

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, December 3,
1953

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

Present--Councilmen Burgener, Schneider, Godfrey, Mayor Butler
Absent---Councilmen Winote, Kerrigan, Dail (the latter two out of town for the American Municipal Association meetings in New Orleans)
Clerk----Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, being the time to which hearing had been continued from the meeting of October 29, 1953, on appeal of Robert B. Conway, et al., from decision of the Zoning Committee granting permission to Robert and Corinne C. Embleton to operate an "off-sale" liquor store in an existing building on Lot 13 Block 12 La Jolla Shores Unit No. 1, at 2177 Avenida de la Playa in Zone R-C, Wm. Mackenzie, representing La Jolla Shores Improvement Association asked for a continuance, due to the small number of Councilmen present.

Morey Levenson, attorney, representing the owner (Embleton) asked by the Mayor if that would be all right with him, replied that it would, except not for next week.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said hearing was continued until the meeting of Tuesday, December 17, 1953.

Communication from Jack Darval, Rainbow Display, 3994 Ingraham Street, San Diego 9, Cal., dated December 1, 1953, was presented. It requests permission to speak to the Council this date regarding endeavor to amend Ordinance #54.01.1 (advertising balloons) or captive balloons, was presented.

Mr. Darval was heard, during which he told the Council that merchants have been asking for new form of advertising. He has such a method through use of an electrical balloon which would rise to 125 feet. It is within regulations of the Civil Aeronautics Authority, he stated. Mr. Darval told the Council that he has contracts with Oscar's for the opening of its new drive in, and with J. R. Townsend for the showing of the new Studebaker. The balloon had been erected for the Oscar's opening, and during a trial, the balloon had been ordered removed by the Fire Marshal. He read from the Ordinance (the S.D. Municipal Code), and told of the reason for order given by Captain Nelson for the removal. Mr. Darval told of having devised a safety measure in the event a balloon should escape. There will be a guard on duty to prevent conditions mentioned by Councilman Schneider, he said. It is a new advertising medium in which merchants are interested, the speaker stated. He told of using helium, a non-inflammable gas.

Councilman Burgener thought it could be put on a trial basis.

The Mayor disagreed, saying that the ordinance prohibits the balloon, and that such a trial would defeat the purpose of the Ordinance.

Councilman Godfrey said that the matter should be referred to the City Manager for study and recommendation. He moved to refer it to the City Manager.

Before the roll was called, Mr. Darval admitted that he had stuck out his neck, waiting to put up the balloon this week-end.

Councilman Godfrey pointed out that the Council grant the permit under the existing ordinance, and that an amendment would not go into effect until 31 days.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the matter was referred to the City Manager, for report to next Tuesday's meeting.

Communication from Globe Furniture Company, Broadway at 12th, San Diego 1, dated November 30, 1953, signed by Victor J. Schulman, was presented. It states that due to the fact that the inventory is of such size that it is impossible to dispose of it within the 60-day period in accordance with Sec 33.1006.1, it requests a 30-day extension. Also, the communication points out that lease on the premises terminates December 31, 1953, and will not be renewed.

On motion of Councilman Schneider, seconded by Councilman Burgener, said communication 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 Street Sweepers for the Public Works Department, received September 16, 1953, from 3 bidders, was presented. It recommends award to Brown-Bevis Industrial Equipment Company, based upon tests made.

RESOLUTION NO. 115536, recorded on Microfilm Roll No. 73, accepting bid of Brown-Bevis Industrial Equipment Co. for furnishing 1 Wayne Model 1-450 Sweeper with single gutter broom @ \$9,320.00; and 1 Wayne Model 2-450 Sweeper with double gutter brooms and dual controls at \$10,230.00 plus State Sales Tax, with trade-in allowance of \$2,100.00 for one 1936 Elgin street sweeper #4002; authorizing and instructing the City Manager to enter into and execute contract therefor, 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, reporting on bids received October 28, 1953, from 2 bidders, for furnishing Wooden Reading Tables, Readers' Chairs, and other Library Furniture for the San Diego Public Library, was presented. It recommends that Item 10, ten Museum Cases, be eliminated entirely from the bid in view of the fact that the City Librarian desires to revise specifications and re-advertise for that item. In addition, it recommends awards to Remington Rand, Inc., and to Austin Safety & Desk Company of San Diego for items as listed in said report.

RESOLUTION NO. 115537, recorded on Microfilm Roll No. 73, accepting bid of Remington Rand, Inc., to furnish 10 Display Racks, double-faced with bulletin boards @ \$169.36 each, or a total of \$1,693.60 plus State Sales Tax; 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 Godfrey, adopted.

