under the issue.

Councilman Kerrigan stated that the bond issue was for large projects, to drain large areas.

Mr. Catalano said that if Morrell Street cut down he is stuck (financially).

The City Engineer told Mr. Catalano that he should not have any trouble getting in and out of his property.

There was discussion between Mr. Catalano and members of the Council regarding the change in the pitch of the driveway between the Street and the Garage.

Mr. Catalano stated that he is disappointed regarding the cut, and does not want to pay more.

The City Engineer spoke about a 1-1/2 foot cut in 11 feet, and it being easy to make up the slope. He said that 3 feet in 11 feet is not bad. He mentioned the work not being in the job, and that Morrell is another street.

Charles E. Dillard, who spoke last week, also, was heard again. He complained about the cut, and referred to a ridiculous amount of money for the improvement. He wondered why the dirt could not be moved from the high part and filled in the low part. He said that his house is on the high area. He said that might almost have to sell out, and get out.

There was discussion between Councilman Wincote and Mr. Dillard.

The City Engineer spoke about a 50-foot lot being approximately \$500.00. However, he corrected the 50-foot lot to 25-foot lot.

Mr. Dillard said that he would have to terrace the property, etc. He told the Council that he could not make payments, and eat.

The Mayor stated that it is not the City's idea to pave the street. It is on request of property owners. He told Mr. Dillard that he can pay the assessment over a 10-year period.

Mr. Dillard said that does not remove the price. He said that in the neighborhood of \$500.00 would be O.K.

Councilman Godfrey said that 65% of the property owners want the improvement.

Mr. Bundschuh said that he had a letter which he had circulated, which calls for wanting to go along with the original paving plan. He filed the letter.

C. F. Wagner, 1920 Thomas, who was heard at the first hearing, spoke again. He asked for the overruling of all protests. He read a statement, and referred to the original plans for being the most practicable.

Councilman Burgener asked if the present job makes a deeper cut, with no storm drain.

The Mayor replied that was correct.

The City Engineer suggested showing Mr. Catalano, or perhaps continuing the hearing again.

Councilman Godfrey said that approximately 65% of the property owners want the work, but that where property owners had built according to grade he thought that they should not be penalized.

Councilman Wincote stated that Mr. Catalano wants assurance regarding protection on Morrell Street. He wondered if he could be given assurance what he could not be hurt.

Councilman Godfrey spoke about anyone might be affected regarding change of grade.

Answering a question, Mr. Dillars said that his garage is on the back of the property. Getting into the property would be the problem. He would have to come up 5 feet, he stated. A cut, he said, would be another expense.

Mr. Wagner contended that Mr. Dillard's garage should not be mentioned.

Councilman Dail told about the Council having abandoned projects, and as a result, action has backfired.

RESOLUTION NO. 112960, recorded on Microfilm Roll No. 66, overruling and denying the protest of property owners, protest of Robert Gilmour, against the paving and otherwise improving of Thomas Avenue, Public Rights of Way, and the Alley in Block 274 Pacific Beach, within the limits and as particularly described in Resolution No. 112376 of Preliminary Determination, overruling and denying all other protests thereon, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112961, recorded on Microfilm Roll No. 66, determining that the paving and otherwise improving of Thomas Avenue, Public Rights of Way, and the Alley in Block 274 Pacific Beach, within the limits and as particularly described in Resolution No. 112376 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 Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 112514 of Preliminary Determination, for the paving and otherwise improving of the Alley in Block 77 City 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. 112962, recorded on Microfilm Roll No. 66, determining that the paving and otherwise improving of the Alley in Block 77 City Heights, within the limits and as particularly described in Resolution No. 112514 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 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 No. 112515 of Preliminary Determination, for installation of sidewalks on Poole Street, Azul Street and La Jolla Shores 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.

Oliver Malcolmson read a letter of protest, signed by 11 property owners, asking for abandonment of the project. Two signers were on the original petition, he said. It states that in view of the small contract the cost to owners would be appreciably lower if sidewalks could be put in by private contracts. The communication states that others believe that sidewalks which runs only for 2 blocks on streets removed from City traffic and in section approved by the Planning Commission without sidewalks, has no logical purpose. It points out that map will show that proposed sidewalk connects with no other sidewalk; children can't walk to school on it, adults can't walk to church on it; one can't even walk around the block on it. In addition, it says that most property owners have spent time and often considerable sums beautifying and planting sidewalk area, and would destroy much of the charm and pleasant appearance without giving corresponding advantages in convenience. The communication points out that since almost every family has small children it may be suggested that sidewalks would add to their safety. It states that however, children play in streets and ride bicycles in streets; that safety is a subject for family discipline. It points out that petition no longer represents opinions of many of the signers; that several have sold, others have changed their minds. It requested abandonment of the project.

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

The Engineer reported verbally a 61.9% petition, and said that there would still be a majority, and protest would bring it down 3%.

The protest referred to above was filed.

Harry Bryce entered a verbal protest against the petition having been circulated without his having been advised. He said that he does not protest the sidewalk, but does protest the method of circulation.

Councilman Burgener said that the City did not initiate the petition.

The Mayor said that sidewalk could be put in by private contract, if desired, instead of under this proceeding.

Councilman Wincote said that Mr. Bryce had not been eliminated, and he said also that the City had not started the petition.

Mr. Bryce said that the sidewalk petition does not include the whole district.

Councilman Wincote said to Mr. Bryce that there was no discrimination.

John Murphy referred to 2 children having been struck on Poole Street.

There was a large showing of hands, at the request of the Mayor, at this time, following Mr. Murphy's statement.

Mrs. Malcolmson spoke of having been circulator of the petition. She said that if the City could wait, perhaps people protesting might change their minds. She said there is not the normal kind of sidewalk, and referred to a safety factor. She said that she wanted the work done by private means, and wondered if that could be done.

Councilman Schneider told Mrs. Malcolmson that would be possible, if the City had the assurance from all of the owners. They would pay the contractor, and could have the work done.

Councilman Godfrey pointed out that the Council had to be guided by a majority of the property owners. He stated that it is too late to try some other method now.

Evelyn Wright stated that it could be done under private contract, anyway.

Councilman Godfrey said that it would be advantageous to join together to do the work all together, which would make it more economical.

Walter Thomas filed 2 absentee letters, in favor of the sidewalk. He asked that the work be not postponed, and said it was his son who was injured.

RESOLUTION NO. 112963, recorded on Microfilm Roll No. 66, overruling and denying written and verbal protests against the proposed improvement of sidewalks on Poole Street, Azul Street, and La Jolla Shores Drive, under Resolution of Preliminary Determination No. 112515, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 112964, recorded on Microfilm Roll No. 66, determining that the improvements on Poole Street, Azul Street, and La Jolla Shores Drive, within the limits and as particularly described in Resolution No. 112515 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, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.



Councilman Dail was excused from the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 112516 of Preliminary Determination for the paving and otherwise improving of Roslyn Lane and Ivanhoe Avenue, within the limits and as particularly set forth in said Resolution, the Clerk reported that no written protests had been presented.

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

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

RESOLUTION NO. 112965, recorded on Microfilm Roll No. 66, determining that the proposed improvement of Roslyn Lane and Ivanhoe Avenue, within the limits and as particularly described in Resolution No. 112516 of Preliminary Determination is feasible and that 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.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 112517 of Preliminary Determination for the paving and otherwise improving of Voltaire Street, Whittier Street, Banning Street, Mendocino Boulevard, Venice Street, Catalina Boulevard, San Clemente Street, Famosa Boulevard, Alley in Block 13 Loma Alta No. 1, Alley in Block 12 Loma Alta No. 1, and Public Rights of Way within the limits and as particularly set forth in said Resolution, the Clerk reported that written protest had been received from Thomas D. Drake, which protest was presented to the Council.

Said protest quoted from the notice relative to improvement of Voltaire Street...and that expense be made chargeable upon district within the boundaries of proposed improvement. It states that it is a complete reversal of policy which is as everyone knows that property owners once having paid for paving and sidewalks, it is the City's responsibility for maintaining from taxes at large. The protest states that costs have been paid on Voltaire Street and it would be discriminatory and unfair to assess a second time. It says that the City should assume cost of any re-paving required on Voltaire. In addition, it says that in petition for sewers in Voltaire Street request was not made for paving, and it would be a waste of money when it is planned that Voltaire Street should be widened.

The City Engineer reported verbally a 1% protest.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. She referred to having a copy of another protest (apparently a carbon of the same protest). She read from the posted notice for the improvement. Mrs. Drake read that property owners shall for the repaving of Voltaire Street. The speaker said that Mr. Olson of the City Engineer's office referred to a small area, which needs clarification.

The City Engineer explained that is to be done, including a small 10-foot gap.

The Mayor told Mrs. Drake that reference is made to plans filed, and that changes can not be made, or deviations had from the plans. He spoke about the former matter of assessing buildings, to which Mrs. Drake referred when she said that plan had been changed.

Mrs. Drake expressed the opinion that the notice was incorrectly worded.

Samuel Santee referred to the Resolution reading that Voltaire Street was to be paved. He also spoke about big expense which he will have in connection with sewers, coming up. He stated that he understands the matter, now.

RESOLUTION NO. 112966, recorded on Microfilm Roll No. 66, overruling and denying the protest of Thomas D. Drake against the proposed improvement of Voltaire Street, Whittier Street, Banning Street, Mendocino Boulevard, Venice Street, Catalina Boulevard, San Clemente Street, Famosa Boulevard, Alley in Block 13 Loma Alta No. 1, Alley in Block 12 Loma Alta No. 1, public Rights of Way, within the limits and as particularly described in Resolution of Preliminary Determination No. 112517, overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 112967, recorded on Microfilm Roll No. 66, determining that the paving and otherwise improving of Voltaire Street, Whittier Street, Banning Street, Mendocino Boulevard, Venice Street, Catalina Boulevard, San Clemente Street, Famosa Boulevard, Alley in Block 13 Loma Alta No. 1, Alley in Block 12 Loma Alta No. 1, and Public Rights of Way, within the limits and as particularly described in Resolution No. 112517 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.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2138 made to cover the cost and expenses of 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 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. 112968, recorded on Microfilm Roll No. 66, confirming and approving the Street Superintendent's Assessment No. 2138 made to cover the cost and expenses of 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; 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 said 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. 2139 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 3 Ocean View and the Alley in Block 6 Ocean Beach Park, within the limits and as particularly described in Resolution of Intention No. 108765, the Clerk reported that written protest had been received from Emmanuel Galea, which protest was presented.

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

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

RESOLUTION NO. 112969, recorded on Microfilm Roll No. 66, overruling and denying appeal of Emmanuel Galea from the Street Superintendent's Assessment No. 2139 made to cover the costs and expenses of the work of paving and otherwise improving of the Alley in Block 3 Ocean View and the Alley in Block 6 Ocean Beach Park, within the limits and as particularly described in Resolution of Intention No. 108765; 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 the Street Superintendent to record in his office said warrant, diagram and assessment, was on motion of Councilman Burgener, 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. 2140 made to cover the costs and expenses of 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, the Clerk reported that an appeal had been received from Manuel P. Garcia, which appeal was presented.

The City Engineer reported a 4.1% appeal.

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. 112970, recorded on Microfilm Roll No. 66, overruling and denying the appeal of Manuel P. Garcia from the Street Superintendent's Assessment No. 2140 made to cover the costs and expenses of the work of paving and otherwise improving of Bancroft Street, within the limits and as particularly described in Resolution of Intention No. 108053, overruling and denying all other appeals thereon; confirming and approving the Street Superintendent's Assessment No. 2140, 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 Burgener, adopted.

Councilman Dail returned to the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed assessment for the furnishing electric current for the lighting of College Park Lighting District No. 1, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 112971, recorded on Microfilm Roll No. 66, confirming and adopting as a whole the proposed assessment of the total amount of the costs and expenses of the work or improvement for the furnishing of electric current for the lighting of College Park Lighting District No. 1, in accordance with Engineer's Report and Assessment filed in the office of the City Clerk June 5, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed assessment for the furnishing of electric current for lighting of Collwood Lighting District No. 1, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 112972, recorded on Microfilm Roll No. 66, confirming and adopting as a whole the proposed assessment of the total amount of the costs and expenses of the work or improvement for the furnishing of electric current for the lighting of the street lights in Collwood Lighting District No. 1, in accordance with the Engineer's Report and Assessment filed in the office of the City Clerk May 26, 1953, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed assessment for the furnishing of electric current for the lighting of Loma Portal Lighting District No. 1, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 112973, recorded on Microfilm Roll No. 66, confirming and adopting as a whole the proposed assessment of the total amount of the costs and expenses of the work of furnishing of electric current for the lighting of Loma Portal Lighting District No. 1, in accordance with Engineer's Report and Assessment filed in the office of the City Clerk June 5, 1953, 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 assessment for the furnishing of electric current for the lighting of Mission Beach Lighting District No. 1, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 112974, recorded on Microfilm Roll No. 66, confirming and adopting as a whole the proposed assessment of the total amount of the costs and expenses of the work of furnishing electric current for the lighting of Mission Beach Lighting District No. 1 in accordance with the Engineer's Report and Assessment filed in the office of the City Clerk May 26, 1953, 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 proposed assessment for the furnishing of electric current for the lighting of San Diego Lighting District No. 1, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 112975, recorded on Microfilm Roll No. 66, confirming and adopting as a whole the proposed assessment of the total amount of the costs and expenses of the work of furnishing electric current for the lighting of San Diego Lighting District No. 1, in accordance with the Engineer's Report and Assessment filed in the office of the City Clerk June 5, 1953, 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 ordinance incorporating portions of Quarter Sections 77, 79, 80, 103 Rancho de La Nación, into "R-4" Zone, as defined in the San Diego Municipal Code, and repealing Ordinance No. 118 (New Series) insofar as the same conflicts, the Clerk reported that no written protests had been received.

Glenn A. Rick, City Planning Director, reported verbally relative to effective date, on account of the subdivision matter. He said that it might be necessary to amend the procedure. Mr. Rick said that the effective date of the ordinance can be withheld until the time there is compliance with regulations, but that they should not be written into the Ordinance.

Harry Henson, attorney, who had spoke in behalf of the Federal government on June 23, 1953, at which time the matter was before the Council, was heard again. He said that he was satisfied. Mr. Henson told the Council that it is the present determination that the Secretary of the Navy cannot sign a subdivision map, in connection with the same subject which had been discussed on the earlier date.

Mr. Rick said that it is an unusual situation. He told the Council that the Navy had bought the property inasmuch as no buyer could be found who was willing to take a chance on putting up the money. He said that the contractor will have a lease for 70 years, and told about being able to disregard some of the City's plan.

Mr. Henson stated that he is anticipating that difficulties will not arise. It is not necessary to accept streets, except as the City wishes and as approved by the City Attorney. He said, at this time, that he cannot determine if the Secretary of the Navy can or cannot sign a map. It will be a development for benefit of the City he said on a 75 year lease, he said this time. He stated that there will be no selling off of individual houses. The houses are not to be built for sale, he stated. It is not a subdivision, within the State regulations or City subdivision ordinance.

Councilman Godfrey pointed out that there are limitations on both sides.

Mr. Deaper, Deputy City Attorney, spoke about the Council passing on whether or not a subdivision map is to be filed. He declared that the Council would not be losing power to require a subdivision map.

The Mayor stated that the City will try to help the Navy.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said Ordinance, as listed above, was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.



The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on ordinance incorporating portions of Lots 42, 43, 57 Seaman's Subdivision and portions of Lots 17, 18, 21, 22 Waterville Heights into "R-4" Zone and repealing Ordinance No. 184 (New Series) insofar as the same conflicts, the Clerk reported that no written protests had been received.

Glenn A. Rick, City Planning Director, spoke about the effective date of Ordinance.

Councilman Kerrigan moved to continue the hearing until the subdivision is filed.

Douglas Deaper, Deputy City Attorney, recommended that the matter be continued one week.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the hearing was continued to the meeting of Tuesday, July 14, 1953.

A communication from San Diego Neon Sign Company, signed by A. W. Harper, dated June 29, 1953 (received in the office of the City Clerk July 1, 1953, 4:25 P.M.), requesting that matter be listed on the agenda for June 30, 1953, in connection with permit to erect neon sign at 7764 Girard Avenue, was presented.

Abe LaBlanc, owner of property where sign is to be erected, spoke.

Glenn A. Rick, Planning Director, said that the gentleman is in the refrigeration business in La Jolla. He said that the sign proposed does not meet any requirements of all other merchants in La Jolla.

Mr. LaBlanc told about the many signs in La Jolla.

The Mayor said that if there is to be a hearing on this subject there should be one set for a report on the subject, etc.

Mr. Rick stated that the question in the communication has not been before the Planning Commission, and added that he did not agree with statements made.

Councilman Wincote said that if the property is in a C Zone, the Council can overrule the committee.

The Mayor said that the Council does not have the necessary information.

Councilman Wincote asked that the matter be checked.

Councilman Kerrigan spoke from the sketch attached to the communication, which he had asked to have. ~~and said that it is within the legal limits.~~

The Mayor said that the Council can spend all day guessing.

Councilman Kerrigan moved to continue the matter until Thursday of this week - July 9, 1953.

Councilman Wincote moved to overrule the Planning Commission, and grant the sign.

Mr. Brant, from the San Diego Neon Sign Company said that the sketch is within the legal limits.

Mr. LaBlanc said that he has been trying to get the sign "for 2 years".

Glenn A. Rick said that he was not familiar with Mr. LaBlanc's effort to secure the sign for a long period as charged.

Councilman Kerrigan moved to continue the matter one week.

On motion of Councilman Wincote, seconded by Councilman Dail, the matter was continued to July 9, 1953.

Communication from the Purchasing Agent submitting Resolution accepting bid of Nielsen Construction Company, lowest of 4 bidders, for construction of Fire Station Building No. 25, at 1972 Chicago Street, for the sum of \$56,346.00, and awarding contract - low bid 17.4% above the estimate - was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said matter was continued to July 9, 1953.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution accepting bid of Consolidated Western Steel Division of U.S. Steel Corporation, the low of 2 bidders, for furnishing steel pipe and fittings for 65th and Herrick Pumping Plant, for \$3620.00 plus sales tax (Water Dept. estimate was \$4868.60), was presented.

RESOLUTION NO. 112976, recorded on Microfilm Roll No. 66, accepting bid of Consolidated Western Steel Division of U. S. Steel Corporation for furnishing steel pipe and fittings for 65th and Herrick Pumping Plant; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract, 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 bids for construction of concrete gutter and reconstruction of curb returns at 37th Street and University, received June 26, 1953, from 3 bidders; recommending award to T. B. Penick & Sons, low bidder, in the amount of \$3,992.00 - 5.1% above the City Engineer's estimate - was presented.

RESOLUTION NO. 112977, recorded on Microfilm Roll No. 66, accepting bid of T. B. Penick & Sons for construction of concrete gutter and reconstruction of curb returns at 37th Street and University Avenue; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego contract 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 bids received June 26, 1953, from 5 bidders for construction of storm drain in Lots 3 and 4 Lomas de La Jolla No. 1 (Linda Rosa Avenue and Forward Street), recommending award to Pace Construction Company, low bidder, in the amount of \$2,337.00 - 0.6% below the City Engineer's estimate - was presented.

RESOLUTION NO. 112978, recorded on Microfilm Roll No. 66, accepting bid of Pace Construction Company for construction of storm drain in Lots 3 and 4 Lomas de La Jolla No. 1 (Linda Rosa Avenue and Forward Street); awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to plans and specifications on file in the Office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received June 24, 1953, from 3 bidders, for furnishing books for the City Library for period of one year beginning July 1, 1953, was presented. In addition to making a detailed report, the report recommended award to Los Angeles News Company-Division of American News Co., in accordance with its bid schedule.