RESOLUTION NO. 115538, recorded on Microfilm Roll No. 73, accepting bid of Austin Safe & Desk Company for the furnishing of Wooden Tables, Readers' Chairs, and other Library Furniture (all items except 9 & 10) at a total price of \$30,587.05 plus State Sales Tax; 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 Godfrey, adopted.

Communication from the City Clerk attaching petition for annexation to the City of San Diego territory known as and referred to as Rolando Tract, was presented. It states that in checking 1136 signatures (of the 1640 signatures filed) 871 signatures were check as qualified. Also, the communication reports that the petition contains more signatures than 25% of the qualified voters residing in the territory, and that it contains a sufficient number of signatures required.

On motion of Councilman Godfrey, seconded by Councilman Burgener, the matter was referred to the City Manager.

Communication from the City Clerk attaching petition requesting that a proposed ordinance be either adopted by the Council, or submitted to the qualified electors of The City for adoption or rejection, which would prohibit fluoridation of the municipal water supply, was presented. It states that as of the municipal general election of April, 1953, there were 174,873 qualified voters eligible to vote; that the petition contains more than 33,000 signatures. Also, the communication states that on November 16, 1953, the petition was delivered to the Registrar of Voters with request that signatures be checked; that as a result it was determined a total of 26,143 signatures checked 19,138 checked signatures were of qualified registered voters. It states that the petition contains signatures of more than 10% of the qualified voters, based on registration of April, 1953, and that it contains sufficient number of signatures required.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the matter was referred to the City Attorney for preparation of Ordinance to place the issue on the ballot, by RESOLUTION NO. 115539, recorded on Microfilm Roll No. 73.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 3 sections of the San Diego Municipal Code insofar as they relate to the Tentative and Final Maps of Astor Heights, was presented.

RESOLUTION NO. 115540, recorded on Microfilm Roll No. 73, suspending Sections 102.16-8, 102.18, 102.17-c of San Diego Municipal Code insofar as they relate to the Tentative and Final Maps of said subdivision, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Astor Heights, subdivision of portion of Lot 16 Cave & McHatton's Subdivision, located at 58th and Churchward Streets, subject to 9 conditions, was presented.

RESOLUTION NO. 115541, recorded on Microfilm Roll No. 73, approving Tentative Map of Astor Heights, subject to conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 8 sections of the Municipal Code insofar as they relate to the Tentative and Final Maps of La Jolla Mesa, was presented.

RESOLUTION NO. 115542, recorded on Microfilm Roll No. 73, suspending Sections 102.07-2, 102.09 1&2, 102.11-2, 102.11-1, 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 La Jolla Mesa, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

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Rolando annexation & Fluoridation pets. reports

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of La Jolla Mesa, a 52-lot subdivision located in portion of Pueblo Lot 1782, easterly of La Jolla Mesa Drive, subject to 10 conditions, was presented.

RESOLUTION NO. 115543, recorded on Microfilm Roll No. 73, approving the Tentative Map of La Jolla Mesa, subject to the conditions set forth therein, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending that a finding be made relative to Tentative Record of Survey Map of portions of Blocks "D" and "G" Wells & Lane's Tecolote Heights, by the method of Record of Survey, was presented.

RESOLUTION NO. 115544, recorded on Microfilm Roll No. 73, finding that the Tentative Record of Survey Map for subdivision of portions of Blocks "D" and "G" Wells & Lane's Tecolote Heights is approved in that (1) the area to be subdivided contains less than 5 acres, (2) it abuts upon a dedicated street, (3) no street opening or widening is required, and (4) the lot design meets the approval of the Governing Body, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Application of El Cortez Sky Room, Inc., 7th and Ash Streets, El Cortez Hotel, by Harry Handrley, president, for a Class "A" Dine and Dance license in the Pacifico Room, was presented together with recommendations for approval.

RESOLUTION NO. 115545, recorded on Microfilm Roll No. 73, granting application of El Cortez Sky Room, Inc., for a Class "A" Dine & Dance license at Pacifico Room, 702 Ash Street, for conduct of a public dance at said address, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Application of Hidden Harbor Corp., Inc., 2604 - 5th Avenue, for a cabaret license at said address, was presented together with recommendations for approval.

RESOLUTION NO. 115546, recorded on Microfilm Roll No. 73, granting permission to Hidden Harbor Corp., Inc., to conduct a cabaret with paid entertainment at 2604 5th Avenue, where liquor is sold but no dancing conducted, subject to regular license fee, and to compliance with existing ordinances and resolutions, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from California Highway Commission, signed by G. N. Cook, Assistant Secretary, dated November 24, 1953; reporting that the Commission has taken action in accordance with request of Board of Supervisors of San Diego County to hold public hearing on January 19, 1954, starting at 10:00 A.M. in connection with proposed relocation of State Highway Route 12 between Cabrillo Freeway (Route 77) and El Cajon Boulevard in La Mesa, Road XI-S.D.-12-SD,A,LMsa - to be held in Chamber of Commerce Auditorium - was presented.