RESOLUTION NO. 112979, recorded on Microfilm Roll No. 66, accepting bid of The Los Angeles News Company-Division of American News Co., for furnishing The City of San Diego with its requirements of Library Books for period of one year beginning July 1, 1953; authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for Binding of Library Books for a period of one year beginning July 1, 1953, received from Becker Book Bindery, sole bidder, was presented. It states that prices quoted are identical with those which have been effective for the past 2 years and known to be lower than those charged by other binderies. The communication recommends award, since the City Librarian states that the company has given very satisfactory service.

RESOLUTION NO. 112980, recorded on Microfilm Roll No. 66, accepting bid of Becker Book Bindery for furnishing requirements of Library binding of books, magazines and music for a period of one year beginning July 1, 1953, for prices in accordance with tabulation attached, and in accordance with terms of proposal submitted; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract therefor, pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, presenting Resolution authorizing bids for furnishing 40 4-door Sedans (31 for the Police Department and 9 for the Public Works Department) as per specifications on file in the office of the City Clerk bearing Document No. 472287, was presented.

RESOLUTION NO. 112981, recorded on Microfilm Roll No. 66, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing approximately 40 4-Door Sedans, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition to rezone 2-acre parcel of land from R-1A to R-1, at the northerly end of Cliff Place, a short dead-end street leading off of Mountain View Drive in the 3100 block - portion of Lot 48 Normal Heights - was presented. The report states that no protests were filed, and that the Commission voted 6-0 to recommend the rezoning, and suggested that the matter be forwarded to the City Attorney's office for drafting of proper ordinance prior to setting for public hearing.

RESOLUTION NO. 112982, recorded on Microfilm Roll No. 66, requesting the City Attorney to prepare and present the necessary ordinance for rezoning from R-1A to R-1 property at the north end of Cliff Place, being portion of Lot 48 Normal Heights, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on rezoning from R-1 to R-2 a 17-1/2 acre parcel of land in Clairemont area, to be used for school site by the San Diego Unified School District, property on west side of Pocahontas Avenue at Joplin Avenue, was presented. It states that the Planning Commission voted 6-0 to recommend that the area be rezoned, and suggested that it be forwarded to the City Attorney's office of drafting of proper ordinance prior to setting for a public hearing.

RESOLUTION NO. 112983, recorded on Microfilm Roll No. 66, requesting the City Attorney to prepare and present the necessary ordinance for rezoning portions of Pueblo Lots 1226 and 1227 from R-1 Zone to R-2 Zone, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on previous recommendation for denial of petition for rezoning of portions of Blocks 126 and 127 Choates Addition - from R-4 Zone to C Zone, in the vicinity of 33rd and F Streets, adjacent to Wabash Freeway, was presented. It states that a hearing was conducted July 1, 1953, after proper notice and publication, and after having visited the property. The

report states that the Commission still objected to the C Zone because of the possibility of billboards being erected adjacent to the Freeway and that the property was hardly suitable for C Zoning. As a result, the report states that the Commission voted 6-0 to recommend rezoning be denied.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the communication was referred to the City Attorney for preparation and presentation of the ordinance rezoning said property.

RESOLUTION NO. 112984, recorded on Microfilm Roll No. 66, referring communication from the Planning Commission recommending denial of petition to rezone Lots 45 through 48 Block 126 and Lots 1 through 4 Block 127 Choates Addition (vicinity of 33rd Street and F Street, adjacent to Wabash Freeway) from R-4 Zone to C Zone, for preparation of ordinance for rezoning; setting hearing on said proposed Ordinance for Tuesday, July 28, 1953, at 10:00 o'clock A.M.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on the matter of zoning of property in National Vista and Vicinity, was presented. It states that the Commission heard both sides of the argument for the proposed RC Zoning of Lot 144, which was the only portion of the zoning on controversy. The report said that it is a matter of record that National City zoned Lot 144 C-2 in 1950, and that it has remained in such zone until annexation by the City of San Diego, that the Commission stated the people bought their homes after it was zoned by National City and after it was first zoned by the City of San Diego and should have known what the zoning was on Lot 144. It states that the Commission felt that the zoning should be adopted as proposed, and voted 6-0 to recommend that Kathol-Beall Tract and Vicinity be zoned R-1 and RC as shown on Zoning Plat B-494. It suggested that the matter be forwarded to the City Attorney's office for drafting of a proper ordinance prior to setting for public hearing.

When the report was presented to the Council, there were several outcries of "no" from the back of the Council Chamber. Some individuals, who did not identify themselves, expressed dissatisfaction with the recommendation.

Accompanying the report were several protests from properties in the area against the proposal as proposed.

The Mayor said that it is the normal procedure to refer the report to the City for Ordinance, followed by a hearing. That action would be more satisfactory than any other, he said.

Councilman Godfrey pointed out that the property owners who were present at this time would have to return in order to be heard, and that it would waste their time to be heard now. He, too, said that the matter should be referred to the City Attorney - and set for a hearing.

The Mayor said that the Council can't set the hearing until it has the Ordinance.

Douglas D. Deaper, Deputy City Attorney, said that the hearing could be set.

Councilman Godfrey wondered why the Council could not direct the Attorney to prepare the Ordinance.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the matter was referred to the City Attorney for preparation and presentation of the ordinance, and a hearing set, by

RESOLUTION NO. 112985, recorded on Microfilm Roll No. 66, requesting the City Attorney to prepare and present ordinance for zoning of Lots 135 to 145 inclusive, National Vista, and portion of "Resubdivision of Florence", in the vicinity of Division Street and Harbison Avenue, to R-1 Zone and RC Zone; setting hearing on said proposed ordinance for Tuesday, July 28, 1953, at the hour of 10:00 o'clock A.M., was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from Milton W. Lancaster, 4967 Newport, Ocean Beach, California, presenting resignation from the City Planning Commission effective immediately, stating that it has been a pleasure to have served the City and that it will always be extremely satisfying to know that he has had a small part in its planned development, was presented. The communication thanked the Mayor and Council for the honor of his first appointment and the confidence shown in the subsequent two reappointments and stated that the writer will at all times be happy and willing to serve in any way possible.

RESOLUTION NO. 112986, recorded on Microfilm Roll No. 66, accepting the resignation of Milton W. Lancaster as a member of the City Planning Commission, expressing the thanks of the Mayor and members of the City Council for his services as Commissioner, and directing the Secretary to the Council to have prepared in behalf of the Mayor and Council a scroll to be presented to Mr. Lancaster, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Attorney, signed by Shelley J. Higgins, Assistant City Attorney, giving opinion as to whether or not a special election will have to be called if a petition which the newspapers advise is being circulated, which will present for consideration by the Council an ordinance forbidding use of fluorine in the Municipal Water Supply, was presented. In addition to making a lengthy, detailed statement of the Council's position, the report says in conclusion "unless there is, therefore, another election to be held within a period of six months from the date of the presentation of a sufficient petition it will be the duty of this Council to call, within a period of ten days after rejecting the ordinance, a special election at which there shall be submitted to the vote of the people the proposed ordinance".

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



Communication from Beach Improvement Committee, Ocean Beach Chamber of Commerce, 4321 Voltaire Street, dated 3 July 1953, requesting a hearing time Thursday 9 July 1953, to hear representatives of said Committee in reference to ownership and cleanliness of the beach in question (between Niagara and Cape May Ave.), was presented.

RESOLUTION NO. 112987, recorded on Microfilm Roll No. 66, granting petition of Ocean Beach Chamber of Commerce, Beach Improvement Committee, for hearing before the Council, July 9, 1953, relative to the unsanitary beach conditions, and setting hearing for the hour of 10:00 o'clock A.M., Thursday, July 9, 1953, was on motion of Councilman Winco te, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 112988, recorded on Microfilm Roll No. 66, directing Notice of Filing of Assessment and of the time and place of hearing thereon, on the Street Superintendent's Assessment No. 2145 made to cover the costs and expenses of the work done upon 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112989, recorded on Microfilm Roll No. 66, directing Notice of Filing of Assessment and of the time and place of hearing thereon, on the Street Superintendent's Assessment No. 2146 made to cover the costs and expenses of the work done upon installation of sewer mains in 44th and C Streets, within the limits and as particularly described in Resolution of Intention No. 109663, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD NO. 112990, recorded on Microfilm Roll No. 66, 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 Talmadge Park Lighting District No. 4, for a period of one year from and including April 1, 1953, to and including March 31, 1953, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112991, recorded on Microfilm Roll No. 66, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Sapphire Street, approving Plat No. 2464 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said street; 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 Burgener, adopted.

RESOLUTION NO. 112992, recorded on Microfilm Roll No. 66, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alleys in Blocks 7 and 2 Alhambra Park, approving Plat No. 2434 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said Alleys; directing the City Clerk upon passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112993, recorded on Microfilm Roll No. 66, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 37 Ocean Beach, Santa Cruz Avenue, and Public Right of Way, approving Plat No. 2452 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said Alley, Avenue and Right of Way; 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 Burgener, adopted.

RESOLUTION NO. 112994, recorded on Microfilm Roll No. 66, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Z Street, approving Plat No. 2462 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, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 112995, recorded on Microfilm Roll No. 66, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of 40th Street and Thorn Street, approving Plat No. 2446 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 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 Burgener, adopted.

RESOLUTION NO. 112996, recorded on Microfilm Roll No. 66, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 58 Park Villas, Felton Street, and Public Right of Way, approving Plat No. 2454 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 Burgener, adopted.

RESOLUTION NO. 112997, recorded on Microfilm Roll No. 66, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 9 Subdivision of Blocks 3, 6, 9 and 12 City Heights Annex No. 1, approving Plat No. 2465 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 Burgener, adopted.

RESOLUTION NO. 112998, recorded on Microfilm Roll No. 66, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Curtis Street and Poinsettia Drive, approving Plat No. 2428 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 Wincote, adopted.

RESOLUTION ORDERING WORK NO. 112999, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of the Alley in Block 52 Park Villas, within the limits and as particularly described in Resolution of Intention No. 112244, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 113000, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of Russell Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 113001, recorded on Microfilm Roll No. 66, for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Shores Lighting District Number One, for a period of one year from and including September 15, 1953, to and including September 14, 1954, was on motion of Councilman Schneider, seconded by Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 113002, recorded on Microfilm Roll No. 66, for the closing of portions of Mira Monte Plaza, as particularly shown in said Resolution; determining that it is not necessary that any land be taken therefor; setting out 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; electing to proceed under provisions of the "Street Opening Act of 1889", was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 113003, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of Sapphire Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 113004, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of the Alleys in Blocks 7 and 2 Alhambra Park, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 113005, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of the Alley in Block 37 Ocean Beach, Santa Cruz Avenue, and Public Right 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. 113006, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of Z Street, within the limits and as particularly set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 113007, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of 40th Street and Thorn Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 113008, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of the Alley in Block 58 Park Villas, Felton Street, and Public Right of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 113009, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of the Alley in Block 9 Subdivision of Blocks 3, 6, 9, 12 City Heights Annex No. 1, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 113010, recorded on Microfilm Roll No. 66, for the paving and otherwise improving of Curtis Street and Poinsettia Drive, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113011, recorded on Microfilm Roll No. 66, 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 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; directing the City Clerk to certify the fact and date of said approval, and immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113012, recorded on Microfilm Roll No. 66, approving the Diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of 55th Street, within the limits and as particularly described in Resolution of Intention No. 110071, and to be assessed to pay the expenses thereof; directing the City Clerk 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 Godfrey, adopted.

RESOLUTION NO. 113013, recorded on Microfilm Roll No. 66, approving the Diagram of the property affected or benefited by the work of improvement to be done on installing sewers in Balboa Avenue, Pasadena Street, Albuquerque Street, De Soto 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, and immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113014, recorded on Microfilm Roll No. 66, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 4 Eastgate, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 113015, recorded on Microfilm Roll No. 66, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alleys in Blocks 4 and 5 Frary Heights, and Thorn Street, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 113016, recorded on Microfilm Roll No. 66, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 178 Pacific Beach, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 113017, recorded on Microfilm Roll No. 66, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 2 Chester Park Addition, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 113018, recorded on Microfilm Roll No. 66, ascertaining and declaring the wage scale for the paving and otherwise improving of Cass Street, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.



RESOLUTION NO. 113019, recorded on Microfilm Roll No. 66, ascertaining and declaring the wage scale for the paving and otherwise improving of Beaumont Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 113020, recorded on Microfilm Roll No. 66, consenting to annexation by the City of National City of portion of Lot 70 portion of Rancho Ex-Mission of San Diego (commonly known as Horton's Purchase), was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Said Resolution recites that a petition was filed with the legislative body of the City of National City asking that property be annexed to said City of National City; that territory proposed to be annexed to the City of National City is situated within three miles of the boundaries of The City of San Diego, and therefore, under Section 35105.5 of the Government Code of the State of California, the consent of the legislative body of The City of San Diego to such annexation must first be obtained.

RESOLUTION NO. 113021, recorded on Microfilm Roll No. 66, determining that it is the opinion of the Council that the portable dwelling units located at Chollas Heights Federal Housing Project cannot be economically located or relocated within The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Federal Government has expressed its intent to sell 28 portable dwelling units for removal from the present site, that the Director of Building Inspection has caused the units to be inspected, that said inspection disclosed that said dwelling units fail to conform to the requirements of the Building Code in the particulars set forth in said Resolution.

RESOLUTION NO. 113022, recorded on Microfilm Roll No. 66, authorizing the City Manager to execute lease with Clay W. Summerville for portion of the Otay Reservoir site more particularly described in form of lease heretofore filed with the City Clerk as Document No. 472463, for recreational concession purposes at a monthly rental of 7% of the gross income to be derived therefrom, for a period of 3 years commencing on the 1st day of July, 1953, all in accordance with the terms and conditions of the said form of lease, which said real property has a value of \$100.00 as disclosed by report of the last appraisal made by the Auditor and Comptroller and which land 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.

RESOLUTION NO. 113023, recorded on Microfilm Roll No. 66, authorizing and empowering the City Manager to execute, for and on behalf of the City, an agreement with Clay W. Summerville, whereby said Summerville will sell permits and tickets, on behalf of the City, at Otay Reservoir, under terms and conditions set forth in form of agreement filed with the office of the City Clerk as Document No. 472464, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113024, recorded on Microfilm Roll No. 66, approving request of W. V. Hutchison, dated June 15, 1953, contained in Change Order No. 2, for extension of 90 days to and including October 20, 1953, heretofore filed with the City Clerk as Document No. 472336, in which to complete contract for construction of Mission Beach Boulevard and Pacific Beach Drive Drain, contract contained in Document No. 462709 on file in the office of the City Clerk; contract extended to October 20, 1953, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the next matter the City Manager explained, at the request of Councilman Godfrey where sirens are to be placed, how many were to go in. He read a list of locations to the Council.

RESOLUTION NO. 113025, recorded on Microfilm Roll No. 66, authorizing Ets-Hokin & Galvan, contractors under contract heretofore entered into with The City of San Diego for furnishing and installing air raid warning sirens - to furnish and install 8 additional sirens - at locations listed and set forth in communication of the Purchasing Agent contained in Document No. 472338 on file in the office of the City Clerk, at a price of \$1330.00 each, in accordance with terms of contract contained in Document No. 471139 on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Accompanying said Resolution was communication from the Purchasing Agent, dated July 3, 1953, stating among other things that by communication of July 1, 1953, the Assistant Director of Civil Defense has advised the City Manager's office of additional requirements for sirens to be installed at the following locations - being areas not previously specified as requiring siren coverage:

- Cleefeld and Samset
- Luna Avenue and Lake Forest
- Clairemont and Emet Court
- Clairemont and Dakota
- Pacific Highway and Torrey Pines Road
- Ashford and Baltic
- Afton and Jordan
- Friars Road, at or near Sixth Street Extension
- San Vicente and Spreckels Avenue

The communication states that the City Manager's office has approved installation of additional sirens in 8 of the 9 locations above listed, the location not approved being at Friars Road near 6th Street Extension, approval of said location to be deferred pending installation of siren system to better determine need of siren at said location. In addition, it says that resolution to authorize said contract was submitted, at a price of \$1330.00 each. The communication states that money for the work is available in accordance with Certificate of Auditor; that the 75% refund from the State and Federal Governments will be forthcoming subsequent to installation.

RESOLUTION NO. 113026, recorded on Microfilm Roll No. 66, approving request of R. E. Hazard Contracting Co., dated August 6, 1953, contained in Change Order No. 3, for extension of 90 days to and including September 29, 1953, heretofore filed with the City Clerk as Document No. 472340, in which to complete contract for resurfacing of 33rd Street from University Avenue to El Cajon Avenue, 38th Street from Orange Avenue to Wightman Street, and La Jolla Boulevard from Prospect Street to Mesa Way, contract contained in Document No. 453553 on file in the office of the City Clerk, time of completion extended to September 29, 1953, was on motion of Councilman Schneider, seconded by Councilman Winco te, adopted.

RESOLUTION NO. 113027, recorded on Microfilm Roll No. 66, approving request of R. E. Hazard Contracting Co., dated June 1, 1953, contained in Change Order No. 1, for extension of 30 days to and including July 30, 1953, heretofore filed with the City Clerk as Document No. 472342, in which to complete contract for resurfacing 4th Avenue, State Street, Broadway, et al., contract contained in Document No. 470096 on file in the office of the City Clerk, completion extended to July 30, 1953, was on motion of Councilman Schneider, seconded by Councilman Winco te, adopted.

RESOLUTION NO. 113028, recorded on Microfilm Roll No. 66, approving change order No. 1, dated June 16, 1953, heretofore filed with the City Clerk as Document No. 472352, issued in connection with contract between the City of San Diego and Charles J. Dorfman for construction of 33rd Street Sewer Replacement, contract contained in Document No. 461782 on file in the office of the City Clerk; changes amounting to increase in contract price of approximately \$630.00, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 113029, recorded on Microfilm Roll No. 66, approving request of Charles J. Dorfman, dated June 16, 1953, contained in Change Order No. 1, for extension of 30 days to and including August 7, 1953, heretofore filed with the City Clerk as Document No. 472352, in which to complete contract for installation of sewer replacement in 33rd Street, contract contained in Document No. 461782 on file in the office of the City Clerk; time of completion of contract extended to August 7, 1953, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 113030, recorded on Microfilm Roll No. 66, approving change order No. 2, dated June 24, 1953, heretofore filed with the City Clerk as Document No. 472355, issued in connection with contract between The City of San Diego and Charles J. Dorfman for construction of 33rd Street Sewer Replacement, contract contained in Document No. 461782 on file in the office of the City Clerk; changes amounting to increase in the contract price of approximately \$1,779.75, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 113031, recorded on Microfilm Roll No. 66, granting permission to Casa Hamilton Corporation (care F. E. Young Construction Company) 2141 Main Street, San Diego 12, California, to install a 40-foot driveway on the south side of Ash Street between Seventh and Eighth Avenues, adjacent to Lots 1 and 12 Block 12 Bayview Homestead, subject to curb cutting and installation of driveway to be in accordance with all rules, regulations and ordinances of The City of San Diego; also that if at any time area to be served is not used for parking of motor vehicles, the permit shall be null and void, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 113032, recorded on Microfilm Roll No. 66, granting permission to Fred S. Leeds, 4273 Ridgeway Drive, San Diego, 16, to install 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 westerly direction, parallel to the north line of Lots "A" and "L" Block 223 Horton's Addition, to point of intersection with public sewer, to serve property at 125 - 143 Fir Street, subject to approval of Plumbing Inspection Department, Property Division, Sewer Section Engineering Department and the City Manager, upon conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

In connection with the next matter, the City Manager explained relative to easement from former owner to buyer. He said that the City finally as the acquisition, at another price.

RESOLUTION NO. 113033, recorded on Microfilm 66, authorizing and approving expenditure of \$1500.00 for purchase of property for right of way for La Jolla Scenic Drive in Pueblo Lot 1774, from Major Property Purchases Account in the Property Management Fund, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 113034, recorded on Microfilm Roll No. 66, approving claim of Jose B. Rubio, on file in the office of the City Clerk under Document No. 468406, in the amount of \$16.00; directing the City Auditor to draw warrant in favor of Jose B. Rubio in said sum in full payment of said claim, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 113035, recorded on Microfilm Roll No. 66, approving claim of Dorothy Slater, on file in the Office of the City Clerk under Document No. 470468 in the amount of \$2.50; directing the City Auditor to draw his warrant in favor of Dorothy Slater in said amount in full payment of said claim, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 113036, recorded on Microfilm Roll No. 66, approving claim of Carl Morebello, on file in the office of the City Clerk under Document No. 470670, in the sum of \$21.63; directing the City Auditor to draw his warrant in favor of Carl Morebello in said sum in full payment of said claim, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 113037, recorded on Microfilm Roll No. 66, denying claim of Inter-Insurance Exchange of the Automobile Club of Southern California, on file in the Office of the City Clerk under Document No. 470655, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 113038, recorded on Microfilm Roll No. 66, denying claim of Mrs. Sadie Cruffo, on file in the Office of the City Clerk under Document No. 469456, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 113039, recorded on Microfilm Roll No. 66, denying claim of O. E. DeLaCroix, on file in the office of the City Clerk under Document No. 470675, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 113040, recorded on Microfilm Roll No. 66, denying claim of Fred L. Hall, on file in the Office of the City Clerk under Document No. 470666, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 113041, recorded on Microfilm Roll No. 66, denying claim of Emma O. Lopez, for Anthony Lopez, on file in the office of the City Clerk under Document No. 465743, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 113042, recorded on Microfilm Roll No. 66, finding that the protest of the owners of property within the territory proposed to be annexed to and incorporated within The City of San Diego, known as Kensington Park, was not made by owners of a majority of the separate parcels of property within the said territory proposed to be annexed; referring the matter to the City Attorney for preparation of the necessary ordinance calling election and submitting to electors residing in the territory the question whether it shall be annexed to and incorporated within The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

ORDINANCE NO. 5682 (New Series), recorded on Microfilm Roll No. 66, naming the most northerly Alley running northeasterly and southwesterly, and portion of the Alley running northwesterly and southeasterly in Block 78 Ocean Beach, Cape May Place, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

Prior to such adoption, the reading in full was dispensed with by a vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to the day of its passage a written or printed copy of said ordinance.



Prior to the passage of the following Ordinance, the reading in full was dispensed with by a vote of not less than four members of the Council, on motion of Councilman Schneider, seconded by Councilman Wincote. There was available for consideration of each member of the Council prior to the day of its passage a written or printed copy.

ORDINANCE NO. 5683 (New Series), recorded on Microfilm Roll No. 66, appropriating \$5,000.00 from the Capital Outlay Fund, for the purpose of providing funds to pay the City's share of the cost of installing storm drain across 54th Street in connection with Hazelwood Heights Unit No. 1 Subdivision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman ~~of Councilman~~ Schneider, seconded by Councilman Wincote, ordinance appropriating \$1,000.00 from the Traffic Safety Fund, for providing funds for repairing City-owned Parking Meters, known as Park-O-Meters, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Prior to introduction, the City Manager reported verbally, and told the Councilmen that it is an experimental program regarding recondition of meters, and that it looks like a good deal. He stated that there is a limited number involved, and referred to the average life of the meters as being 7 to 10 years.

On motion of Councilman Wincote, seconded by Councilman Schneider, ordinance appropriating \$4,300.00 from the Traffic Safety Fund, for providing funds for construction of concrete gutter and reconstruction of curb returns at 37th Street and University Avenue, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, ordinance incorporating all of Block 36 Marilou Park into "C" Zone as defined in Section 101.0411 of the San Diego Municipal Code and repealing Ordinance No. 35 (New Series), was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The City Manager wondered if "the deed" had been filed.

Mr. Waters said that he had a deed, which he handed in to the Clerk. At the request of the City Properties Division (R. Lambert) said deed was sent to said Division.

On motion of Councilman Godfrey, seconded by Councilman Schneider, ordinance amending Chapter III of the San Diego Municipal Code by amending Sections 31.0110 and 31.0347 thereof, and by adding thereto Section 31.0347.1, which sections concern the Regulation of the business of Renting Automobiles and Motorcycles Without Driver, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, ordinance establishing grade of Evergreen Street from the southwesterly line of Poe Street to the northeasterly line of Poe Street, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Godfrey, seconded by Councilman Wincote, ordinance establishing the grade of the Alley in Block 11 North Shore Highlands, between the westerly line of Fanuel Street and the easterly line of Everts Street, was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of Clairemont Manor Unit No. 3, subject to posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 113043, recorded on Microfilm Roll No. 66, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego a contract with Mid City Heights Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Clairemont Manor 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 Wincote, adopted.

RESOLUTION NO. 113044, recorded on Microfilm Roll No. 66, adopting Map of Clairemont Manor Unit No. 3, being subdivision of portions of Pueblo Lot 1235 and 1236, said portion of Pueblo Lot 1236 being portions of C. C. C. Tatum's Bay Hills Mesa, including all of Blocks 15 and 17, Lots 4, 5 and portions of Lots 3 and 6 Block 1, Lots 1, 2, 4 to 10 inclusive, and portion of Lot 3, Block 5, portion of Lot 5 Block 6, Lot 1 portions

portions of Lots 2, 3, 4 to 13 inclusive Block 14, Lots 1, 2 and portion Lot 3 Block 16, together with Hults Court, portions of Highpoint Street, Tatum Street, Barker Street, Jones Street, and portion of Sixth Street Extension, as said Court and Streets are shown on map of C. C. C. Tatum's Bay Hills Mesa, more particularly described in said Resolution; accepting on behalf of the public streets, avenues, boulevard, court, declaring them to be accepted on behalf of the public and dedicating the same, including alleys, easements and a butters' rights of access in and to portions of Genesee Avenue, Sauk Avenue and Chickasaw Court; authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council 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 Wincote, adopted.

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

RESOLUTION NO. 113045, recorded on Microfilm Roll No. 66, confirming and approving expenses incurred by Roy E. Butler, Assistant Director of Civil Defense, on trip to Sacramento, California, June 29 and 30, 1953, for the purpose of obtaining matching State funds for Civil Defense equipment prior to close of fiscal year, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

The City Manager told members of the Council was successful in securing funds as a result of said trip.

RESOLUTION NO. 113046, recorded on Microfilm Roll No. 66, approving request of Charles J. Dorfman, dated June 23, 1953, contained in Change Order No. 1, for extension of 30 days to and including July 27, 1953, heretofore filed with the City Clerk as Document No. 472350, in which to complete contract for installation of sewer at 63rd and Imperial Avenue, contract contained in Document No. 469949 on file in the office of the City Clerk; extending time of completion to July 27, 1953, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

There being no further business to come before the Council at this time, Mayor Butler declared the meeting adjourned, at the hour of 12:13 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By August M. Kadstrom  
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, July 9, 1953

Present -- Councilmen Burgen er, Wincote, Schneider, Kerrigan, Dail, Godfrey,  
Mayor Butler.

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

The hour of 10:00 o'clock A.M. having arrived, being the time to which hearing had been continued on appeal of Daniel H. R. Pain, attorney for applicant, from decision of the Zoning Committee in denying permission to F. M. Sawyer, owner, and K. L. Hutchinson, lessee, to erect a double-faced neon sign, 12 feet by 4 feet 9 inches at right angles to the fact of the building, on a pylon, being on Lot 366 Block 17, Crown Point, 3465 Ingraham Street, in Zone R-C, no one appeared to be heard although there had considerable discussion on July 2, 1953.

RESOLUTION NO. 113047, recorded on Microfilm Roll No. 66, filing the matter of the appeal of Daniel H. R. Pain, attorney for F. N. Sawyer and K. L. Hutchison, from the decision of the Zoning Committee in denying by Resolution 7473 application No. 12007 for permission to erect double-faced neon sign, 12 feet by 4 feet 9 inches at right angles to fact of building on pylon, Lot 366 Block 17 Crown Point, located at 3465 Ingraham Street, in Zone R-4, was on motion of Councilman Kerrigan, seconded by Councilman Burgen er, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed Ordinance incorporating portion of Lot 1 Block 1 Rosedale; portions of Lots 8 and 9 The Highlands; portions of Lots 72 and 78 Rancho Mission, into "R-4" Zone, "C-P" Zone and C Zone, as defined by Sections 101.0408, 101.0410 and 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 5252 (New Series) insofar as the same conflicts, on motion of Councilman Schneider, seconded by Councilman Kerrigan,

RESOLUTION NO. 113048, recorded on Microfilm Roll No. 66, referring the proposed Ordinance incorporating portion of Lot 1 Block 1 Rosedale, portions of Lots 8 and 9 The Highlands, portions of Lots 72 and 78 Rancho Mission into R-4, C-P and C Zones to the Planning Commission for supplementary report, was adopted.

(Said proposed Ordinance was introduced at the meeting of June 18, 1953).

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed Ordinance incorporating Lot 648 Lomita Village Unit No. 4 into R-2 Zone, as defined by Section 101.0406 of the Municipal Code, and repealing Ordinance No. 117 (New Series) 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.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the reading of the ordinance in full prior to final passage was dispensed by a vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy of said ordinance.

ORDINANCE NO. 5684 (New Series), recorded on Microfilm Roll No. 66, incorporating Lot 648 Lomita Village Unit No. 4 into "R-2" Zone, as defined by Section 101.0406 of the San Diego Municipal Code, and repealing Ordinance No. 117 (New Series) adopted January 3, 1933 insofar as the same conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent-Councilmen None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on ordinance incorporating portion of Lot 9 La Mesa Colony into R-4 Zone and repealing Ordinance No. 13558 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.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said Ordinance was referred back to the Planning Department for supplementary report, by RESOLUTION NO. 113049, recorded on Microfilm Roll No. 66.

Communication from Beach Improvement Committee, Ocean Beach Chamber of Commerce, signed by Tom Drake, Chairman, 4321 Voltaire Street, San Diego 7, dated 3 July 1953, was presented, this being the time set for hearing on said communication which requested said hearing.

Said communication states that under date of 20 June 1953, Col. Drake had written a letter to the Council calling attention to insanitary beach area lying between Niagara and Cape May Ave. It states, further, that the complaint elicited a reply in the press from an anonymous city official that "the general area complained of is privately owned", that upon further representation a considerable smoke screen has been thrown out concerning responsibility for cleanliness of the beaches. The communication says that it is a very serious matter, as it has a direct bearing upon San Diego's third largest business, the Tourist trade, and it appears from observation that said trade has been definitely been curtailed this year, perhaps due to the dirty beaches. It says that it is not the desire to find fault with those who apparently have neglected their duty, but to help correct a bad situation. Also, it says that from investigation there appears no doubt as to ownership of the beach in question, which is the City of San Diego, and there shouldn't be in the minds of those who are employed to look after them.

Colonel Drake, representing said committee, and was heard. He said that the beaches, which are City-owned are dirty, and wants something done to correct the situation. He thanked the Council for permission to be heard. He mentioned having read a press notice in the paper relative to the privately-owned beach. It is not privately owned, he stated. He showed to the Council a map of the area. He defined "beach" from Webster. He referred to area set aside as beach by the State of California, and read from agreement with the State. The High Tide Line had been established by the Court, and does not involve ownership. There has been no beach in portion of the area for several years, he said - bluff only - inasmuch as the sand had washed out. The beach itself has not been cleaned, and that the sanitary condition is bad. The condition results in some restaurants at Ocean Beach having to close doors to keep out the flies. He referred to a letter from the City addressed to the Ocean Beach Chamber of Commerce relative to population in the area.

There was discussion between Councilman Wincote and Colonel Drake regarding the population figures. Councilman Wincote said that the letter refers to the beach-using population.

Colonel Drake said that a woman in Ocean Beach had stated that the beach is so filthy she will not go there again. Instead, she goes to La Jolla - and shops there, also. He referred to the Public Works Department recommendation for purchase of rakes to keep beaches clean at Mission Beach and at La Jolla Shores. He said that he wants the



rakes used at Ocean Beach. At this time Colonel Drake referred to the letter about which he had spoken as being from Verne Parker, (Assistant Director of Public Works, addressed to the City Manager).

Councilman Wincote told Colonel Drake that City equipment can go on any beach which it can get onto. They are not permitted on private beaches, he added, and said that they cannot go on "private park".

Colonel Drake pointed out on a map again the various beaches, and stated that the private area is fairly clean.

Steve Sulek, member of the committee, spoke at this time. He said that from 9 o'clock to the time that lights go out, flies are a problem. He said that he tries to keep the doors closed from 8:00 P.M., but that the flies come in through cracks. They get into food, and make a mess, he stated. He has had to close to the public at 8:00 o'clock on account of the condition, he told the Council. People depend on being kept open for food and beverages at night, Mr. Sulek said, and are disappointed when they find the eating places closed. He wants to see the beach for the City of San Diego, and stated that Ocean Beach has grown although too many are fighting the district. The situation is changing, he stated, and added that now business is cooperating. When he lived in East San Diego 10 years ago, Mr. Sulek said that he went to the beaches oftener than now. There are no facilities for vacationers who are invited out here, he added. He asked that there be concentration on Ocean Beach.

Councilman Schneider told Mr. Sulek that a tremendous amount of money has been spent on Ocean Beach by the City.

The Mayor stated that the Council recognizes the problem and has directed the City Manager to supplement the beach cleaning crew. He, also, said that the City cannot control the situation with City forces on private property.

Councilman Dail said that there is disagreement regarding private and public beach property.

Councilman Burgener pointed out that the City is not cleaning the beaches now - including other areas.

Councilman Wincote said that action has been taken to increase the cleaning crew, and declared that the City is concerned. He added that request has been made to speed up delivery of the rakes, inasmuch as the City has no equipment for the purpose now. He stated that the City Manager is working on the problem, that the City wants the beaches clean and sanitary.

Councilman Wincote spoke about his, Colonel Drake's and Mr. McConnell of the Planning Department having checked maps. The Planning maps are outdated, Colonel Drake stated. He added that they get information in and through the newspapers - but nothing is done.

Councilman Wincote told those interested that it would be about 30 days before the rake is constructed.

Mr. Sulek spoke again, and told the Council that the flies will breed rapidly in this warm weather.

Colonel Drake referred to the maps as being up to date as of 1951.

Asked by Councilman Wincote, Glenn A. Rick, Planning Director, said that he can give Mr. Parker a map.

Councilman Wincote spoke again, and said that it is the policy to get in as fast as possible to clean the public property.

Councilman Burgener wondered if temporary measures can be taken.

The City Manager answered by saying that the City is taking steps, now.

Colonel Drake was heard again, at which time he said that beaches are worse now than formerly. There is need for understanding regarding the public and private beaches, and need to have activity to provide for their being clean, he said. Tourists are leaving San Diego on account of the litter, etc., he said.

Councilman Schneider spoke of a tourist problem involved. He said that the Council should direct the Manager to attack the problem, if it is not being done.

The Manager said that it can.

There was no action.

The petition of San Diego Neon Sign Co. for permission to erect a sign at 7764 Girard Avenue, which had been before the Council and continued to this date, was brought up again at this time.

Glenn A. Rick, City Planning Director, said that he had checked the matter. He reported that the owner of the building which Abe LaBlanc, refrigerator dealer, occupies has an owner's lease which calls for approval of the sign, and that he will not approve one not approved by the Planning Department. He spoke about the proposal. He stated that if the matter was dropped by the Council, and revised, he thought that the Planning Commission would reconsider the matter.

Councilman Schneider spoke about approval on the new proposal.

Mr. LaBlanc told the Council that the sign would be 9'8" above the sidewalk, that Mr. Cory (the building owner) had told him only a few minutes previously that if the Council grants he would approve. He spoke about a slightly smaller sign, 9'8" above the sidewalk - 14" from the building.

Asked about the Zone, Mr. Rick said that he thinks the property is in C Zone, and added that all is C zone north of Pearl Street.

Mr. LaBlanc stated that he is in the same building as the telephone company.

A. W. Harbor, who signed the original San Diego Neon Sign Company letter, said that there has been some mistake.

Councilman Godfrey said that the sign as proposed, 9' from the ground is legal, but that it would not conform with the policy of the La Jolla Town Council.

Mr. LaBlanc said again that Mr. Corey would approval a legal sign.

Councilman Schneider read from the Municipal Code the matter of signs.

Mr. LaBlanc said that he has been obliged to spend lots of time away from his business on this one proposal - has tried for 4 months, now. He referred to the nearby Buick and Liquor signs. He stated that the competitor next door has the same as Mr. LaBlanc wants, and it is going up.

Councilman Schneider stated that La Jolla is trying to enforce special regulations, inasmuch as there is a unique situation there.

Mr. LaBlanc referred to the awning next door, at the hardware store, with advertising, which is all in tatters. He said that his sign would not hurt La Jolla business which is moving South. He said that the sign could be seen from both sides of the street, also north and south.

Councilman Godfrey spoke about two phases, relative to legal rights and to persuasion by a community group. The agreement with the landlord is not the City's business, he stated.

Councilman Wincote said that, nevertheless, if there is such a clause in the lease on the signs, Mr. LaBlanc would need a letter from the owner.

Andrew Andeck, representing the La Jolla Town Council, was heard. He said that he was under the impression that on account of a policy, the landlord of the property where sign is to be placed, was to appear. The landlord had given the same information, regarding policy, as Mr. Rick had, Mr. Andeck stated.

Councilman Godfrey said that usually the sign company representative has been coming, overly eager to sell signs, for which he could not be blamed. The owner has control of the tenant, he added.

Councilman Dail was excused from the meeting at this time.

Councilman Wincote said that it would be unfortunate for the Lessee to pay for the sign, then run into difficulty with the landlord.

Councilman Godfrey said that the City should not interfere between the tenant and the landlord. If the sign complies, he said that the City is bound to grant.

Councilman Wincote wondered if the Planning Department is right regarding architectural control. He said that they have only the power of persuasion.

Councilman Dail returned to the meeting.

Mr. Andeck told the matter of aesthetics have been taken up to the Supreme Court.

Councilman Kerrigan asked the City Attorney what position the Council is in regarding the lease.

Before Mr. Deaper could answer, Mr. LaBlanc said that Mr. Corey has approved the sign, and that he will absorb a portion of its cost.

The Mayor said that it is the policy of the owner or the lessee come in where a controversy arises in connection with a sign.

Douglas D. Deaper, Deputy City Attorney, said that there is no relation between the City and the landlord, that there is no tie in, and that there is no effect on the City agency.

Councilmen Wincote moved to overrule the Planning Commission, grant a legal sign which is to be checked when completed, on revised basis presented by Mr. LaBlanc at this meeting, which motion was seconded by Councilman Dail.

Mr. Andeck asked if a print is not required.

Councilman Wincote asked for a picture regarding the legal sign.

Mr. Harper referred to the comment in the letter regarding the legal sign.

Mr. Andeck went up to the Council table, and Councilman Schneider showed him the Sign Ordinance contained in the San Diego Municipal Code.

(Mr. Harper later asked the Clerk for the drawing and his letter, but they were not returned to him, inasmuch as then there would have been nothing in the record.)

RESOLUTION NO. 113050, recorded on Microfilm Roll No. 66, granting permission to Abe LaBlanc to erect a neon sign at his place of business, 7764 Girard Avenue, (a "legal" sign) which is to be checked when completed, on a revised basis as presented to the Council by Mr. LaBlanc this date, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Petition of Albert Krasnow for annexation to the City of portion of Lot 47 Rancho Mission to the City of San Diego, as more particularly described in said Resolution - being uninhabited territory as defined in the "Annexation of Uninhabited Territory Act of 1939" as amended, was presented.