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

Councilman Godfrey asked if the City is to be represented at the hearing.

Councilman Schneider and the City Manager said that the City is not involved.

RESOLUTION NO. 115547, recorded on Microfilm Roll No. 73, referring to Councilman Conference the subject of the proposed relocation of State Highway Route (12) between Cabrillo Freeway (Route 77) and El Cajon Boulevard in La Mesa - on which hearing is to be held January 19, 1954, by the State Highway Commission in the Chamber of Commerce Auditorium, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from Mifflin Ward, attorney for San Diego Apartment Association, dated December 1, 1953, which association is vitally interested in the ordinance governing requirement of health permits for apartment units, and stating that the Association would like to be heard Tuesday, December 8, 1953, at the time that the matter of a change in the health permit fee schedule is under consideration. It states that at that time it is desired to present views as to inequities in scheduled fees and make recommendations for basic changes.

Nicolaus J. Haering told the Council that he opposed the proposal mentioned in the communication.

The Mayor said that the subject is under hearing by the Board of Supervisors of San Diego, and that he thinks it will "be amended". After the Supervisors act, the Council will consider the matter, he stated.

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

Communication from Linda Vista Coordinating Council relative to facilities at the Linda Vista Recreation Center, outlining the various advantages of the present operation, and mentioning the urgent need for a multi-purpose court, was presented. In addition, it states that if the Council has any doubts as to the advisability of providing such facility at this time, a committee would appreciate the opportunity of appearing to furnish information and/or to answer questions. Said communication was signed by Mrs. Byron G. Starren, chairman, 6727 Thomson Court, San Diego 11.

RESOLUTION NO. 115548, recorded on Microfilm Roll No. 73, requesting the

City Manager to report to next Thursday's Council Conference - December 10, 1953 - regarding the Linda Vista Community Center, referred to in communication signed by Mrs. Byron G. Starren, chairman, Recreation committee, Linda Vista Co-ordinating Council, 6727 Thomson Court, San Diego 11, dated November 28, 1952, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from James C. Haugh, General Manager, San Diego Transit System, was presented. It states that the company now handles about 65% of the people who travel to and from downtown San Diego, that without exception they desire a faster ride without delays. It endorses the plan of the Traffic to recommend to the Council establishment of a 24-hour-a-day "No Parking" experiment along Fifth Avenue between A Street and F Street and along Broadway between 12th Street and 12th Street during the Christmas season. The communication states that parking prohibition would not eliminate retention of loading zones for both passengers and freight along said streets. The communication urges adoption of the recommendation on the two streets which present the two major "bottlenecks" of transit flow in the downtown area.

Although presented, said communication was not read.

Mayor Butler said that the Bus Company favors the suggestions. He called on Walter Ames, president of the San Diego Downtown Association.

Mr. Ames told the Council that the Reading plan has been considered, and that James Reading, Traffic Engineer, has given consideration to the problem. He stated that the Downtown Association does not oppose the proposal.

Councilman Schneider expressed some concern over the problems of policing, and of the expense involved. It will be an interesting experiment, he declared.

Communication from the San Diego Downtown Association, signed by Walter Ames, President, was presented, although not read. It says, among other things, that the Association is particularly interested in the handling of the traffic in downtown area during the Holiday Season which is just now being entered. Among other things, in addition to recommending the plan, it states that in the Association's opinion, any such regulation should not in any manner prohibit automobiles from stopping on the streets mentioned for the loading and unloading of passengers and merchandise.

On motion of Councilman Burgener, seconded by Councilman Godfrey, said communications were ordered filed.

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

RESOLUTION NO. 115549, recorded on Microfilm Roll No. 73, prohibiting parking on each of said days, Sundays and holidays excepted, also the standing, of motor vehicles, at any time, except passenger vehicles may stop for the actual time necessary to pick-up or discharge passengers or trucks for the actual time necessary to load or unload merchandise, on either side of Fifth Avenue between A and F Streets and on Broadway between 7th and 12th Avenues - beginning and ending on dates not listed in said Resolution, but to inserted - was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Said Resolution authorizes and directs the City Manager to forthwith install the proper traffic signs on said streets.

(Some time after the Resolution had been adopted, James Reading, Traffic Engineer, appeared before the Council and talked over with them the method proposed to be employed in connection with the existing meters and with no parking signs to be installed).