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

Application of Albert P. Bernardini and Martha M. Bernardini for permission to construct industry spur track, by San Diego & Arizona Eastern Railway Company to serve warehouse at the northwest corner of 21st and Commercial Streets, was presented.

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

Communication from Warren H. Houseman and Elizabeth K. Houseman, 729 Genter Street, La Jolla, dated July 6, 1953, July 5, 1953, being petition requesting special permission to install cesspool on Lot 6 La Jolla Highlands, Inspiration Drive, was presented.

Councilman Godfrey told Mr. Houseman, who appeared to be heard, that he should work with the City Manager.

Mr. Houseman said that he had not talked with the Manager.

The Mayor stated that the matter is under the City Manager and the Director of Health.

Mr. Houseman said that he had talked with Mr. Blom (Assistant City Manager) Mr. Cope (Assistant to the City Manager), and to the City Engineer.

Councilman Schneider told Mr. Houseman that a report is needed from the City Manager.

The City Manager said that there are 2 or 3 plans.

Councilman Godfrey asked Mr. Houseman if he had talked to the Health Department.

Mr. Houseman replied "yes", and added that he can't even get a percolation

test. He said trouble has been occurring elsewhere - not in his location. Mr. Houseman told the Council that he has a full acre of ground which is level, on Inspiration Drive. He corrected himself by saying that he had not talked to Mr. Blom.

Councilman Burgener asked if it had not been determined when the sewer line would go in, and how long Mr. Houseman can wait.

The City Manager said that a cesspool permit has to come from the Health Department. He said that his office is trying to work out the situation, regarding the sewer.

Councilman Dail said that he has received complaints regarding the health requirements. He stated that where there is undue delay, and where the proposal conforms to Health laws, the Council can grant.

Councilman Wincote thought that it had been determined that the sewer can go up the canyon, but apparently that is not correct.

Councilman Schneider was excused from the meeting at this time.

Councilman Wincote wondered if the permit is granted to Mr. Houseman how long it would be before he is required to tie onto the sewer, when it is available.

Councilman Dail told about his experiences, and said that he had a similar situation; that he had not tied on for 2 or 3 years.

Councilman Dail referred to granting the request, or conforming to the laws.

Councilman Godfrey expressed the need for having the Health Officer present.

Mr. Deaper spoke again (from memory) stating that the matter should be referred to the Health Department, rather than to the Council.

Councilman Godfrey said that the Health Officer is reasonable, and that he is interested. He said again that the Council needs to have the Health Officer here.

Councilman Dail said that the Health Department can require going down to where the point of saturation is reached - 600 feet, if necessary.

Mr. Houseman said that the Health Department had denied the permit.

Councilman Burgener said that there has been a blanket indictment of the Muirlands area.

Mr. Simmons, who did not give his first name, initials, or address, spoke next. He stated that he owns property in Muirlands, on Muirlands Drive, and that there are only 4 properties not built on. All have cesspools, with areas of not less than an acre for each parcel, he stated.

(The matter was held temporarily to await arrival of the arrival of J. B. Askew, M.D., Health Officer). It will be found later, on page 466 of these Minutes.

Councilman Schneider returned to the meeting at this time.

Communication from the City Engineer, bearing stamps of approval of the Purchasing Agent and of the Assistant City Manager, reporting on bids received June 23, 1953 for construction of Fire Engine Company No. 25 Fire Station at 1972 Chicago Street, was presented. Said communication, which recommends award to Nielsen Construction Company of \$56,346.00 bid - low bid 17.4% above estimate - was continued to this meeting from the meeting of July 7, 1953.

RESOLUTION NO. 113051, recorded on Microfilm Roll No. 66, accepting bid submitted by Nielsen Construction Company for construction of Fire Station Building for Fire Engine Company No. 25, at 1972 Chicago Street, at the lump sum price of \$56,346.00; awarding contract, authorizing and empowering the City Manager to execute contract, upon execution, delivery, filing and approval of bonds required, 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 Water Meters, recommending award at a price of \$1,056.00, plus State Sales Tax, was presented. It recommended that the Purchasing Agent be authorized to exercise option offered by Squires-Belt Material Company, and purchase 3 additional Hersey Model FM Detector Water Meters.

RESOLUTION NO. 113052, recorded on Microfilm Roll No. 66, authorizing and directing the Purchasing Agent to exercise option offered by Squires-Belt Material Company in their bid dated May 6, 1953, to purchase 3 additional Hersey Model FM Detector water meters at a price of \$1056.00 each, plus sales tax, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, recommending that the Purchasing Agent be authorized to purchase IBM cards and supplies in the approximate amount of \$1,332.00 in the open market, in accordance with list attached thereto, was presented.

RESOLUTION NO. 113053, recorded on Microfilm Roll No. 66, authorizing and directing purchase in the open market, without advertising for bids, approximately 900,000 IBM cards and supplies at an approximate price of \$1,332.00 - in accordance with items set forth in said resolution - stating that International Business Machines Corporation is the main supplier of said cards and supplies, that it will be for the best interest of The City to purchase them in the open market without advertising for bids, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.



Communication from the Planning Commission, dated June 30, 1953, signed by D. E. South - referred to the City Manager and continued for report until this meeting - was presented. Said communication was relative to application of Harvey D. and Stella Allen to erect single-family residence in addition to 2 existing residences on portion of Pueblo Lot 1120 lying north of Camino del Rio; recommending granting of application, but leaving decision re additional land for future plans of Camino del Rio to the Council's discretion.

No report was presented by the City Manager.

Glenn A. Rick, City Planning Director, said that the Planning Commission had not granted the request as made.

RESOLUTION NO. 113054, recorded on Microfilm Roll No. 66, granting request of Harvey D. and Stella Allen, under application No. 11987 dated May 15, 1953, to the Planning Commission, to erect a single-family residence in addition to two existing residences on portion of Pueblo Lot 1120 lying north of Camino del Rio, as per sketch attached to communication from the Planning Department bearing Document No. 471956; being City of San Diego Engineering Department drawing number 4938-B and pencil drawing accompanying the same; without requirement of additional for future widening of Camino del Rio as far as the City of San Diego is concerned, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted. *land*

Councilman Wincote stated that the granting by the Council of permission to construct residence without requirement for granting land for road widening, does not mean that the State may not make demand for the same.

Councilman Dail said at this time that he wants an opinion from the City Attorney regarding cesspools - referring back to the Warren H. & Elizabeth K. Houseman hearing considered earlier in this meeting, and shown again later.

There was no action.

Notice of Hearing in the matter of the Public Utilities Commission of the State of California notice of hearing concerning grade crossing of Anna Street and The Atchison, Topeka and Santa Fe Railway Company tracks within the City of San Diego, was presented to the Council for its information. *W*

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

Communication from Jerry A. Smolik, 5004 - 35th Street, San Diego 16, dated July 5, 1953, referring to plumbing being rusted out by Colorado River water, was presented. It stated that the writer has been advised that material for softening water has been purchased but not as yet installed. It urges completion of the local plant in order to fulfill promises made to citizens, and place project in fully operative status, to save tremendous expense of replumbing.

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

Communication Mr. and Mrs. A. V. Thomas, 1333 Edgemont St., San Diego, regarding ordinance banning or moving horses and live stock from residential area; stating that they are quartered about 50 feet from back bedroom and causing nuisance, flies and mice, was presented. It urges the banning of stables.

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

Communication from Mrs. J. K. Laurson, 1352 Dorcas St., San Diego 10, dated July 1, 1953, regarding widening of Morena Boulevard, was presented. It states that plans as they now stand do not sound favorable for people who live in Overlook Heights, since they will not be able to get to stores or oil stations. It asks reconsideration. (The matter has not been before the Council).

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

Communication from State of California Department of Public Works, Division of Highways District XI, 4075 Taylor Street, P.O. Box 390 San Diego 12, by E. E. Wallace, District Engineer, signed by R. A. Hayler, Assistant District Engineer, was presented. Said communication submits copy of Resolution adopting portion of Camino del Rio, from Pacific Highway to Cabrillo Freeway, as a State Highway.

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

Communication from State of California Department of Public Works, Division of Highways District XI, 4075 Taylor Street, P.O. Box 390 San Diego 12, by E. E. Wallace, District Engineer, signed by R. A. Hayler, Assistant District Engineer, was presented. Said communication submits copy of Resolution adopting proposed location of State Highway, between Home Avenue and Palm Avenue and Campo Road and making it a freeway.

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

Communication from State of California Department of Public Works, Division of Highways District XI, 4075 Taylor Street, P.O. Box 390, San Diego 12, by E. E. Wallace, District Engineer, signed by R. A. Hayler, Assistant District Engineer, was presented. It submits copy of Resolution adopting new routing of State Highway 12, between Lytton Street and Route 2 (Pacific Highway). On motion of Councilman Schneider, seconded by Councilman Kerrigan, said matter was referred to the City Manager.

Communication from Shoreline Planning Association of California, Incorporated, 506 Santa Monica Boulevard, Santa Monica, California, signed by Carl P. Staal, President, was presented. It states that it is the usual practice to elect directors at the annual convention - this year's to be held August 14-15 at the U.S. Grant Hotel, San Diego. Present directors, elected at last year's convention, representing San Diego, are Glenn A. Rick, City Planning Director, Councilman Chester E. Schneider, Marvin Herman. It requests that the Council submit names of 2 directors it wishes to represent the City on the board for 1953-54.

RESOLUTION NO. 113055, recorded on Microfilm Roll No. 66, nominating Glenn A. Rick, City Planning Director, and Councilman Chester E. Schneider, to represent the City of San Diego on the board of directors of the Shoreline Planning Association of California, Incorporated, for 1953-1954, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Said motion, nominating the two individuals, also includes the filing of said communication.

See also page 464 for previous Minute references on this item.

The matter of the Warren H. and Elizabeth K. Houseman petition for permission to construct cesspool on Lot 6 Inspiration Drive in La Jolla Highlands, was brought up again at this time, J. B. Askew, M.D., County Health Officer, having arrived at the request of the City Manager.

Dr. Askew spoke regarding the Muirlands Hills area, and urged sewer installation before the building. He told about having had individual applications. He said that approximately 1/2 of the septic tanks in the area are giving trouble. Six applications have been denied in connection with previous experiences, he said. He said that the Board of Health could be recommending adoption of a "holding tank". The Board has denied subsurface permit requested, before sewers are made available.

Councilman Wincote said that no action has been taken yet as to where sewers are going to be installed in the area. He stated that Mr. Houseman has a 1-acre level lot, and is willing to go down to a proper level, and that he is also to connect the sewer when it becomes available.

Dr. Askew said that if granted, Mr. Houseman would not be the only one. On others there will be trouble. Answering Councilman Burgener, he said that percolation tests would be required.

Mr. Houseman stated that he agrees with the sewer plan, and stated that it is on a nearly 75% complete subdivision. He said that he bought in the area which was "finished" 4 years. He spoke of his property being 11 - 12 feet below the street grade. If the outfall sewer comes in, it would not be on his property. Mr. Houseman said. He told about being willing to get to sand, and have inspection. It would take about 4 months to build his house, Mr. Houseman said.

The City Manager told the Council that plans have been received for sewers in the area, and added that it would take about 6 months.

Mr. Houseman said that he would wait 6 to 8 months, if he could get the sewer.

Dr. Askew stated that many who build below the sewer have to pump. The Council ought to develop the sewers, he stated, and said that if any more permits are granted they should be granted by the Council.

Mr. Houseman said that he is living in a little tramp place, and wants to get out and into a new home. He told the Council that he has sold his present house and that a larger one will be needed. He said that all his money is tied up in lumber (which is on the ground), etc.

Councilman Godfrey said that if the permit is granted there will be other applications.

Mr. Houseman said he had built on the original 15 lots.

Councilman Wincote said that if cesspool develops trouble and a sewer is available within 350 feet he thought that Mr. Houseman would have to hook on.

Councilman Godfrey spoke about lots of trouble in relation to the question, and said that sewers are being forced in to avoid health problems.

Mr. Houseman stated that some houses had been built 14 years ago, with no trouble having developed.

Councilman Dail said that nobody likes cesspools, and that they are built as a means to an end. He said that the City should give an opportunity to build the houses, and provide for connecting to the sewer later.

Dr. Askew asked about other 6 or 8.

Councilman Godfrey wondered how the Council could deny others - when this one would create the same problem.

Answering a question, Mr. Houseman said that he had bought in March, 1953.

The Mayor stated that there is a Capital Outlay problem involved, in the sewer line. But what about preventing the building, he asked.

Mr. Houseman spoke about building but not occupying the house until the sewer is available. He could not afford to construct a long line, he said.

The City Manager spoke about building a sewer, and about \$300.00 in the future to connect.

E. W. Blom, Assistant City Manager, who had come to the meeting at the request of the City Manager said that others could join with Mr. Houseman in the cost of constructing a line.

Councilman Schneider asked Dr. Askew about a survey of the situation.

Mr. Blom spoke about a survey on the Muirlands area.

Councilman Schneider said that he could see the reasonableness to granting application, with the stipulation that the owner would be required to connect to the sewer. He said that the City is practically forbidding the building. Why can't it be granted, without reference to others, he wondered.

Councilman Burgener moved to grant the petition on the provision that the standard percolation test is met, which motion was seconded by Councilman Schneider.

The Mayor said that in the interim the City would act on the entire area, and build the line.

Douglas Deaper, Deputy City Attorney, said that the Council could adopt a resolution requesting the Health Director to consider granting the cesspool until such time as the sewer is available.

Dr. Askew asked for further study of the matter, and report to the City Manager thereon.

Councilman Schneider said to Mr. Houseman that one more week would not be bad.

Dr. Askew said that he wants to investigate all in the Muirlands area.

Councilman Godfrey said that Dr. Askew is interested in studying the ground, and that there should be referred to the City Manager the study of the sewer. He said that he wants a written statement from the City Manager.

A question arose over the motions before the house, so the Mayor declared the floor clear.

On motion of Councilman Godfrey, seconded by Councilman Schneider the matter of the request of Warren H. Houseman and Elizabeth K. Houseman, 729 Center Street, La Jolla, dated July 6, 1953, and bearing Document No. 472388, for permission to construct cesspool in connection with house to be built on Lot No. 6 La Jolla Highlands, Inspiration Drive, was referred to the City Manager for a report one week from this date, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilman Burgner. Absent--Councilmen None.

Communication from East San Diego Chamber of Commerce, P.O. Box 44, San Diego 5, signed by William Geisinger, president, and Wendell Peabody, secretary, dated June 30, 1953, requesting permission to erect a sign diagonally across University Avenue at Fairmount Avenue, to identify the district in the same manner as North Park and Hillcrest districts are identified. In addition to making observations on the subject, it asks that request for permission to erect East San Diego sign receive early consideration.

RESOLUTION NO. 113056, recorded on Microfilm Roll No. 66, referring communication from East San Diego Chamber of Commerce requesting permission to erect sign diagonally across University Avenue at Fairmount Avenue, to identify the district in the same manner as North Park and Hillcrest districts, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication, in the form of petitions bearing 482 signatures relative to the so-called Ray-Mitchell report and their 3D exhibit of an expanded Coney Island operation for Mission Beach Amusement Center, was presented.

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

Resolution adopted by The Pacific Beach Womans Club relative to construction of San Diego River Flood Control Channel, urging construction of destroyed recreational facilities, groin at Ocean Beach, dredging Mission Bay channel, action to obtain impounded tidelands oil moneys, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, filed.

RESOLUTION NO. 113057, recorded on Microfilm Roll No. 66, authorizing and empowering the City Manager to do all the work in connection with transferring services and making necessary connections from California Water & Telephone Company's water system purchased by the City, to the City's system, which system is located in The City of San Diego and in the unincorporated area of the County of San Diego lying north of the northerly property line of Delta (Fisher) Street between Forty-third Street and Forty-seventh Street, and bounded on the north by the westerly prolongation of Fresa Street, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution states that the Director of the Water Department has recommended transferring services and making the necessary connections from said Company's water system purchased by the City located in The City and in the unincorporated area of the County of San Diego, 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. 113058, recorded on Microfilm Roll No. 66, accepting Bill of Sale, executed by California Water & Telephone Company on the 16th day of June, 1953, granting, bargaining, selling and conveying unto The City of San Diego, the personal property described: located in The City and in the unincorporated area of the County lying north of the northerly property line of Delta (Fisher) Street, between Forty-third Street and Forty-seventh Street, bounded on the north by the westerly prolongation of Fresa Street, shown in Map attached to said Bill of Sale and marked Exhibit "A", and made a part thereof as though fully set out there at length - all water distributing lines, including mains and laterals thereof, fittings, valves, equipment and appurtenances used by California Water & Telephone Company in supplying water to consumers, excepting meters and meter boxes - authorizing and directing the City Clerk to file said Bill of Sale, together with certified copy of said Resolution, for record in the office of the Recorder of San Diego County; authorizing and directing the City Auditor and Comptroller to issue warrant upon the proper funds in the sum of \$3500.00 to cover cost of purchase of said easements and/or rights of way and personal property from said California Water & Telephone Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113059, recorded on Microfilm Roll No. 66, resolving that the "normal Cost" of Ingulf Street Outfall Sewer to be borne by Clairemont Company, subdividers of Clairemont Unit No. 5 Subdivision is \$47,662.25, or 90 percent of the total sewer cost - that the "Excess Cost" to be borne by the City is \$5,295.80 or 10 percent of the total cost of said sewer, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution states that property owners to be served, other than the Clairemont Company, shall contribute a proportionate share of the cost: for each connection with said Ingulf Street Outfall Sewer, each single family shall pay \$31.00, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In addition, said Resolution states that a Sewer Extension Plat of areas tributary to said Outfall Sewer, prepared by the City Engineering (Drawing 2173-D) showing exterior boundaries of the entire area proposed to be eventually served by outfall sewer constructed, together with attached statement of cost of improvements, to-wit: \$52,958.04, has been filed with the City Clerk; that the City Engineer and the City Manager have recommended the amount or percentage of the total cost which is the "normal cost" and should be borne by said Company, subdividers, and the "Excess Cost" which is attributable to requirements of providing service for areas other than Clairemont Subdivision.

RESOLUTION NO. 113060, recorded on Microfilm Roll No. 66, approving Change Order No. 19, dated July 6, 1953, heretofore filed with the City Clerk as Document No. 472549, issued in connection with contract between The City and F. E. Young Construction Co. for construction of San Diego Public Library, contract contained in Document No. 451108; changes amounting to increase in contract of \$97.97, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113061, recorded on Microfilm Roll No. 66, approving change order No. 22, dated July 6, 1953, heretofore filed with the City Clerk as Document No. 472550, issued in connection with contract between The City of San Diego and F. E. Young Construction Co. for construction of San Diego Public Library, contained in Document No. 451108; changes amounting to increase in contract price of \$86.54, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113062, recorded on Microfilm Roll No. 66, approving change order No. 20, dated July 6, 1953, heretofore filed with the City Clerk as Document No. 472551, issued in connection with contract between The City of San Diego and F. E. Young Construction Co. for construction of San Diego Public Library, contract contained in Document No. 451108 on file in the office of the City Clerk; changes amounting to decrease in contract price of \$17.42, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113063, recorded on Microfilm Roll No. 66, approving request of V. R. Dennis Construction Company, dated June 22, 1953, contained in Change Order No. 2, for extension of 90 days to and including September 22, 1953, heretofore filed with the City Clerk as Document No. 472552, in which to complete contract for construction of roads on DeAnza Point, contract contained in Document No. 461039, on file in the office of the City Clerk; extending completion time to September 22, 1953, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113064, recorded on Microfilm Roll No. 66, granting permission to L. O. Hindenlang, 1635 - 50th Street, San Diego 2, to install a 4" cast iron sewer line between the property line and the sidewalk; to be placed two feet outside property line and run in westerly direction parallel to northerly line of Lot 56 Imig Park No. 2, to point of intersection with public sewer, to serve property at 1635 - 50th Street; subject to approval of Plumbing Inspection Section, Inspection Department; Property Division; sewer section, Engineering Department; City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113065, recorded on Microfilm Roll No. 66, granting permission to Mrs. Essie Lee Lewis, 2336 South Payne Street, San Diego 2, to install a 6" cast iron sewer line in the public right of way known as Payne Street; said line to run along the easterly prolongation of the southerly line of Lot 3 Block "H" Home Gardens, thence through an easement granted in Lot 3 Block "G" Home Gardens, to point of intersection with the public sewer in 33rd Street - to serve property located at 236 South Payne Street - subject to approval of Plumbing Inspection Section, Inspection Department; Property Division; sewer section Engineering Department and City Manager, upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113066, recorded on Microfilm Roll No. 66, granting permission to Associated Construction Corporation, 1277 Rosecrans Street, San Diego 6, to install a 35-foot driveway on the northerly side of Addison Street between points 60 feet and 95 feet east of the easterly line of Scott Street, adjacent to Lot 2 Block 11 Roseville, subject to curb cutting and installation of driveway to be in accordance with all rules, regulations and ordinances of The City of San Diego; and that if at any time the area to be served by said driveway is not used for parking of motor vehicles, the permit shall be null and void, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113067, recorded on Microfilm Roll No. 66, authorizing and empowering the City Manager to execute lease with San Diego Unified School District of portion of Police Headquarters at 801 West Market Street, for term of 1 year beginning on the last day of July, 1953, at a monthly rental of \$100.00; more particular description of property and terms and conditions to be set forth in form of lease filed in the office of the City Clerk under Document No. 472651; leased for reason that the City will derive revenue not otherwise obtainable, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113068, recorded on Microfilm Roll No. 66, authorizing and empowering the City Clerk to execute for and on behalf of, and as the act and deed, of The City of San Diego, a Contract and Grant of Easement conveying to the United States of America, its successors and assigns, easement and right of way for construction, operation and maintenance of pipe lines or conduits for transportation of water in, under, upon and across portion of Rancho San Bernardo, in the County of San Diego, State of California, land situated in Super-Hodges Reservoir basin, upon terms and conditions set out in form of Contract and Grant of Easement on file in the office of the City Clerk as Document No. 472652, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113069, recorded on Microfilm Roll No. 66, authorizing and empowering the City Manager, for and on behalf of The City of San Diego, agreement with Paul H. Crandall, George F. Reuter, Howard R. Reuter and Gordon L. Hopper, Certified Public Accountants, doing business under the firm name and style of Crandall and Reuter, providing for employment of said Certified Public Accountants for the purpose of providing a continuous audit and accounting of the financial accounting system for the fiscal year 1953-1954, and to furnish the Council periodic written reports of said auditing and accounting, for which services the City will agree to pay for each hour of work and service performed: Supervising Accountants \$1.00; Senior Accountants \$6.00; Semi-Senior Accountants \$4.00; Junior Accountants \$3.00; Assistants \$2.00; providing that the total cost of said accounting and auditing work shall not exceed \$6000.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113070, recorded on Microfilm Roll No. 66, accepting subordination agreement executed by John Hancock Mutual Life Insurance Company, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date February 12, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lots 1, 2, 3, 4 and 5 Block 139 University Heights, and portion of Tyler Avenue closed, to the right of way and easement for slope right 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. 113071, recorded on Microfilm Roll No. 66, accepting subordination agreement executed by Elizabeth Ann Richmond and Alicinda J. Westergart, beneficiaries, and the San Diego Pacific Title Company, trustee, bearing date February 25, 1953, wherein said parties subordinate all right, title and interest in and to portion of Lots 42, 43, 43 Block 139 University Heights, to the right of way and easement for slope 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 Godfrey, adopted.

RESOLUTION NO. 113072, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by Sybil Hinds Starbeck Lyons, beneficiary, and Land Title Insurance Company, trustee, bearing date May 12, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lots 11, 12, 13 Block 139 University Heights, to the right of way and easement for slope 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 Godfrey, adopted.

RESOLUTION NO. 113073, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by Coronado Federal Savings and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date February 26, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lots 11, 12, 13, Block 139 University Heights, to the right of way and easement for slope 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 Godfrey, adopted.

RESOLUTION NO. 113074, recorded on Microfilm Roll No. 66, accepting subordination agreement, executed by La Jolla Federal Savings and Loan Association, beneficiary, and Security Trust and Savings Bank, trustee, bearing date February 9, 1953, wherein said parties subordinate all right, title and interest in and to portion of Lots 36 and 37 Block 139 University Heights, to the right of way and easement for slope 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 a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113075, recorded on Microfilm Roll No. 66, accepting deed of David Fiddle, bearing date February 5, 1953, conveying easement and right of way for slope purposes in portion of Lots 11, 12, 13 Block 139 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 Godfrey, adopted.

RESOLUTION NO. 113076, recorded on Microfilm Roll No. 66, accepting deed of Esther L. Knudsen, Gertrude I. Earlywine, and Dorothea S. Roberson, bearing date February 6, 1953, conveying easement and right of way for slope purposes in portion of Lots 34 and 35 Block 139 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 Godfrey, adopted.

RESOLUTION NO. 113077, recorded on Microfilm Roll No. 66, accepting deed of Mayo Currier and Beatrice E. Currier, bearing date February 6, 1953, conveying easement and right of way for slope purposes in portion of Lots 36 and 37 Block 139 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 Godfrey, adopted.

RESOLUTION NO. 113078, recorded on Microfilm Roll No. 66, accepting deed of Robert E. Patterson and Dorothy E. Patterson, bearing date February 4, 1953, conveying easement and right of way for slope purposes in portion of Lots 40 and 41 Block 139 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 Godfrey, adopted.

RESOLUTION NO. 113079, recorded on Microfilm Roll No. 66, accepting deed of Fred U. Hammett and Lucille Hammett, bearing date February 6, 1953, conveying easement and right of way for slope purposes in portion of Lots 42, 43 and 44 Block 139 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 Godfrey, adopted.

RESOLUTION NO. 113080, recorded on Microfilm Roll No. 66, accepting deed of John Kotvis, bearing date February 4, 1953, conveying easement and right of way for slope purposes in portion of Lots 45, 46, 47 Block 139 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 Godfrey, adopted.



RESOLUTION NO. 113081, recorded on Microfilm Roll No. 66, accepting deed of Martha Ann Walker, bearing date February 4, 1953, conveying easement and right of way for slope purposes in portion of Lot 47 Block 139 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 Godfrey, adopted.

RESOLUTION NO. 113082, recorded on Microfilm Roll No. 66, accepting deed of Sam Ferry Smith Company, bearing date February 19, 1953, conveying easement and right of way for slope purposes in portion of Lots 6 and 7 Block 139 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 Godfrey, adopted.

RESOLUTION NO. 113083, recorded on Microfilm Roll No. 66, accepting deed of Frederick J. Klein, bearing date March 6, 1953, conveying easement and right of way for slope purposes in portions of Lots 6 and 7 Block 139 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 Godfrey, adopted.

RESOLUTION NO. 113084, recorded on Microfilm Roll No. 66, accepting deed of N. Raitzas and Sarah Raitzas, bearing date February 6, 1953, conveying easement and right of way for slope right purposes in portion of Lots 1, 2, 3, 4, 5 Block 139 University Heights, and portion of Tyler Avenue closed to public use April 30, 1917; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113085, recorded on Microfilm Roll No. 66, accepting deed of San Diego Unified School District, bearing date June 16, 1953, conveying easement and right of way for street purposes in portion of Pueblo Lot 1262, setting aside and dedicating the same to the public use as and for a public street, and naming the same West Muirlands Drive; 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113086, recorded on Microfilm Roll No. 66, accepting deed of Olive T. Denton, Daniel Lewis Denton, Daniel Miller Denton Jr., Florence Helen Goodbody and Mildred Clara Morrow, bearing date June 23, 1953, conveying portion of Lot 264 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113087, recorded on Microfilm Roll No. 66, accepting deed of George Matthews and Marjorie Josephine Matthews, bearing date June 29, 1953, conveying portions of Pueblo Lot 1204, which are shown as Lots 130, 131 and 260 on Assessor's Map No. 10 of Mission Crest; 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. 113088, recorded on Microfilm Roll No. 66, accepting deed of H. G. Fenton Material Company, bearing date June 15, 1953, conveying portion of land in Marilou 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113089, recorded on Microfilm Roll No. 66, accepting deed of Henry J. Waters and Georgia E. Waters, bearing date July 3, 1953, conveying portion of Lots 10 to 18 inclusive Block 36 Marilou 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 Godfrey, seconded by Councilman Wincote, adopted.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5685 (New Series), recorded on Microfilm Roll No. 66, repeal-

ing Ordinance No. 9424 entitled "An Ordinance Regulating Erection and Maintenance of Blinker Lights upon and adjacent to Public Highways and providing for issuance of permits hereof and providing penalty for violation of any of the provisions hereof", approved April 1, 1924, and Sections 54.10, 54.10.1, 54.10.2 and 54.10.3 of the San Diego Municipal Code wherein said ordinance is codified, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote-to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5686 (New Series), recorded on Microfilm Roll No. 66, appropriating the sum of \$82,000.00 out of the Capital Outlay Fund, for the purpose of providing funds for construction of Wabash Boulevard, Section "B" Bridges, located at Main Street, Southas Chollas Creek, National Avenue Bridge Extension, Ocean View Boulevard, Imperial Avenue, San Diego & Arizona Eastern Railway at Chollas Creek, J Street, Market Street and Market Street South Lane, and Las Chollas Creek, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Wincote, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the reading of the next ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5687 (New Series), recorded on Microfilm Roll No. 66, changing the name of a portion of Montezuma Road to El Cajon Boulevard, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Burgener, a proposed Ordinance establishing the grade of the Alley in Block 63 University Heights, between the northerly line of Meade Avenue and the southerly boundary line of a portion of Lot 3 Partition Map of East 1/2 of Pueblo Lot G, was ~~on motion of Councilman Schneider, seconded by Councilman Burgener~~, introduced, by the following vote, to-wit: Yeas--Councilman Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen

The question came up about the effect on property owners, and if the proposed grade is to be changed.

The Mayor said that a report can be had on the matter from the City Manager next week.

Councilman Wincote said that as a result of the Ordinance, property owners will have their grades established, as they are not now.

The Manager agreed.

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

On motion of Councilman Schneider, seconded by Councilman Kerrigan, proposed Ordinance appropriating \$6,150.00 from the Capital Outlay Fund, for the purpose of providing funds for construction of Fire Station No. 25, at 1972 Chicago Street, was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The Mayor told members of the Council that members of the Tucson (Arizona) Boys' Band were appearing in front of the Civic Center, and that they were giving a concert serenading the Mayor and Council. He urged that all who could, go down and hear the musicians.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Kerrigan, seconded by Councilman Schneider, at the hour of 12:11 o'clock Noon.

ATTEST:  
FRED W. SICK, City Clerk

By August M. Hadsstrom  
Deputy

John D. Butler  
Mayor of The City of San Diego, California

5686 N.S. - 5687 N.S.  
Ordinances introduced

## REGULAR MEETING

Chamber of the Council of The City of San Diego,  
California, Tuesday, July 14, 1953

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan,  
Dail, Godfrey, Mayor Butler  
Absent---Councilmen: None  
Clerk----Fred W. Sick

The Minutes of the Regular Council Meetings of Tuesday, July 7, 1953, and of Thursday, July 9, 1953, 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 Mayor Butler presented a Safety Award to Ralph F. Adams, of the Water Department having had no disabling accident or day off on account of illness in the 45 years of service to the City of San Diego.

At this time a majority of the members of the Council signed the undertaking for street lighting, with San Diego Gas & Electric Company, in University Avenue Lighting District No. 2; Talmadge Park Lighting District No. 2; El Cajon Boulevard Lighting District No. 2.

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 a Park Maintenance Shops Building, a Paint Storage Building, and Gasoline-Oil Service Station Building, in Balboa Park under City of San Diego's specification No. 334, the Clerk reported that 8 bids had been received, which bids were opened and publicly declared.

Said bids were as follows:

The bid of F. E. Young Construction Co., a California corporation, accompanied by bond written by Fidelity and Deposit Company in the sum of 10% of amount bid, which bid was given Document No. 472832;

The bid of O. O. Maurer and R. E. Maurer, a co-partnership, 3952 Midway Drive, San Diego 10, California, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of 10% of amount bid, which bid was given Document No. 472833;

The bid of Cotton Construction Co., 856 G Street, Chula Vista, California, accompanied by bond written by Seaboard Surety Company in the sum of 10% of amount bid, which bid was given Document No. 472834;

The bid of Rogers Construction Company, accompanied by bond written by United States Fidelity and Guaranty Company in the sum of 10% of amount bid, which bid was given Document No. 472836;

The bid of Nielsen Construction Company, 3127 Jefferson Street, accompanied by bond written by United States Fidelity and Guaranty Company in the sum of 10% of amount bid, which bid was given Document No. 472835;

The bid of J. P. Bender Jr. Construction Company, 3708 Adams Avenue, San Diego, California, accompanied by bond written by Royal Indemnity Company in the sum of 10% of amount bid, which bid was given Document No. 472837;

The bid of Chamco Construction Company, accompanied by bond written by Seaboard Surety Company in the sum of 10% of amount bid, which bid was given Document No. 472838;

The bid of A. F. Andersen, 1794 Hancock Street, accompanied by bond written by United Pacific Insurance Company in the sum of 10% of amount bid, which bid was given Document No. 472839.

On motion of Councilman Schneider, seconded by Councilman Burgener, 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 Improvement of Laurel Street between Harbor Drive and Pacific Highway under City of San Diego's specification No. 340, the Clerk reported that 4 bids had been received, which bids were opened and publicly declared.

Said bids were as follows:

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 amount bid, which bid was given Document No. 472840;

R. E. Hazard Contracting Company, a California Corporation, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, which bid was given Document No. 472841;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of 10% of amount bid, which bid was given Document No. 472842;

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of 10% of amount bid, which bid was given Document No. 472843.

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 doing all of the advertising of The City of San Diego for two years, the Clerk reported that one bid had been received, which bid was presented to the Council.

Bid of Union-Tribune Publishing Co. for the San Diego Union, which bid was given Document No. 472844.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving Monte Vista Avenue, between the southerly line of Belvedere Street and the northerly line of Westbourne Street, within the limits and as particularly described in Resolution of Intention No. 111924, the Clerk reported that 5 bids had been received, which 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, a New York Corporation in the sum of \$400.00, which bid was given Document No. 472850;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$300.00, which bid was given Document No. 472851;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1000.00, which bid was given Document No. 472852;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$300.00, which bid was given Document No. 472853;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of ten percent of amount bid not exceeding Thirty-two Hundred and no/100 Dollars, which bid was given Document No. 472854.

On motion of Councilman Schneider, seconded by Councilman Burgener, 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 Franklin Avenue and Commercial Street, within the limits and as particularly described in Resolution of Intention No. 112023, the Clerk reported that 5 bids had been received, which 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, a New York Corporation in the sum of \$1500.00, which bid was given Document No. 472845;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$6,500.00, which bid was given Document No. 472846;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1500.00, which bid was given Document No. 472847;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1300.00, which bid was given Document No. 472848;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of ten percent of amount bid not exceeding Fifteen Hundred Dollars, which bid was given Document No. 472849.

Councilman Godfrey was excused from the meeting at this time.

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 Reed Avenue, between the easterly line of Cass Street and the westerly line of Dawes Street, within the limits and as particularly described in Resolution of Intention No. 112025, the Clerk reported that 5 bids had been received, which 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, a New York Corporation in the sum of \$900.00, which bid was given Document No. 472855;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1400.00, which bid was given Document No. 472856;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1000.00, which bid was given Document No. 472857;

Councilman Godfrey returned to the meeting at this time.

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$800.00, which bid was given Document No. 472858;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of ten percent of amount bid not exceeding One Thousand Dollars, which bid was given Document No. 472859.

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 receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Kensington Manor Lighting District No. 1, for a period of one year from and including May 1, 1953, to and including April 30, 1954, in accordance with the Engineer's Report and Assessment filed May 1, 1953, in the office of the City Clerk, the Clerk reported that 1 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 \$168.00 written by San Diego Trust & Savings Bank, which bid was given Document No. 472860;

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 latest time set for hearing on the Street Superintendent's Assessment No. 2141 made to cover the cost and expenses of the paving and otherwise improving Meade Avenue, between Menlo Avenue and 47th Street, within the limits and as particularly described in Resolution of Intention No. 107267, adopted June 24, 1952, 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 protests were presented.

RESOLUTION NO. 113090, recorded on Microfilm Roll No. 67, confirming and approving the Street Superintendent's Assessment No. 2141 made to cover the cost and expenses of the paving and otherwise improving Meade Avenue, between Menlo Avenue and 47th Street; 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 the same in his office, was Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for hearing on the Street Superintendent's Assessment No. 2142 made to cover the cost of installing 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, adopted August 12, 1952, the Clerk reported that two written appeals had been received from Hazel C. Williams and Mrs. Eloise B. Francis, which appeals were presented to the Council.

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

Mrs. Eloise B. Francis was heard. She asked why the installations of sewers and assessment therefore when a sewer had been installed in Midway Drive. She was informed that this installation of sewer mains in Nashville Street et al was on petition of the property owners in the area and since she could connect to the Midway Drive installation her assessment was less than those who were to connect to the sewer on other streets in the area.

Councilman Schneider said that her property on Midway Drive was not assessed for the installation of sewers in said Midway Drive.

On motion of Councilman Burgener, seconded by Councilman Wincote, said appeals were overruled and denied.

On motion of Councilman Burgener, seconded by Councilman Kerrigan

RESOLUTION NO. 113091, recorded on Microfilm Roll No. 67, overruling and denying the appeals of Hazel C. Williams and Eloise B. Francis, from the Street Superintendent's Assessment No. 2142 made to cover the cost of installing 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, adopted August 12, 1952; overruling and denying all other appeals; confirming and approving the Street Superintendent's Assessment No. 2142, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing the Street Superintendent to record the same in his office, was adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 112503, adopted June 9, 1953 for the paving and otherwise improving the Alley in Block 55, City Heights, within the limits and as particularly described in said Resolution, the Clerk reported that a written protest from J. J. Meadows had been received.

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

Mr. J. J. Meadows was heard. He felt that since he did not have access to the Alley proposed to be paved that he should not be assessed. It was pointed out that his assessment will be a minimum assessment and that the 1911 Street Improvement Act provides for assessment on property as set out in the Resolution of Intention.

The members of the Council then looked at the map of the district to be assessed for this improvement.

At this time Mayor Butler left the meeting and Vice Mayor Dail, took the chair.