No additional action, regarding procedure, was taken.

(At the request of the Traffic Engineer, the times for prohibition of the parking is to be between 12:00 o'clock A.M. midnight on the 4th day of December, 1953, and ending at 12:00 o'clock midnight on the 29th day of December, 1953 - with the exceptions as noted above).

This is shown again, on page 5, in connection with further discussion.

RESOLUTION NO. 115550, recorded on Microfilm Roll No. 73, declaring it to be the intention of the Council to follow the recommendation of the City Manager and Director of the Water Department, and award the contract for furnishing and delivering Steel Pipe and Fittings for Catalina Street Pumping Plant (Specification No. 66, Housing and Home Finance Agency Project Calif. 4-CF-27) to Consolidated Western Steel Division, United States Steel Corporation, the lowest, responsible and reliable bidder at the lump sum bid, to-wit: \$2,980.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

In connection with Resolution relative to bid acceptance and award, on the next item, Councilman Godfrey asked why there was only one bidder.

The City Manager assumed that there is only one manufacturer, pointing that there was a large meter involved. He checked his file if he had any further information, but did not.

Councilman Godfrey asked for a report. The Clerk checked with the City Manager's secretary, who said that she would supply the report to Councilman Godfrey.

RESOLUTION NO. 115551, recorded on Microfilm Roll No. 73, declaring it to be the intention of the Council to follow the recommendation of the City Manager and Director of Water Department, and award the contract for furnishing and delivering of propeller type meters for the Catalina Street Pumping Plant (Specification No. 73, Housing and Home Finance Agency Project Calif. 4-CF-27) to Squires-Belt Material Company, the only bidder for furnishing said meters, at the lump sum prices set forth in its bid, to-wit: \$2,118.00, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115552, Recorded on Microfilm Roll No. 73, accepting completed San Diego River Floodway, as constructed by the United States of America under temporary construction easements on right of way provided by the City, and agreement to maintain and operate the same as set forth in Act of Congress, approved July 24, 1946, which is known as Public Law No. 525, Chapter 595, 79th Congress, 2nd Session (HR 6407), in accordance with report of the Chief of Engineers, dated May 8, 1946, published in House Document No. 760, 79th Congress, 2nd Session - San Diego River and Mission Bay Project - as guaranteed, agreed and assured by the City Council by Resolution No. 88026, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

This item was referred to on page 4 of these Minutes, in connection with Resolution No. 115549.

James Reading, City Traffic Engineer, told the Council that there would be "no parking at any time". He expressed the belief that the City should remove the meter heads.

Councilman Godfrey said he thinks the meter heads should be hooded in read, instead. It would be confusing to motorists who see the parking meter posts, with no heads on them, he said. They would then think that if there were no heads on the meters it might be permissible to park, he added.

Mr. Reading said that there would be adequate posting of notices, and thought it unlikely that anyone would park where not permitted.

Councilman Schneider asked that the City Manager provide for warnings, rather than the issuing of tickets, to drivers who might be bewildered on account of the change.

While Mr. Reading was present, Councilman Schneider brought up the question of the one-way, or the mixed type of traffic which had been in effect on Ray Street. He spoke of action which had been taken to delete the one-way driving only.

The Mayor said that question had been resolved, by the substitution of another method, to provide for various kinds of driving on the street.

Councilman Schneider stated that the action for such provision had been rescinded during the Mayor's absence. He stated that there seems to be an agreement for one block south-bound traffic on Ray Street.

Councilman Schneider asked that the Council adopt a Resolution, as of now, regarding south-bound traffic for one block on Ray Street.

A man, whose name was not given to the Clerk, said that he as instigator of the plan, favored it. He told the Council that the one block of south-bound traffic seems to have the approval of the people involved on the street.

RESOLUTION NO. 115553, recorded on Microfilm Roll No. 73, directing the City Attorney to prepare and present a Resolution ratifying the Council's approval of the plan for traffic on Ray street, which includes south-bound traffic for one block - to be effective as of this date - was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115554, recorded on Microfilm Roll No. 73, urging the Honorable Robert Wilson to expedite in every way, and take the necessary steps in securing, an appropriation of funds by the Congress of the United States in the amount necessary to complete navigation project which has been deemed to be a Federal responsibility in the development of Mission Bay; authorizing and directing the City Clerk to forward a copy of said Resolution to The Honorable Robert Wilson, Representative in Congress, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution mentions the multiple purpose of San Diego River and Mission Bay Project adopted and authorized by an Act of Congress; it mentions the estimated costs made by the Army Engineers as \$26,320,000, of which the United States of America is \$9,820,000, and estimated cost to the City of San Diego as the local agency is \$16,500,000; that the Congress to date has appropriated \$6,535,000 which is approximately 65% of estimated cost, leaving \$3,285,000 as cost of completing the project; that amount yet to be appropriated by the Congress includes dredging of the entrance to Mission Bay from the Pacific Ocean; that Resolution No. 88026 of the Council adopted January 6, 1948, the City guaranteed, agreed and assured the Secretary of the Army that the City would undertake, perform and do all conditions required of the City by said Act of Congress approved July 24, 1946. The Resolution recites that The City, as local agency, has been responsible for expenditure to July 1, 1953, of funds in excess of \$8,000,00 in carrying out its commitments, leaving \$8,500,000 as the cost to the City. It states that navigation through the entrance and lower part of Mission Bay has been at a standstill since December, 1951, due to dangerous situation existing in the entrance to the Bay, which condition has resulted in loss of life together with necessity of rescuing many persons and boats.

Communication from the Harbor Department, signed by John Bate, Port Director, attaching form of sub-lease between the Institute of Aeronautical Sciences and the Glenn H. Taylor Company, which has been approved by the Harbor Commission, was presented. It states that under terms of the sub-lease, the Institute is leasing to said Company an office containing approximately 195 square feet at a rental of \$45.000 per month. The Taylor Company hands micarta, which is used by many of the aircraft corporations in this area.

RESOLUTION NO. 115555, recorded on Microfilm Roll No. 73, ratifying,

confirming and approving sub-lease, copy of which is on file in the office of the City Clerk as Document No. 481186, between the Institute of Aeronautical Sciences, sub-lessor, and Glenn H. Taylor Company, sub-lessee, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115556, recorded on Microfilm Roll No. 73, directing the City Attorney to file a petition with the Board of Supervisors of the County of San Diego, requesting that all taxes of record against Lot 27 Block 7 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; and that 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115557, recorded on Microfilm Roll No. 73, directing the City Attorney to file a petition with the Board of Supervisors of the County of San Diego, requesting that all taxes of record against portion of Pueblo Lot 1164, described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to the State for delinquent taxes be cancelled; and that 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115558, recorded on Microfilm Roll No. 73, directing the City Attorney to file a petition with the Board of Supervisors of the County of San Diego, requesting that all taxes of record against Lots 13 and 14 Block 36 Sellar's 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; and that 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115559, recorded on Microfilm Roll No. 73, directing the City Attorney to file a petition with the Board of Supervisors of the County of San Diego, requesting that all taxes of record against portions of Lots 7, 8, 9, 10 Block 21 Western Addition, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to the State of California for delinquent taxes be cancelled; and that 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115560, recorded on Microfilm Roll No. 73, directing the City Attorney to file a petition with the Board of Supervisors of the County of San Diego, requesting that all taxes of record against Lots 19, 20, 21, 22 Block 22 Lexington Park, 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; and that 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115561, recorded on Microfilm Roll No. 73, directing the City Attorney to file a petition with the Board of Supervisors of the County of San Diego requesting that all taxes of record against portion of North 70.0 feet of South 104.50 feet of West 1120.0 feet Lot 16 Cave and McHatton's Subdivision, described in said Resolution, be cancelled, and that all deeds to the State of California for delinquent taxes be cancelled; and that the City Attorney be directed 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. 115562, recorded on Microfilm Roll No. 73, authorizing and directing San Diego Gas & Electric Company to install the necessary electric service for 71 air raid warning sirens at locations and prices set forth and described, at a cost not to exceed \$14,626.38 to be paid from funds heretofore appropriated by Ordinance No. 5681 (New Series); modifying Resolution 114408 so that \$4,026.47 is an addition sum to that of \$9,999.91, making a total of \$14,026.38 authorized for electric service installation at locations and prices described, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115563, recorded on Microfilm Roll No. 73, authorizing and empowering the City Manager to do all the work in connection with replacement of 600 feet of 4-inch main with 6-inch AC main in Alley Block 9 City Heights Annex No. 1, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution states that the Director of the Water Department has recommended replacement, that the City Manager has submitted estimates and has indicated that the same can be done by City forces more economically than if let by contract.