RESOLUTION NO. 113092, recorded on Microfilm Roll No. 67, overruling and denying the protest of J. J. Meadows, filed in the office of the City Clerk on July 3, 1953, under Document No. 472259, on the proposed improvement of the Alley in Block 55, City Heights, within the limits and as particularly described in Resolution of Intention No. 112503, overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 112504, adopted June 9, 1953, for the paving and otherwise improving Alleys in Blocks 15 and 42, 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.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 112505, adopted June 9, 1953, for the paving and otherwise improving Island Avenue, between the east line of 25th Street and the east line of 26th Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

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

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

On motion of Councilman Kerrigan, seconded by Councilman Burgener, 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 Resolution No. 112617 of Preliminary Determination, for the paving and otherwise improving Alley in Block 3, City 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. 113093, recorded on Microfilm Roll No. 67, determining that the proposed improvement of Alley in Block 3, City Heights, within the limits and as particularly described in Resolution No. 112617 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for the hearing on Resolution No. 112618 of Preliminary Determination, for the paving and otherwise improving Alleys in Block 43, W. P. Herbert's Subdivision, 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. 113094, recorded on Microfilm Roll No. 67, determining that the proposed improvement of Alleys in Block 43, W. P. Herbert's Subdivision, within the limits and as particularly described in Resolution No. 112618 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 Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for the hearing on Resolution No. 112619 of Preliminary Determination, for the paving and otherwise improving E Street, between the east line of 30th Street and the northerly prolongation of the west line of 31st 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. 113095, recorded on Microfilm Roll No. 67, determining that the proposed improvement of E Street, within the limits and as particularly described in Resolution No. 112619 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 Burgener, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for the hearing on Resolution No. 112620 of Preliminary Determination, for the paving and otherwise improving Haines Street, between the northerly line of Diamond Street and the southerly line of Beryl 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. 113096, recorded on Microfilm Roll No. 67, determining that the proposed improvement of Haines Street, within the limits and as particularly described in Resolution No. 112620 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 Burgener, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 3, for a period of one year from and including March 1, 1953, to and including April 30, 1954, 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. 113097, recorded on Microfilm Roll No. 67, 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 for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 3, in accordance with Resolution of Intention No. 111083, and Engineer's Report and Assessment filed in the office of the City Clerk April 3, 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 the continued hearing on appeal of Russell Segel from the decision of the Zoning Committee in denying his application No. 11729 by its Resolution No. 7319 for a variance of the provisions of Ordinance No. 35 New Series which denied permission to Russell Segel, owner, and Mayfair Markets, Inc., lessee, to maintain a 12-foot screened vegetable room and to construct approximately 30-foot by 60-foot lath house attached to the rear of an existing market building in C Zone, on the easterly 390 feet of the southerly 320 feet of the northerly 645 feet of Lot 16 Ex-Mission Lands, at the southwest corner of Euclid and Federal, in Zone R-1, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, referred to the Zoning Committee for further report one week from this date.

RESOLUTION NO. 113098 continuing the hearing until Tuesday, July 21, 1953, 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 ordinance incorporating portions of Lots 42, 43 and 57, Seaman's Subdivision and portions of Lots 17, 18, 21 and 22 Waterville Heights, in the City of San Diego, California, into "R-4" Zone, as defined in the San Diego Municipal Code and repealing Ordinance No. 184 New Series, adopted March 20, 1933, insofar as the same conflicts, the Clerk reported that no written protests had been received.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, said Ordinance, as listed above, was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed Ordinance Incorporating portions of Blocks 14 and 15, Loma Alta No. 1, in the City of San Diego, California, into "C" Zone as defined by Section 101.0411 of the San Diego Municipal Code and repealing Ordinance No. 12793, approved April 14, 1930 and Ordinance No. 5446 New Series, adopted January 20, 1953, insofar as the same conflicts, the Clerk reported that no written protests had been received.

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

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

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the reading of the ordinance in full prior to final passage was dispensed by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy of said ordinance.

ORDINANCE NO. 5688 (New Series), recorded on Microfilm Roll No. 67, incorporating portions of Blocks 14 and 15, Loma Alta No. 1, in the City of San Diego, California, into "C" Zone, as defined by section 101.0411 of the San Diego Municipal Code and repealing Ordinance No. 12793, approved April 14, 1930 and Ordinance No. 5446 New Series, adopted January 20, 1953, insofar as the same conflicts, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

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 1237, Lots 1 to 8, inclusive, Block 1, Lot 1 to 4, inclusive, Lot 10, Block 3, and a portion of Lot 1, Block 8, C. C. C. Tatum's Bay Hills Mesa, in the City of San Diego, California, into "R-2" and "R-4" Zones, as defined by sections 101.0406 and 101.0408 of the San Diego Municipal Code, and repealing Ordinance No. 13456, approved February 15, 1932, insofar as the same conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Schneider,

RESOLUTION NO. 113099, recorded on Microfilm Roll No. 67, referring the proposed Ordinance as stated above to the Planning Commission for supplementary report, was adopted.

(Said proposed Ordinance was introduced at the meeting of June 23, 1953).

At this time Mayor Butler returned to the meeting and took the chair.

Petition of Residents and Land Owners or Lessees, of Sorrento requesting Sorrento be designated as an Agricultural Area, including the maintenance, raising and feeding of heavy livestock, such as horses, cattle, swine, goats and sheep, until such time as the land may be further developed under the zoning ordinances of the City, was presented.

Mr. O. C. Helming, Jr., requested permission to speak and was granted said permission. He read the petition as presented to the Council and spoke briefly.

After discussion between the Councilmen and Mr. Helming and Councilman Schneider assuring Mr. Helming that the petition would be given consideration. It was moved by Councilman Schneider, seconded by Councilman Wincote said petition was referred to the City Manager who is to consult with the City Attorney on the problem.

Communication from the Purchasing Agent submitting Resolution recommending award to Ralph C. Coxhead Corp., of Newark, New Jersey, with local sales office in San Diego for the procurement of one Vari-Typer, Model E 24 equipped with five fonts of type of various sizes, was presented.

RESOLUTION NO. 113100, recorded on Microfilm Roll No. 67, authorizing the Purchasing Agent to purchase in the open market, without advertising for bids, One Vari-Typer, Model E 24 equipped with five fonts of type of various sizes at a price of \$1,070.00 f.o.b. Newark, New Jersey, terms 1% - 10 days, plus State Sales Tax; or a total price of \$1,120.10 including Sales Tax and approximate shipping charge of eighteen dollars, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution accepting bid of National Publications Company, the low of 2 bidders, for furnishing magazine and newspaper subscriptions for the Public Library for a period of one year commencing September 1, 1953, was presented.

RESOLUTION NO. 113101, recorded on Microfilm Roll No. 67, accepting bid of National Publications Company to furnish The City of San Diego with Magazine and Newspaper Subscriptions for the Public Library for a period of one year commencing September 1, 1953, at a price of \$3,233.19 on the Master List and \$463.25 on the Master List Supplement; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract, pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, recommending award to K.C.C. Equipment Company of Monrovia, California, sales representative for Pak-Mor collection units in the Southern California area for eleven (11) 15-Cubic Yard Pak-Mor refuse collection units at a price of \$3,828.91 each, including Sales Tax, mounted on City of San Diego furnished truck chassis, f.o.b. Company plant at Monrovia, California, was presented.

RESOLUTION NO. 113102, recorded on Microfilm Roll No. 67, authorizing the Purchasing Agent to purchase in the open market, without advertising for bids, eleven (11) 15-Cubic Yard Pak-Mor Refuse Collection Units at a price of \$3,828.91 each, including Sales Tax, mounted on City of San Diego furnished truck chassis, f.o.b. Company plant at Monrovia, California, 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 accepting bid of Cox Brothers Construction Company, the low of 2 bidders, for the improvement of a portion of Sunset Point westerly of Ingraham Street (including construction of cement treated drainage ditch, concrete spillways, backfilling existing washes, placing of sand fill and stone rip-rap and restoration of site), for the sum of \$16,365.00, was presented.

RESOLUTION NO. 113103, recorded on Microfilm Roll No. 67, accepting bid of Cox Brothers Construction Company for the the improvement of a portion of Sunset Point westerly of Ingraham Street (including construction of cement treated drainage ditch, concrete spillways, backfilling existing washes, placing of sand fill and stone rip-rap and restoration of site), for the sum of \$16,365.00; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract, pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution accepting bid of T. B. Penick & Sons, the low of 2 bidders, for the improvement of Winona Avenue between a line parallel to and distant 300 feet southerly from the southerly line of Trojan Avenue and the northerly line of Orange Avenue (including removal of existing curb, and construction of curb and gutter) for the sum of \$1005.00, was presented.

RESOLUTION NO. 113104, recorded on Microfilm Roll No. 67, accepting bid of T. B. Penick & Sons, for the improvement of Winona Avenue between a line parallel to and distant 300 feet southerly from the southerly line of Trojan Avenue and the northerly line of Orange Avenue (including removal of existing curb, and construction of curb and gutter), for the sum of \$1005.00; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract, pursuant to specifications on file in the office of the City Clerk, was on Councilman Schneider, seconded by Councilman Godfrey, adopted.

*motion*

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution accepting bid of Griffith Company, for the improvement of El Carmel Point, easterly from the east line of Bayside Walk (including grading, paving, construction of curbs, asphalt concrete berms, sewer main, water main and drainage spillways), for the sum of \$15,105.37, was presented. (five bidders)

RESOLUTION NO. 113105, recorded on Microfilm Roll No. 67, accepting bid of Griffith Company, for the improvement of El Carmel Point, easterly from the east line of Bayside Walk (including grading, paving, construction of curbs, asphalt concrete berms, sewer main, water main and drainage spillways), for the sum of \$15,105.37; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract, pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution accepting bid of Webb Brothers to furnish 20,000 feet of six-inch Class 150 Cement Asbestos Pipe at a price of \$1.378 per foot, terms net, plus State Sales Tax, was presented. (2 bidders)

RESOLUTION NO. 113106, recorded on Microfilm Roll No. 67, accepting bid of Webb Brothers for 20,000 feet of six-inch Class 150 Cement Asbestos Pipe at a price of \$1.378 per foot, terms net, plus State Sales Tax; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract, pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, presenting Resolution authorizing bids for the construction of a storm drain in Pacific Beach Drive, between Gresham Street and Riviera Drive (including all labor, material, tools, equipment, transportation and other expense necessary or incidental) as per specifications on file in the office of the Clerk bearing Document No. 472689, was presented.

RESOLUTION NO. 113107, recorded on Microfilm Roll No. 67, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the construction of a storm drain in Pacific Beach Drive, between Gresham Street and Riviera Drive, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, presenting Resolution authorizing bids for the construction of a storm drain in Camino del Oro between La Jolla Shores Drive and Calle del Cielo (including all labor, material, tools, equipment, transportation and other expense necessary or incidental) as per specifications on file in the office of the City Clerk bearing Document No. 472690, was presented.

RESOLUTION NO. 113108, recorded on Microfilm Roll No. 67, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the construction of a storm drain in Camino del Oro between La Jolla Shores Drive and Calle del Cielo, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, presenting Resolution authorizing bids for furnishing the City of San Diego with 102 trucks and 2 Jeep Passenger Vehicles, as per specifications on file in the office of the City Clerk bearing Document No. 472691, was presented.

RESOLUTION NO. 113109, recorded on Microfilm Roll No. 67, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for 102 trucks and 2 Jeep Passenger Vehicles, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113110, recorded on Microfilm Roll No. 67, authorizing and directing the Purchasing Agent to advertise for sale and sell various items of lead cable, copper, cast iron, steel belonging to the City as listed in detail in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Said Resolution recites that the City Manager has given notice in writing to the Purchasing Agent that said material is no longer desirable for use or retention by the City; that the Purchasing Agent is authorized to advertise.

RESOLUTION NO. 113111, recorded on Microfilm Roll No. 67, accepting bid of W.V. Hutchison for the installation of Small Water Main Replacements, Group No. VIII, 1952-53, Specification No. 46, inclusive of high-lining, for the sum of \$60,009.50; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract, pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from James D. Parker, Jr., protesting \$10.00 annual fee, (for the sale of package ice cream to take out and salted nuts) by the health department, On motion of Councilman Wincote, seconded by Councilman Schneider, said Communication was referred to the City Manager.

Communication from Henry T. Wollgast on the proposed Civic Auditorium and site therefore.

On motion of Councilman Schneider, seconded by Councilman Burgener, said Communication was referred to the City Planning Department.



The Communication from Dale Watson, protesting the raising of parking meter fees, was presented.

RESOLUTION NO. 113112, recorded on Microfilm Roll No. 67, referring to Council Conference the Communication from Dale Watson, protesting the raising of parking meter fees, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Paul M. White, Executive Editor, KFMB AM & TV, requesting notification of any meeting to be held by the Council under recent law AB 339 which measure has been called the "right-to-know" measure - stating that one of its provisions is that any radio or television station so requesting, will be told 24 hours in advance of any meeting to be held by your Council, was presented.

RESOLUTION NO. 113113, recorded on Microfilm Roll No. 67, referring to the City Manager and the City Attorney the Communication from Paul M. White, Executive Editor, KFMB AM & TV, requesting notification of any meeting to be held by the Council under recent law AB 339 which measure has been called the "right-to-know" measure, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from Mrs. H. A. Holmes regarding phone calls from insurance companies and others which have become a nuisance, was presented.

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

RESOLUTION NO. 113114, recorded on Microfilm Roll No. 67, directing Notice of Filing of Assessment and of the time and place of hearing thereon, on the Street Superintendent's Assessment No. 2149 made to cover the costs and expenses of the work done upon the paving and otherwise improving of 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 Burgener, adopted.

RESOLUTION NO. 113115, recorded on Microfilm Roll No. 67, directing Notice of Filing of Assessment and of the time and place of hearing thereon, on the Street Superintendent's Assessment No. 2147 made to cover the costs and expenses of the work done upon the paving and otherwise improving Alleys in Blocks 1 and 2, City Heights; and Dwight Street, within the limits and as particularly described in Resolution of Intention No. 107024, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 113116, recorded on Microfilm Roll No. 67, directing Notice of Filing of Assessment and of the time and place of hearing thereon, on the Street Superintendent's Assessment No. 2148 made to cover the costs and expenses of the work done upon the paving and otherwise improving Commercial Street, between 30th Street and 31st Street, within the limits and as particularly described in Resolution of Intention No. 108136, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD NO. 113117, recorded on Microfilm Roll No. 67, accepting bid of V. R. Dennis, an individual doing business under the firm name and style of V.R. Dennis Construction Co., at the prices named in his bid, for the paving and otherwise improving Alley in Block 80, City Heights; and Dwight Street, within the limits and as particularly described in Resolution of Intention No. 111922, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD NO. 113118, recorded in Microfilm Roll No. 67, accepting the bid of V.R. Dennis, an individual doing business under the firm name and style of V.R. Dennis Construction Co. at the prices named in his bid, for the paving and otherwise improving Alley in Block 109, Central Park, within the limits and as particularly described in Resolution of Intention No. 111921, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD NO. 113119, recorded on Microfilm Roll No. 67, accepting bid of R.E. Hazard Contracting Co., a corporation, at the prices named in its bid for the paving and otherwise improving of Jennings Street, Albion Street and Silvergate Avenue, within the limits and as particularly described in Resolution of Intention No. 111923, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113120, recorded on Microfilm Roll No. 67, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Alleys in Block 66, Ocean Beach, approving Plat No. 2477 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said street; directing the City Clerk upon passage of the Resolution to file said plat in the office of the City Engineer, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113121, recorded on Microfilm Roll No. 67, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving Chamoune Avenue, between the northerly line of Redwood Street and the southerly line of Myrtle Avenue, approving Plat No. 2476 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said street; 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 Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113122, recorded on Microfilm Roll No. 67, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Udall Street, between the southeasterly line of Warrington Street and the southeasterly line of Western Addition, approving Plat No. 2483 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon the said street; 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 Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 113123, recorded on Microfilm Roll No. 67, for the furnishing of electric current for the lighting of the ornamental street lights located in College Park Lighting District No. 1, for a period of one year from and including June 1, 1953, to and including May 31, 1954, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 113124, recorded on Microfilm Roll No. 67, for the furnishing of electric current for the lighting of the ornamental street lights located in Collwood Lighting District No. 1, for a period of one year from and including June 1, 1953, to and including May 31, 1954, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 113125, recorded on Microfilm Roll No. 67, for the furnishing of electric current for the lighting of the ornamental street lights located in Loma Portal Lighting District No. 1, for a period of one year from and including June 28, 1953, to and including June 27, 1954, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 113126, recorded on Microfilm Roll No. 67, for the furnishing of electric current for the lighting of the ornamental street lights located in Mission Beach Lighting District No. 1, for a period of one year from and including May 15, 1953, to and including May 13, 1954, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 113127, recorded on Microfilm Roll No. 67, for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District No. 1, for a period of one year from and including June 15, 1953, to and including June 14, 1954, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 113128, recorded on Microfilm Roll No. 67, 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 Ocean Beach Lighting District No. 1, for a period of one year from and including August 14, 1953, to and including August 13, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113129, recorded on Microfilm Roll No. 67, 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 Mission Beach Lighting District No. 2, for a period of one year from and including August 17, 1953, to and including August 16, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 113130, recorded on Microfilm Roll No. 67, for the paving and otherwise improving of Alleys in Blocks 4 and 5, Frary Heights, and Thorn Street, 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. 113131, recorded on Microfilm Roll No. 67, for the paving and otherwise improving Beaumont Avenue, between the northerly line of Colima Street and the southerly line of Midway Street, 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. 113132, recorded on Microfilm Roll No. 67, for the paving and otherwise improving of Alley in Block 4, Eastgate, 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. 113133, recorded on Microfilm Roll No. 67, for the paving and otherwise improving of Alley in Block 2, Chester Park Addition, 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. 113134, recorded on Microfilm Roll No. 67, for the paving and otherwise improving of Cass Street, between the northerly line of Turquoise Street and the southerly line of Van Nuys Street, 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. 113135, recorded on Microfilm Roll No. 67, 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, 1953, to and including August 31, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 113136, recorded on Microfilm Roll No. 67, for the paving and otherwise improving of Alleys in Block 66, Ocean Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 113137, recorded on Microfilm Roll No. 67, for the paving and otherwise improving of Chamoune Avenue, between the northerly line of Redwood Street and the southerly line of Myrtle Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 113138, recorded on Microfilm Roll No. 67, for the paving and otherwise improving of Udall Street, between the southeasterly line of Warrington Street and the southeasterly line of Western Addition, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113139, recorded on Microfilm Roll No. 67, 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 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, and to be assessed to pay the expenses thereof; directing the City Clerk to certify the fact and date of said approval, and immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 113140, recorded on Microfilm Roll No. 67, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 77, City Heights, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 113141, recorded on Microfilm Roll No. 67, ascertaining and declaring the wage scale for the paving and otherwise improving of Alley in Block 22, City Heights, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 113142, recorded on Microfilm Roll No. 67, ascertaining and declaring the wage scale for the paving and otherwise improving of Thomas Avenue, Public Rights of Way and Alley in Block 274, Pacific Beach, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 113143, recorded on Microfilm Roll No. 67, ascertaining and declaring the wage scale for the paving and otherwise improving of Roslyn Lane and Ivanhoe Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 113144, recorded on Microfilm Roll No. 67, ascertaining and declaring the wage scale for the grading and otherwise improving Poole Street, Azul Street and La Jolla Shores Drive, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 113145, recorded on Microfilm Roll No. 67, ascertaining and declaring the wage scale for the paving and otherwise improving Voltaire Street, Whittier Street, Banning Street, Mendocino Boulevard, Venice Street, Catalina Boulevard, San Clemente Street, Famosa Boulevard, Alley in Block 13, Loma Alta No. 1; Alley in Block 12, Loma Alta No. 1, and Public Rights of Way, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted. X

RESOLUTION NO. 113146, recorded on Microfilm Roll No. 67, directing the City Engineer to furnish diagram of property affected and benefited by paving and otherwise improving Moana Drive, within the limits and as particularly described in Resolution of Intention No. 110841, and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113147, recorded on Microfilm Roll No. 67, directing the City Engineer to furnish diagram of property affected and benefited by paving and otherwise improving 41st Street and Broadway, within the limits and as particularly described in Resolution of Intention No. 110840, and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.