RESOLUTION NO. 115564, recorded on Microfilm Roll No. 73, approving request of Bent Construction Co. and Daley Corporation, dated November 23, 1953, contained in Change Order No. 15, for extension of 120 days, to and including April 8, 1954, filed with the City Clerk as Document No. 481253, in which to complete construction of Sutherland Dam, contract contained in Document No. 452841 on file in the office of the City Clerk; extending completion time to April 8, 1954, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115565, recorded on Microfilm Roll No. 73, granting permission to Cosimo Busalacchi, 1740 State Street, San Diego 1, for permission to install a 24-foot driveway, as measured at the top of the full-height curb, on the easterly side of Union Street approximately between points 72 feet and 96 feet south of the southerly line of Upas Street, adjacent to Lot 2 Block 138 Middletown, on conditions set forth in said Resolution, and that if at any time the area to be served is not used for parking motor vehicles, the permit shall be null and void, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115566, recorded on Microfilm Roll No. 73, granting permission to General Petroleum Corporation, 2619 East 37th Street, Los Angeles 54, California, to install two 34-foot driveways, separated by 48 feet of full-height curb, on the southerly side of Voltaire Street between Poinsettia Drive and Warrington Street; and to install one 34-foot driveway on the westerly side of Poinsettia Drive between Voltaire Street and Udall Street, adjacent to Lot 38 Point Loma Villas, on condition set forth in said Resolution, and that if at any time the area to be served is not used for parking motor vehicles, the permit shall be null and void, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115567, recorded on Microfilm Roll No. 73, granting permission to Glen M. Smith to install a 4" cast iron house sewer line one foot outside the property line of Lot 17 Block 3 Vernon Park Subdivision, to run north from City sewer in Banks Street to the rear of building situated on Lots 16 and 17 Block 3, to serve property at 5304 Banks Street; subject to approval of Plumbing Inspection Department, Property Division, Sewer section, Engineering Department, and approval of the City Manager, and on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115568, recorded on Microfilm Roll No. 73, granting permission to Walter D. Valentine, 3312 Addison Street, San Diego 6, to widen existing driveway at said address 9 feet, so as to provide a 25-foot driveway, measured at top of full-height curb, adjacent to Lot 5 Block 16 Roseville, subject to conditions in said Resolution, and provided that if at any time area to be served is not used for parking of motor vehicles, permit shall be null and void, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115569, recorded on Microfilm Roll No. 73, authorizing John McQuilken, City Auditor and Comptroller, to travel to Fresno, California, on December 17, 1953, for the purpose of delivering an address before public officials and members of the Fresno Chapter of California Society of Certified Public Accounts; authorizing incurring of all expenses necessary in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115570, recorded on Microfilm Roll No. 73, accepting subordination agreement, executed by Ruth L. Rubon, Richard Carl Levi, Norman George Levi, Selma Getz, beneficiaries, and Security Title Insurance Company, trustee, bearing date August 7, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 314 Ramona, to the right of way and easement for water pipe line purposes heretofore conveyed to The City, in portion of said property; authorizing and directing the City Clerk to file said deed 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. 115571, recorded on Microfilm Roll No. 73, accepting deed of Hugh A. Harris and Frances L. Harris, bearing date November 24, 1953, conveying easement and right of way for street purposes in portion of the Easterly half of Lot D Encanto; setting aside and dedicating the same to the public use as and for a public street, and naming the same Detroit Avenue and 65th 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.

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RESOLUTION NO. 115572, recorded on Microfilm Roll No. 73, accepting deed of Russell R. Dowers, Jr. and Marilyn A. Dowers, bearing date October 23, 1953, conveying easement and right of way for street purposes in portion of Lot 21 Block 26 Lexington Park, setting aside and dedicating the same to the public use as and for a public street, and naming the same Sycamore Drive; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution; rescinding Resolution No. 115343, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115573, recorded on Microfilm Roll No. 73, accepting deed of Harvey Lewis, Jr., President of the San Diego Unified School District of San Diego County, bearing date November 19, 1953, conveying easement and right of way for street purposes in portion of Lot 28 Ex-Mission Lands of San Diego (Hortons Purchase); authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution; 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, presented for introduction, amending Section 101.0204; amending Title to Division V; amending Sections 101.0501 and 101.0502 of Article I, Chapter X of The San Diego Municipal Code; adding Sections 101.0503, 101.0504, 101.0505, 101.0506 and 101.0507 to Division 5, Article I, Chapter X of The San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Godfrey, continued to the meeting of Tuesday, December 8, 1953.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the following ordinance was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Godfrey, Butler. Nays--Councilmen None. Absent--Councilmen Wincote, Kerrigan, Dail.

Ordinance incorporating the southwest quarter of Lot 14 Ex-Mission Lands of San Diego (Horton's Purchase), 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.

Hearing was set on the proposed Ordinance for the hour of 10:00 o'clock, January 7, 1954.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the following ordinance was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Godfrey, Butler. Nays--Councilmen None. Absent--Councilmen Wincote, Kerrigan, Dail.

Ordinance incorporating Kensington Park into R-2, R-4, RC and C Zones, as defined by Sections 101.0406, 101.0408, 101.0409 and 101.0411 respectively of the San Diego Municipal Code.

Hearing was set on the proposed Ordinance for the hour of 10:00 o'clock, January 7, 1954.

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

Proposed Resolution authorizing and directing the City Manager to execute for and on behalf of The City of San Diego an Agreement for engineering services necessary in order to proceed with various improvements to Sewage Treatment Plant (said engineers are from San Francisco) under terms and conditions set forth in form of agreement on file in the office of the City Clerk.

RESOLUTION NO. 115574, recorded on Microfilm Roll No. 73, authorizing and directing the City Manager for and on behalf of The City of San Diego to execute an agreement for engineering services necessary in order to proceed with various improvements to Sewage Treatment Plant, between the City and Brown and Caldwell, a co-partnership composed of Kenneth W. Brown and David N. Caldwell of San Francisco, under terms and conditions set forth in form of agreement on file in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

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

ORDINANCE NO. 5876 (New Series), appropriating \$12,500.00 from the Unappropriated Balance Fund for employment of Kenneth W. Brown and David N. Caldwell, Civil and Chemical Engineers, for furnishing professional services in connection with improvements of the sewage treatment plant, was on motion of Councilman Godfrey, seconded by Councilman Burgener, placed introduced.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the reading of said Ordinance in full 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 passage a written or printed copy of said ordinance.

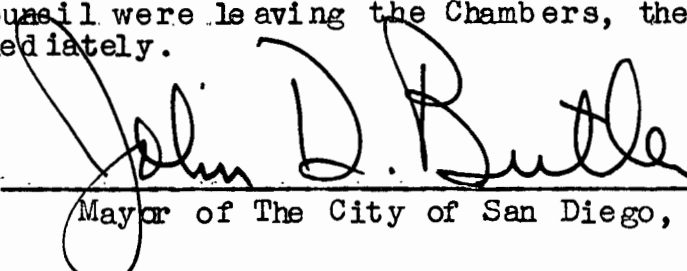
On motion of Councilman Kerrigan, seconded by Councilman Burgener, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Wincote, Kerrigan, Dail.

There being no further business to come before the Council, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Burgener, at the hour of 10:38 o'clock A.M.

As members of the Council were leaving the Chambers, the Mayor announced that a conference would be held immediately.

ATTEST:

FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By 

Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, December
8, 1953

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

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

Mayor Butler welcomed to the meeting a large group of students from the class in American Government from the Hoover High School, accompanied by J. M. Greig, their professor. The Mayor asked the visitors to arise, and then explained the Council's procedure, after which he invited them to the Mayor's office.

On motion of Councilman Schneider, seconded by Councilman Burgener, the Minutes of the Council Meetings of Tuesday, November 24, 1953, Friday (in lieu of Thursday), November 27, 1953, Tuesday, December 1, 1953, and Thursday, December 3, 1953, were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of the Alley in Block 11 North Shore Highlands, within the limits and as particularly described in Resolution of Intention No. 114358, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

Councilmen Godfrey and Dail entered the meeting at this time.

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

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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 \$400.00, which bid was given Document No. 481514;

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. 481515;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$500.00, which bid was given Document No. 481516;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co. in the sum of \$500.00, which bid was given Document No. 481517;

The bid of Callahan Bros., accompanied by bond written by Pacific Indemnity Company in the sum of \$500.00, which bid was given Document No. 481518;

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 of the Alley in Block 63 University Heights, and Meade Avenue, within the limits and as particularly described in Resolution of Intention No. 114359, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion made and seconded, said bids were publicly opened and 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 \$400.00, which bid was given Document No. 481519;

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. 481520;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$500.00, which bid was given Document No. 481521;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$500.00, which bid was given Document No. 481522;

The bid of Callahan Bros., accompanied by bond written by Pacific Indemnity Company in the sum of \$400.00, which bid was given Document No. 481523.

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 Godfrey was excused from 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 Catoctin Drive, within the limits and as particularly described in Resolution of Intention No. 114249, the Clerk reported that 6 bids had been received, which bids were presented to the Council.

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

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of 10% of amount bid, not exceeding \$2100.00, which bid was given Document No. 481524;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$2000.00, which bid was given Document No. 481525;

The bid of M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$2200.00, which bid was given Document No. 481526;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$2200.00, which bid was given Document No. 481527;

The bid of R. E. Hazard Contracting Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$2000.00, which bid was given Document No. 481528;

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 \$2,200.00, which bid was given Document No. 481529.