RESOLUTION NO. 113148, recorded on Microfilm Roll No. 67, directing the City Engineer to furnish diagram of property affected and benefited by paving and otherwise improving Tonopah Avenue, Asher Street, Lieta Street, Littlefield Street and Morenci Street, within the limits and as particularly described in Resolution of Intention No. 111080, and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113149, recorded on Microfilm Roll No. 67, granting petitions contained in Documents Nos. 464293 and 472428 for the paving and otherwise improving of 68th Street between Saranac Street and Mohawk Street, and streets in and adjoining Lot 32, La Mesa Colony; 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; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113150, recorded on Microfilm Roll No. 67, granting petition contained in Document No. 471717 for the grading and paving of the ALLEY IN BLOCK 50, OCEAN BEACH; 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 113151, recorded on Microfilm Roll No. 67, granting petition contained in Document No. 471718 for the grading and paving of the Alleys in Blocks 199 and 220, Pacific Beach; 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 113152, recorded on Microfilm Roll No. 67, granting petition contained in Document No. 471715 for the grading and paving of the Alley in Block 1, Wilshire Place; 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 113153, recorded on Microfilm Roll No. 67, granting petition contained in Document No. 469797 for the grading, paving and installation of curbs on Jewell Street, between Garnet Street and Reed 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 of said improvement, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 113154, recorded on Microfilm Roll No. 67, granting petition contained in Document No. 471848 for the grading, paving and installation of curbs on MOORE STREET, between Trias Street and Ampudia 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; directing the City Engineer to consolidate assessment district with district heretofore ordered by Resolution No. 111382 for the improvement of portions of Jefferson Street, Harney Street and Conde Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 113155, recorded on Microfilm Roll No. 67, granting petition contained in Document No. 467943 for the grading, paving and otherwise improving of PICKWICK STREET and E STREET, each between 33rd Street and Wabash Boulevard; and 33RD STREET, between C Street and F 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; directing the City Engineer to consolidate assessment district with district heretofore ordered by Resolution No. 110367 for the improvement of C Street, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113156, recorded on Microfilm Roll No. 67, granting petition contained in Document No. 471537 for the grading and paving of the Alley in Block 86, Point Loma 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 Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113157, recorded on Microfilm Roll No. 67, granting petition for grading, paving and installation of curbs and gutters on 17th Street, between Imperial Avenue and Commercial 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 said improvement, was on motion of Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113158, recorded on Microfilm Roll No. 67, granting petition contained in Document No. 471716 for the grading and paving of the Alley in Block 76, Pacific Beach; 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 Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113159, recorded on Microfilm Roll No. 67, directing the City Engineer to amend the proceedings for the improvement of portions of MORRELL STREET and FORTUNA AVENUE, as contained in said City Engineer's recommendation under Document No. 471635, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113160, recorded on Microfilm Roll No. 67, directing the City Engineer to amend the proceedings for the improvement of the Alley in Block 101, Frink & Wilde's Subdivision, as contained in said City Engineer's recommendation under Document No. 472265, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113161, recorded on Microfilm Roll No. 67, granting an extension of time of 15-days to Al E. Riley to complete the contract for the improvement of the Alley in Block 11, La Jolla Strand, in accordance with Street Superintendent's recommendation filed under Document No. 472368, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113162, recorded on Microfilm Roll No. 67, granting an extension of time of 60-days to Al E. Riley to complete the contract for the improvement of Alley in Block 40, Resubdivision of Blocks H & I, Teralta, in accordance with Street Superintendent's recommendation filed under Document No. 472370, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113163, recorded on Microfilm Roll No. 67, granting an extension of time of 45-days to Al E. Riley to complete the contract for the improvement of the North and South Alley in Block 244, University Heights, in accordance with Street Superintendent's recommendation filed under Document No. 472369, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113164, recorded on Microfilm Roll No. 67, directing the City Engineer to furnish a description for the change of property line grades on BYRON STREET, between the northwesterly line of Scott Street and the southeasterly line of Shafter Street, in accordance with the City Engineer's recommendation filed under Document No. 472372, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113165, recorded on Microfilm Roll No. 67, granting property owner permission to construct a storm drain in portion of 15th Street, between Commercial Street and 140 feet northerly, by private contract; said work to be done in accordance with plans, drawings, typical cross-sections and specifications therefor furnished by the City Engineer of said City and filed under Document No. 472262, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113166, recorded on Microfilm Roll No. 67, granting property owner permission to install a sanitary sewer in portion of Napa Street, between Morena Boulevard and Linda Vista Road, by private contract; said work to be done in accordance with the plans, drawings, typical cross-sections and specifications therefor furnished by the City Engineer and filed under Document No. 472158, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113167, recorded on Microfilm Roll No. 67, granting property owner permission to grade a portion of Sterne Street, between Evergreen Street and Willow Street, by private contract; said work to be done in accordance with plans, drawings, and typical cross-sections and specifications therefor furnished by the City Engineer and filed under Document No. 470057, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113168, recorded on Microfilm Roll No. 67, 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 Marlborough Avenue, between the north line of University Avenue and the south line of Polk Avenue; establishing a parking meter zone upon the street hereinabove described; authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113169, recorded on Microfilm Roll No. 67, 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 30th Street between the north line of Commercial Street and the south line of L Street; Imperial Avenue between the east line of 29th Street and the west line of 31st Street; establishing a parking meter zone upon the street hereinabove described; authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113170, recorded on Microfilm Roll No. 67, 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 road across portions of Pueblo Lot 1774, all situated in the City of San Diego; and that the public interest, convenience and necessity demand the acquisition of easements and rights of way through, along and across property within the area aforesaid, to be used by said City for the construction of said public road; declaring the intention of the City of San Diego to acquire said easements and rights of way under eminent domain proceedings; and 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 property and acquiring said easements and rights of way, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113171, recorded on Microfilm Roll No. 67, authorizing the City Manager, for and on behalf of the City of San Diego to immediately notify the Commandant of the Eleventh Naval District, San Diego 30, California, in writing, that the property described in Resolution No. 100984, adopted January 16, 1951, is required for highway purposes and that the permission hereinbefore granted is hereby revoked; and requesting said Eleventh Naval District to waive the ninety day notice required in said Resolution No. 100984 to the end that the contractor may be placed in immediate possession of said premises to perform the work of constructing a portion of Wabash Boulevard, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113172, recorded on Microfilm Roll No. 67, authorizing the City Manager, for and on behalf of the City of San Diego to contribute The City of San Diego's share of the expense of cooperating with other public utilities of the state in carrying out the program of the Disaster and Civil Defense Organization; authorizing the City Auditor and Comptroller, upon requisition by said City Manager, to make out a warrant out of any unappropriated funds heretofore set aside for the use of the Water Department in payment of said City's share of said financial obligation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113173, recorded on Microfilm Roll No. 67, authorizing the City Manager to do all the work in connection the the installation of 650 feet of six-inch water main and one six-inch two-way fire hydrant on Pershing Avenue and Dwight Street, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113174, recorded on Microfilm Roll No. 67, authorizing the City Manager to do all the work in connection with the remodeling of the first floor of the City and County Administration Building, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113175, recorded on Microfilm Roll No. 67, authorizing and empowering the City Manager to execute an agreement employing ROLAND S. HOYT as Landscape Consultant for the term of one year beginning July 1, 1953 and ending June 30, 1954, at \$35.00 per day for not to exceed sixty days in any fiscal year; providing for extension of the term for like periods by Council Resolution, upon the terms and conditions as set out in form of agreement on file under Document No. 473002, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113176, recorded on Microfilm Roll No. 67, authorizing and empowering the City Manager to execute an agreement with LEONARD L. DOWLING, whereby said Dowling shall keep and maintain the Spreckels organ in Balboa Park in proper operating condition at a rate of \$156.00 per month, effective July 1, 1953, for a term of one year therefrom, upon the terms and conditions contained in the form of agreement filed in the office of the City Clerk under Document No. 473003, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113177, recorded on Microfilm Roll No. 67, authorizing and empowering the City Manager to execute an agreement with ROYAL A. BROWN, to perform organ recitals, for a term of one year commencing July 1, 1953, at a monthly rate of \$262.00, all in accordance with the terms and conditions set out in form of agreement filed in the office of the City Clerk under Document No. 473004, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113178, recorded on Microfilm Roll No. 67, authorizing and empowering the City Manager to execute, for and on behalf of the City of San Diego, an "Amended and Substituted Operating Agreement, Cuyamaca Rancho State Park", which said agreement authorizes the use of a portion of Cuyamaca State Park by the City and County Camp Commission, upon the terms and conditions as set out in the form of agreement on file in the office of the City Clerk under Document No. 473006, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113179, recorded on Microfilm Roll No. 67, authorizing and empowering the City Manager to employ T.B. Penick & Sons to remove and replace 296.75 feet of curb with six-inch standard curb at the intersections of 50th Street with Trojan Avenue and with Orange Avenue, as shown on City Engineer's Drawing 10202-L; the cost of said work not to exceed the sum of \$504.48, which sum shall be payable from the funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113180, recorded on Microfilm Roll No. 67, authorizing and empowering the City Manager to execute for and on behalf of The City of San Diego an agreement with BUSINESS EXTENSION BUREAU, 453 Spreckels Building, for an exchange of information as to new businesses, business transfers and related data, in accordance with the terms and conditions contained in Document No. 473005, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113181, recorded on Microfilm Roll No. 67, authorizing and directing the Property Supervisor to advertise for a period of at least five days in the official newspaper of the City the sale at public auction of Lot 7, Block 5, Cajon Park, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(see page 486 for further information on this resolution)



Said Resolution states that The City is the owner of said property; that Charles H. Pell has requested that all of the property listed in said Resolution, 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 the cost of a title report and as a guarantee that the depositor will at the sale bid not less than the minimum amount fixed by the Council for said property; that the reason for selling such property is 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 \$2500.00; that the minimum amount which the Council will consider for the sale of said property is \$250.00 per acre; 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. 113182, recorded on Microfilm Roll No. 67, establishing an Intersection Stop at Market Street and Euclid Avenue, affecting traffic in all four directions; authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Schneider, Seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 113183, recorded on Microfilm Roll No. 67, granting permission to The Atchison, Topeka & Santa Fe Railway Company to install 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 California 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 Dail, adopted.

RESOLUTION NO. 113184, recorded on Microfilm Roll No. 67, granting application of P.N. Hyndman, 4585 Palm Avenue, La Mesa, California, to engage in the business of Drive-Yourself-Automobile and truck rentals, under the name of the "SAN DIEGO AUTO LEASE", provided all ordinances of the City of San Diego pertaining to the operation of and licensing of automobiles-for-hire are complied with, within the periods of time prescribed therein, including subsequent inspection and approval of the Police Department, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 113185, recorded on Microfilm Roll No. 67, authorizing and approving the expenditure of the sum of \$32,043.50 by the Property Management Division for the purchase of a portion of Pueblo Lot 264 to be used in connection with the Tecolote Freeway and Drainage Projects, from the funds heretofore appropriated by Ordinance No. 5633 (New Series) for the purchase of real property for public improvements, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 113186, recorded on Microfilm Roll No. 67, authorizing and approving the expenditure of the sum of \$600.00 by the Property Management Division for the purchase of land in Pueblo Lot 1204, from the Major Property Purchases Account (Outlay Account 510-2), Property Management Department Fund, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

On motion of Councilman Wincote, seconded by Councilman Burgener, the reading of the next Ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5689 (New Series), recorded on Microfilm Roll No. 67, Incorporating portions of Quarter Sections 77, 79, 80 and 103, Rancho de la Nacion, in the City of San Diego, California, into "R-4" Zone, as defined by Section 101.0408 of the San Diego Municipal Code, and Repealing Ordinance No. 118 (New Series), adopted January 3, 1933, insofar as the same conflicts herewith, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted by the following vote to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent-Councilmen None.

On motion of Councilman Godfrey, seconded by Councilman Burgener, the reading of the next Ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5690 (New Series), recorded on Microfilm Roll No. 67, Incorporating all of Block 36, Marilou Park, in the City of San Diego, California, into "C" Zone as defined by 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 herewith, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted by the following vote to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent-Councilmen None.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of the next Ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5691 (New Series), recorded on Microfilm Roll No. 67, Appropriating the sum of \$1,000.00 from the Traffic Safety Fund of the City of San Diego, for the purpose of providing funds for repairing City-owned Parking Meters, known as Park-O-Meters, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted by the following vote to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of the next Ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5692 (New Series), recorded on Microfilm Roll No. 67, Appropriating the sum of \$4,300.00 from the Traffic Safety Fund of the City of San Diego, for the purpose of providing funds for the construction of concrete gutter and reconstruction of curb returns at 37th Street and University Avenue, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Godfrey, seconded by Councilman Burgener, the reading of the next Ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5693 (New Series), recorded on Microfilm Roll No. 67, Amending Chapter III of the San Diego Municipal Code by Amending Sections 31.0110 and 31.0347 thereof, and by adding thereto Section 31.0347.1, which sections concern the regulation of the business of renting automobiles and motorcycles without driver, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the next Ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5694 (New Series), recorded on Microfilm Roll No. 67, Establishing the Grade of the Alley in Block 11, North Shore Highlands, in the City of San Diego, California, according to Map No. 1969 filed in the office of the County Recorder of San Diego County, California, between the westerly line of Fanuel Street and the easterly line of Everts Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the next Ordinance in full prior to final passage was dispensed with by a vote of not less than four members of the Council. There was available for consideration of each member of the Council prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5695 (New Series), recorded on Microfilm Roll No. 67, Establishing the grade of Evergreen Street in the City of San Diego, California, from the southwesterly line of Poe Street to the northeasterly line of Poe Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Burgener, Ordinance Amending the San Diego Municipal Code by Amending Sections 67.03, 67.23 and 67.54 Regulating the Water System - Application for Service Connection, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the Ordinance Amending Sections 22.1402, 22.1403, 22.1404, 22.1405 and 22.1406 relating to the organization of the Water Department, and repealing Section 22.1407 of the San Diego Municipal Code, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Wincote, the Ordinance Appropriating the sum of \$4,300.00 from the Unappropriated Balance Fund of the City of San Diego, and transferring the same to the property management division fund of said City, for the purpose of providing funds to pay assessments against City-owned property in the Ducker's Subdivision area, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Burgener, Ordinance incorporating portions of Pueblo Lots 1226 and 1227 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. 13456, approved February 15, 1932, insofar as the same conflicts herewith, was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None - and hearing set on said proposed Ordinance for the hour of 10:00 o'clock A.M., Tuesday July 28, 1953.

On motion of Councilman Schneider, seconded by Councilman Godfrey, Ordinance incorporating a portion of Villa Lot 48, Normal Heights, in the City of San Diego, California, into "R-1" Zone, as defined by Section 101.0405 of the San Diego Municipal Code, and repealing ordinance No. 1947 (New Series), insofar as the same conflicts, was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None, and hearing set on said proposed Ordinance for the hour of 10:00 o'clock A.M. Tuesday, July 28, 1953.

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

RESOLUTION NO. 113187, recorded on Microfilm Roll No. 67, authorizing and empowering the City Manager to purchase a blanket faithful performance bond for all officials and deputies and employees in The City of San Diego and that said bond shall be in the amount of Twenty-five Hundred and no/100 Dollars (\$2500.00) on each officer, deputy and employee - setting amount of for each position in list attached to said resolution; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The Mayor requested, and was granted, unanimous consent to present the next matters, not listed on the agenda:

Communication from the Port of San Diego, signed by John Bate, Port Director, submitting form of License Agreement of Leonard and Laura Rowberry covering a portion of a building erected by the Kona Kai Club on the south end of Shelter Island, covering the operation of a shop for selling beachwear, swimming apparel, and sundry recreational items; the Harbor Commission, in accordance with established policy, granted permission for a period commencing July 15, 1953, and ending on the 30th day of May, 1954, was presented.

RESOLUTION NO. 113188, recorded on Microfilm Roll No. 67, ratifying, consenting to and approving the License Agreement between Kona Kai Corporation and Leonard S. Rowberry and Laura A. Rowberry, a copy of which is on file in the Office of the City Clerk as Document No. 473064, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from the Port of San Diego, signed by John Bate, Port Director, submitting form of Assignment of Tideland's Lease between National Marine Terminal, Inc., to Kona Kai Corporation on the south end of Shelter Island, assignment approval by Harbor Commission with the provision that the National Marine Terminal, Inc. remains as guarantor of the rental, was presented.

RESOLUTION NO. 113189, recorded on Microfilm Roll No. 67, ratifying, confirming and approving the Assignment of Tideland's Lease between National Marine Terminal, Inc. to Kona Kai Corporation on the south end of Shelter Island, copy of which is on file in the Office of the City Clerk as Document No. 473065, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113190, recorded on Microfilm Roll No. 67, confirming the appointment by the Mayor of the City of San Diego of Mr. Clinton McKinnon, as a member of the Board of Directors of the San Diego County Water Authority, was adopted.

RESOLUTION NO. 113191, recorded on Microfilm Roll No. 67, confirming the appointment by the Mayor of the City of San Diego of Mr. Elwood Bailey, Mrs. Mae S. Marcy, and Mr. Ed Luce, Jr., as members of the Park and Recreation Commission, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

At the hour of 11:12 o'clock A.M. the Council took a recess to the hour of 2:00 o'clock P.M. this date,

Upon re-convening, at the hour of 2:00 o'clock, the roll call showed the following:

Present -- Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Dail, Mayor Butler

Absent --- Councilman None

Clerk --- Fred W. Sick

Mayor Butler recognized Adm. Baker representing the Red Feather agencies in the City of San Diego and invited him to speak before this group on the threatened breakdown of the fifty-five Red Feather social service agencies supported from one united fund raising drive annually.

Adm. Baker spoke of the minimum financial needs of the Red Feather agencies and urged the City Council to go on record as backing the fund raising campaign of the Red Feather social service agencies.

RESOLUTION NO. 113192, recorded on Microfilm Roll No. 67, expressing the imperativeness of the need of every Citizen to support the Red Feather fund Drive next fall and urging every citizen of the City to recognize and act to overcome Community Problem Number One, was on motion of Schneider, seconded by Councilman Kerrigan, adopted.

There being no further business to come before the Council at this time, Mayor Butler declared the meeting adjourned, at the hour of 2:30 o'clock P.M.

ATTEST  
FRED W. SICK, City Clerk

By August M. Heston  
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, July 16, 1953

A Regular Meeting of the Council was held this date, and was called to order by Vice Mayor Charles C. Dail, in the absence of Mayor Butler.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of Dewey R. Herndon, 2304 Denver Street, from the decision of the Zoning Committee in denying request for permission to convert an existing playroom above the garage into a living unit, making two living units on Lots 15 and 16 Block 34 Morena, at the northwest corner of Denver Street and Lister Street, in Zone R-1, report from the Zoning Committee, signed by D. E. South, was presented and read. It states that letter from Mr. Herndon dated December 20, 1949, was received in the Planning Office stating that the playroom was to be used as living area for his family but no kitchen would be installed. It added that if at any time the property was sold, the purchasers would be informed of the condition. Said letter is on file in the Planning Office under Agreement No. 624. The report states that the Zoning Committee visited the property and found there were no unusual conditions involving the property. In checking the area, the report points out that they found that two 25-foot lots had been combined and developed as one building site in all cases. It mentions that at the time of said visit the Zoning Committee recalled another similar incident which was denied, but upheld by the City Council at the northeast corner of Kane and Chicago Streets in the same vicinity - but not in the 300-foot area considered in the application. After consideration of the above facts, and the fact that no other similar variances had been granted in the area, the Zoning Committee denied Mr. and Mrs. Herndon's request by a vote of 3-0.

Glenn A. Rick, City Planning Director, explained the circumstances of the appeal and showed to the Council a plat of the area. He mentioned that the residence is the only one with a playroom over the garage, in the area. He pointed out that it is permissible to use the room as sleeping quarters only, but not to install a kitchen and use as a separate unit.

Mr. Herndon spoke about his request for permission to install a kitchen, and about a neighbor who had built three houses on a lot.

Councilmen Burgener asked Mr. Herndon if the building was already constructed. Mr. Herndon replied that he was only requesting permission to install a kitchen in the already-constructed room over the garage.

Councilman Godfrey stated that the conditions of an R-1 Zone are primarily for single-family residences.

Councilman Schneider stated that if conditions warranted a change in zone, a request should be made for a zone change of the area - instead of a variance for the one property. He asked Mr. Rick about the three houses on one lot, heretofore mentioned by Mr. Herndon.

In answer to the question, it was pointed out that the property was split in such a way as to have one house face Erie Street, and the other two face Milton Street.

Mr. Herndon stated that his home has a 15' setback, and is constructed in the middle of the lot (being two 25-foot lots making one building site) and that adjacent lots had signed in favor of his request to add a kitchen to the playroom over the garage.

Mr. Rick was asked "who will be hurt" if the request is granted.

Mr. Rick replied that it would be an opening for others in the area to make similar requests, and would defeat the R-1 Zone requirements. He added that Mr. Herndon had signed an agreement when permission was granted to construct the playroom that it would be used as such, and not as living quarters. Mr. Rick said that a petition to change the zone from R-1 to R-2 or other zone would be given consideration, if presented. He asked that the matter be held temporarily, and left the Council Chambers along with Mr. Herndon.

(This matter was continued temporarily, and will be found again on page 490 of these Minutes).

Inasmuch as the first item had been held up temporarily, the Vice Mayor called for presentation of the next item on the agenda:

The hour of 10:00 o'clock A.M. having arrived, the time set for appeal of Julia Flinn DeFrate, owner, and Dr. R. A. McGuire, and Dr. R. L. Yenawine, lessees, from the decision of the Zoning Committee in denying their request to maintain an existing double-faced Neon sign approximately 5 feet by 7 feet at right angles to front of the building on Lots 17 and 18 Block 3-1/2 City Heights Annex No. 1, at 4027 - 45th Street in Zone R-4, was presented.

On motion of Councilman Burgener, seconded by Councilman Schneider, the following Resolution was adopted:

RESOLUTION NO. 113193, recorded on Microfilm Roll No. 67, filing the appeal of Julia Flinn DeFrate, owner, and Dr. R. A. McGuire and Dr. R. L. Yenawine, lessees, filed in the office of the City Clerk June 29, 1953, under Document No. 471876, from the decision of the Zoning Committee denying request to maintain an existing double-faced Neon sign

approximately 5 feet by 7 feet at right angles to the face of the building on Lots 17 and 18 Block 3-1/2 City Heights Annex No. 1, at 4027 - 45th Street, in R-4 Zone.

The Council reverted to the first item for this meeting, appearing at the beginning of these minutes, on the preceding page.

D. E. South, Planning Technician, accompanied Mr. Rick and Mr. Herndon as they returned to the Council Chambers. He reported, verbally, in the same manner as his letter to the Council which had been presented earlier.

Councilman Godfrey asked Douglas D. Deaper, Deputy City Attorney, about the legal size of a lot in an R-1 Zone. Mr. Deaper read from the San Diego Municipal Code on the R-1 Zone provisions.

Upon being questioned, Mr. Herndon said that there were no other residences in the block with a room over the garage, as in his case.

Mr. Rick mentioned the agreement signed by Mr. Herndon - as he had done earlier - when the first variance was granted to construct the playroom over the garage.

Councilman Wincote moved to overrule the Zoning Committee's decision and grant the appeal of Dewey R. and Mary C. Herndon, which motion was seconded by Councilman Schneider.

Before the vote was taken, Councilman Godfrey and Councilman Wincote spoke on the law being broken for provisions of the Zone R-1.

Councilman Wincote said that in the matter of the three houses constructed on one - the construction was new. In the case of Mr. Herndon the building had already been constructed, and it is only a matter of installing a kitchen to make a second living unit.

The question was called for, Councilman Kerrigan asked for the wording of motion, before the vote was taken.

The vote was as follows: Yeas--Councilmen Burgener, Wincote, Schneider. Nays--Councilmen Kerrigan, Dail, Godfrey. Absent--Mayor Butler. The vote necessary to either grant or deny the appeal being five, and there being a lack of said five votes, the appeal stands as recommended and passed by the Zoning Committee in its Resolution No. 7530.

Communication from Kiwanis Club of Pacific Beach, was presented. Stationery was on the letterhead of said Club, but there was typed Kiwanis Club of Pacific Beach Business & Public Affairs Committee, and signed by Vernon E. Taylor, Chairman.

Said communication urged the widening of Balboa Avenue and Garnet Street, and set out arguments in favor of such action.

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

Application of A. B. Tucker for permission to operate a cabaret at 410 Garnet Street, was presented together with recommendations from the interested City departments for granting.

RESOLUTION NO. 113194, recorded on Microfilm Roll No. 67, granting permission to Alton B. Tucker, 704 Garnet Street, to conduct a cabaret with paid entertainment at "The Elbow Room", 710 Garnet 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 Kerrigan, seconded by Councilman Godfrey, adopted.

Application of Morrie S. Kraus, 4775 Panorama Drive, for permission to operate a cabaret, was presented together with recommendations from the interested City departments for granting.

RESOLUTION NO. 113195, recorded on Microfilm Roll No. 67, granting permission to Morrie S. Kraus to conduct a cabaret with paid entertainment at "Kay's Club", 1038 Garnet 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 Kerrigan, seconded by Councilman Godfrey, adopted.

Application of James R. Turpin, 3604 - 5th Avenue, for permission to operate a cabaret at The French Quarter Restaurant, was presented together with recommendations from the interested City departments for granting.

RESOLUTION NO. 113196, recorded on Microfilm Roll No. 67, granting permission to James R. Turpin to conduct a cabaret with paid entertainment at The French Quarter Restaurant, 2604 - 5th Avenue, where liquor is sold but no dancing conducted, subject to the regular license fee, and to compliance with existing regulations, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Port of San Diego, signed by John Bate, Port Director, submitting form of Agreement for Amendment of the Hercules Dakis tideland lease, enlarging the area of the premises to permit construction of addition to the existing restaurant building at the foot of Sigsby Street, the minimum rental to be on a square footage basis with the result that the rental will be automatically increased in proportion to the increase in area was presented.

RESOLUTION NO. 113197, recorded on Microfilm Roll No. 67, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 2, between

the City of San Diego and Hercules Dakis, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Port of San Diego, signed by John Bate, Port Director, submitting form of lease with Koehler Kraft Company, covering approximately 24,000 square feet of land on Byron Street and 51,000 square feet of adjoining water area - for a term of 5 years with options to renew for 3 additional terms of 5 years each; rental of land based on 4¢ per square foot per year, and water \$50.00 per month - for use for sale, construction, maintenance, repair, painting of boats not exceeding 65 feet in length, was presented.

RESOLUTION NO. 113198, recorded on Microfilm Roll No. 67, ratifying, confirming and approving lease, a copy of which is on file in the office of the City Clerk as Document No. 473016, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from Port of San Diego, signed by John Bate, Port Director, submitting form of lease with Edward Addleson, was presented. It states that lease is for one year with one 5-year option to renew and replaces existing lease on the premises, located at Harbor Drive and Broadway, being used for operation of Cindy's Restaurant. It states that lease was originally drawn to Anderson-Dunham Company who held a chattel mortgage on the restaurant equipment remained as guarantor at the time lease was assigned from Anderson-Dunham to Edward Addleson. The communication says that the chattel mortgage has been cleared and need for Anderson-Dunham to remain as guarantor no longer exists. The communication states that in accordance with latest policy of the Harbor Commission, the lease replaced the outmoded document.

RESOLUTION NO. 113199, recorded on Microfilm Roll No. 67, ratifying, confirming and approving lease, a copy of which is on file in the office of the City Clerk as Document No. 473019, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from Port of San Diego, signed by John Bate, Port Director, submitting form of Agreement with the Traffic Consultant, C. E. Jacobson, covering services to be rendered for the fiscal year 1953-1954, was presented. It states that the agreement is identical to the one in effect during the past fiscal year, and sets forth a daily compensation of \$40.00 plus traffic expenses. The communication says that the contract covers services for approximately 25 days during the fiscal year.

RESOLUTION NO. 113200, recorded on Microfilm Roll No. 67, authorizing and empowering the Harbor Commission to employ C. E. Jacobson as Traffic Consultant for the fiscal year 1953-54 at the rate of \$40.00 per day plus expenses, to cover approximately 25 days and to pay said C. E. Jacobson at said rate, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from Port of San Diego, signed by John Bate, Port Director, submitting form of Agreement with George F. Nicholson, Consulting Engineer, covering services to be rendered for the fiscal year 1953-1954, was presented. It states that the agreement is identical to the one in effect during the past fiscal year, and sets forth a daily compensation of \$50.00 plus traveling expenses, for approximately 50 days during the fiscal year.

RESOLUTION NO. 113201, recorded on Microfilm Roll No. 67, authorizing and empowering the Harbor Commission to employ George F. Nicholson as Engineer Consultant for the fiscal year 1953-54 at the rate of \$50.00 per day plus expenses for approximately 50 days, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from Highway Development Association, signed by C. J. Murray, Vice President, was presented. It refers to the Evening Tribune editorial of July 4, 1953, entitled "National defense Endangered by Bottleneck Bridge on 395" (Lake Hodges) was presented. It states that there has been too much delay in building the bridge, and recommends that the City of San Diego expedite construction.

RESOLUTION NO. 113202, recorded on Microfilm Roll No. 67, referring to Council Conference communication from the Highway Development Association, bearing Document No. 472827, relative to construction of new bridge over Lake Hodges, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Postal card from Mr. & Mrs. Jos. Dworshak & family, 5362 Chollas Pkwy, San Diego, expressing appreciation for what is being done toward the much-needed park in East San Diego, inasmuch as many can't get to beautiful park, was presented.

On motion of Councilman Kerrigan said communication was ordered filed.



Communication from the Planning Department, signed by D. E. South, relative to letter from John M. Cranston, attorney for Pacific Home, purchaser of La Jolla Casa de Manana requesting 6 months extension to Resolution No. 110041 in which to convert and maintain portion of the existing hotel as an infirmary as an integral part of the proposed home for retired people, being all of Seaside Subdivision, 849 Coast Blvd., in Zone R-4, was presented.

The communication states that the request was originally denied by the Zoning Committee and overruled by the Council. It recommended that the letter be referred to the Council with recommendation that extension be granted.

RESOLUTION NO. 113203, recorded on Microfilm Roll No. 67, granting request of Pacific Home, a corporation, for a 6-months extension of time on Resolution No. 110041, adopted January 13, 1953, which granted Pacific Home permission to convert and maintain 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 Blvd. (Casa de Manana) in Zone R-4, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113204, recorded on Microfilm Roll No. 67, approving the general understanding in principle relative to disposition of war housing in The City of San Diego entered into by and between representatives of Housing and Home Finance Administrator and the Public Housing Administrator, bearing date June 23, 1953; authorizing and directing representatives of the City to finally negotiate with proper representatives of the Federal Government to the end that the Federal Government's ownership of public housing in San Diego be terminated; and that the agreement follow generally provisions of said general understanding relative to disposition of war housing in San Diego, dated June 23, 1953, a copy of which is attached to said Resolution and made a part thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 113205, recorded on Microfilm Roll No. 67, pursuant to Section 14 of the Basic Agreement for Public Health Services heretofore entered into between the County of San Diego and The City of San Diego on the 30th day of January, 1953, filed with the City Clerk as Document No. 463033, the County's authority and obligation to enforce the below enumerated sections of the San Diego Municipal Code is revoked and terminated from and after the 30th day following that on which a certified copy of said Resolution is served upon the Chief Administrative Officer of the County: Sections 44.0311, 44.0312, 44.0314 through 44.0333, 44.0336, 93.1511 through 93.1515 inclusive, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 113206, recorded on Microfilm Roll No. 67, granting permission to George B. Wright, 4126 Falcon Street, San Diego 3, to install a 4-inch cast iron sewer line between the property line and the sidewalk, to be placed one foot outside the property line and run in a southerly direction, parallel to the westerly line of Lots 20 to 23 inclusive Block 34 Arnold & Choate's Subdivision, to point of intersection with public sewer; to serve property at 4126 Falcon Street; subject to approval of Plumbing Inspection section, Inspection Department; Property Division; sewer section, Engineering Department; and the City Manager, upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 113207, recorded on Microfilm Roll No. 67, granting permission to William N. Hamilton, 1316 Garnet Avenue, to install temporary house sewer to serve house to be constructed at 5443 La Jolla Mesa Drive (portion of Pueblo Lot 1782) to connect to private sewer presently serving properties numbered 5411 and 5455 La Jolla Mesa Drive (three above-mentioned properties owned by Paul T. Walker, James M. Becker and William N. Hamilton) and owners consent to above-described connection; granted upon condition that temporary house sewer petitioned for will be removed and proper connection made to trunk line which will shortly be available; and subject to approval of the Engineering Department, Inspection Department and Properties Department, and upon further conditions relative to installation, operation and maintenance, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113208, recorded on Microfilm Roll No. 67, granting permission to Martin T. Pflueger, 3088 Nutmeg Street, San Diego 4, to install 4" cast iron sewer line in the Alley in Fractional Block 1 South Gurwell Heights, to be run northwesterly in a direct line from the northeast corner of Lot 43 Block 1 to point of intersection with public sewer in Lot 7 Block 1; to serve property at said address; subject to approval of the Plumbing Inspection section of the Inspection Department, the Property Division and the Sewer Section of the Engineering Department, with approval of the City Manager's Office, and upon conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 113209, recorded on Microfilm Roll No. 67, approving Change Order No. 21 dated July 6, 1953, heretofore filed with the City Clerk as Document No. 473091, issued in connection with contract between The City of San Diego and F. E. Young

Construction Co., for construction of San Diego Public Library, contract contained in Document No. 451108 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$766.59; was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 113210, recorded on Microfilm Roll No. 67, approving Change Order No. 26 dated July 9, 1953, heretofore filed with the City Clerk as Document No. 473092, issued in connection with contract between The City of San Diego and F. E. Young Construction Co. for construction of San Diego Public Library, contract contained in Document No. 451108 on file in the office of the City Clerk; changes amounting to decrease in the contract price of \$8.13, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 113211, recorded on Microfilm Roll No. 67, approving Change Order No. 27 dated July 9, 1953, heretofore filed with the City Clerk as Document No. 473093, issued in connection with contract between The City of San Diego and F. E. Young Construction Co. for construction of the San Diego Public Library, contract contained in Document No. 451108 on file in the office of the City Clerk; changes amounting to decrease in the contract price of \$234.50, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 113212, recorded on Microfilm Roll No. 67, approving Change Order No. I-A-I, dated June 19, 1953, heretofore filed with the City Clerk as Document No. 473094, issued in connection with contract between The City of San Diego and Engineering Constructors, Inc., for construction of San Vicente Conduit, contract contained in Document No. 466417 on file in the office of the City Clerk, changes providing for breakdown of payment for benching, making roads and main trench excavation, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 113213, recorded on Microfilm Roll No. 67, approving Change Order No. 2 dated July 2, 1953, heretofore filed with the City Clerk as Document No. 473095, issued in connection with contract between The City of San Diego and Daley Corporation for construction of Wabash Boulevard, Section "B", contract contained in Document No. 470651 on file in the office of the City Clerk; changes amounting to increase in the contract price of approximately \$246.17, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 113214, recorded on Microfilm Roll No. 67, authorizing and directing the City Manager to execute contract with Pacific Telephone and Telegraph Company for installation and maintenance of devices and maintenance charges, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City has under the Civil Defense program connected for initial installation of 72 sirens, that Pacific Telephone and Telegraph Company has offered to install and maintain "bell and light" siren control devices for the City's warning sirens, to-wit: That there will be 2 control points - one main and one alternate, locations to be determined by the Civil Defense Office of said City. It states that control stations to be furnished at a non-recurring charge of \$42.00 each, and monthly charge of \$2.80; that installation of 72 sirens is initial. It states that charges for each siren-activating arrangement is at a non-recurring charge of \$125.00 and a monthly charge of \$5.25; that total charges for the contemplated system will be \$383.60 per month, with installation charge of \$9,084.00 - and any additions or deletions at a future date would be subject to the above quoted per-item charges.

RESOLUTION NO. 113215, recorded on Microfilm Roll No. 67, approving claim of Motors Insurance Company and George Lovato, on file in the office of the City Clerk under Document No. 471238 in the amount of \$131.24; directing the City Auditor to draw warrant in favor of said company and individual in said sum in full payment of said claim; authorizing the City Attorney to sign release releasing George Lovato from liability under the financial responsibility law, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113216, recorded on Microfilm Roll No. 67, accepting deed of Mobile Lodge Corporation, bearing date July 9, 1953, conveying easement and right of way for public street purposes in portion of Lot 13 Ex-Mission Rancho, designated as "Regal", setting aside and dedicating the same to the public use as and for a public street, and naming the same 63rd 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113217, recorded on Microfilm Roll No. 67, accepting subordination agreement, executed by N. A. Waller and Ethel R. Waller, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date June 26, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 37 and 38 Corella Tract, Block 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113218, recorded on Microfilm Roll No. 67, accepting subordination agreement, executed by Leon R. Hubbard and Ruth M. Hubbard, beneficiary, and Security Title Insurance Company, trustee, bearing date July 9, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 13 Ex-Mission Rancho, designated as "Regal"; 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 113219, recorded on Microfilm Roll No. 67, accepting deed of The Regents of the University of California, bearing date June 25, 1953, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 1298; 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 Burgener, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the next Ordinance was dispensed with, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE No. 5696 (New Series), recorded on Microfilm Roll No. 67, appropriating the sum of \$61,500.00 from the Capital Outlay Fund for providing funds for construction of Fire Station No. 25, at 1972 Chicago Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Prior to the day of its final passage a written or printed copy of said ordinance was available for consideration of each member of the Council.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the reading of the next Ordinance was dispensed with, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 5697 (New Series), recorded on Microfilm Roll No. 67, establishing the grade of the Alley in Block 63 University Heights, between the northerly line of Meade Avenue and the southerly boundary line of a portion of Lot 3 Partition Map of East 1/2 of Pueblo Lot G, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Prior to the day of its final passage a written or printed copy of said ordinance was available for consideration of each member of the Council.

On motion of Councilman Schneider, seconded by Councilman Wincote, Ordinance appropriating \$4,950.00 from the Unappropriated Balance Fund, and transferring the same to Salaries and Wages, Social Services Department Fund, for the purpose of providing funds for employment of an additional social service representative, was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

On motion of Councilman Schneider, seconded by Councilman Wincote, Ordinance amending Section 101.0407 Article 1 Chapter X Division of the Municipal Code (Lots Larger than permitted under zoning - whenever 3 or more recorded lots in R-1, R-1A, R-1B, R-1C and R-2 residential zones are to be developed as sites for a fewer number of residences than permitted under the zone regulations, and each residence will be located on a parcel of land containing area greater than the original lots and which parcel of land has a frontage on a dedicated street greater than the original lot frontage; for which no zone variance will be necessary), was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.



Councilman Dail requested, and was granted permission to present the next matter, not listed on the agenda, under unanimous consent:

RESOLUTION NO. 113220, recorded on Microfilm Roll No. 67, electing Quintin Whelan a member of the Planning Commission, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

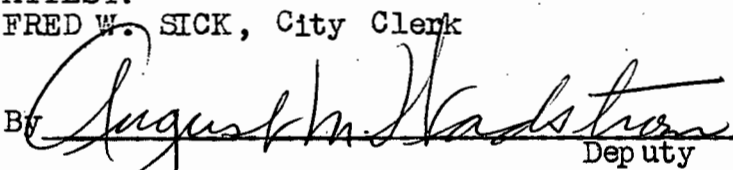
(Although said Resolution does not so state, Mr. Whelan replaces Milton W. Lancaster, resigned).

There being no further business to come before the Council at this time, the meeting was adjourned, 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