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 Mayor announced that item 14 on today's agenda - hearing in the matter of rezoning portion of Lot 78 Rancho Mission of San Diego (tentative map of Kearney Terrace) - will be continued until the first Tuesday in January, 1954. He made the statement so that if anyone in the audience was interested it would not be necessary to wait for consideration, since the hearing would take place at the latter date.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2181 made to cover the expenses of the paving and otherwise improving of Thomas Avenue, within the limits and as particularly described in Resolution of Intention No. 109269, the Clerk reported that written appeals had been received from August W. Bogenhagen and from Norman E. Lucas; also a written report from

the Street Superintendent. Said reports were presented.

The City Engineer, at the request of the Mayor, made a verbal report in which he said that there was a 5% appeal. He pointed out that an error had been made made, and that as a result it will be necessary to submit a revised assessment roll.

Said report, signed by R. A. Hall, Street Superintendent, reads "Assessment Roll No. 2181 for the improvement of Thomas Avenue between the westerly line of Jewell Street and the easterly line of Kendall Street, was submitted to the Council, and the assessment hearing is being held December 8, 1953. Some of the lots which did not have sidewalks installed in this job were assessed for sidewalks. He have prepared a modified roll. It is recommended that the roll be modified accordingly." Said report, just quoted, was read to the Council.

On motion of Councilman Schneider, seconded by Councilman Burgener, said Street Superintendent's recommendation, contained in Document No. 481456, was adopted.

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

Francis E. Harley spoke about sidewalk and grading having been charged, and told the Council that one side has a parkway while the other side is not paved.

Councilman Godfrey returned to the meeting at this time.

Mrs. Lucas spoke in opposition to being assessed for sidewalk; then she related division of assessment, after which she had had paving done, herself.

The City Engineer said the situation would be corrected regarding the assessment for the sidewalks. He spoke about the property owners affected getting back funds for sidewalks.

Mrs. Lucas stated that it still was not clear to her.

The Mayor referred Mrs. Lucas to the Engineer for clarification.

There was a conference between Councilman Godfrey and the City Engineer relative to the charge.

Willard Olson, from the City Engineer's office, pointed out that the charge for sidewalk against Mrs. Lucas' property, had been removed.

Councilman Burgener spoke about not being charged \$49.00 for one half of the sidewalk on the other side of the street.

Several explanations were made - relative to the work and assessment therefor - to Mrs. Lucas.

W. R. Morris spoke next, and said he realized the error was being corrected, but that he was still paying one half of the sidewalk across the street.

The Mayor pointed out that it will be corrected in the final statement.

Mr. Morris spoke about 4 corners being paved, and their being included in the bill.

The City Engineer said that the improvement was assessed one half block, and distributed.

RESOLUTION NO. 115575, recorded on Microfilm Roll No. 73, overruling and denying the appeal of August W. Bogenhagen and the appeal of Norman E. Lucas, also the verbal appeals of Francis E. Harley and W. R. Morris from the Street Superintendent's Assessment No. 2181, made to cover the expenses of the paving and otherwise improving of Thomas Avenue, within the limits and as particularly described in Resolution of Intention No. 109269; overruling and denying all other appeals thereon; confirming and approving the Street Superintendent's modified and corrected Assessment No. 2181; 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 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. 2182 made to cover the cost and expenses of 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 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. 115576, recorded on Microfilm Roll No. 73, confirming and approving the Street Superintendent's Assessment No. 2182 made to cover the cost and expenses of 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; 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 Winote, 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. 2183 made to cover the cost and expenses of the paving and otherwise improving of Roosevelt Avenue and Haines Street, within the limits and as particularly described in Resolution of Intention No. 107940, 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. 115577, recorded on Microfilm Roll No. 73, confirming and approving the Street Superintendent's Assessment No. 2183 made to cover the cost and expenses of the paving and otherwise improving of Roosevelt Avenue and Haines Street,

within the limits and as particularly described in Resolution of Intention No. 107940; 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 the Street Superintendent's Assessment No. 2184 made to cover the costs and expenses of 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 of Intention No. 111367, the Clerk reported that written appeals had been received from Mrs. Ada N. Whiting, and from John L. Neel.

The City Engineer made a verbal report at the request of the Mayor. He stated that there is a 1.4% appeal, based on high cost.

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

No one appeared to be heard verbally, and no ^{additional} written protests were presented.

RESOLUTION NO. 115578, recorded on Microfilm Roll No. 73, overruling and denying the appeals of Mrs. Ada N. Whiting and of John L. Neel, from the Street Superintendent's Assessment No. 2184 made to cover the costs and expenses of the work of installing 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; 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 Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued from the meeting of December 1, 1953, for hearing on the Street Superintendent's Assessment No. 2180 made to cover the costs and expenses of the installation of sewer mains in the Alley lying northerly of and contiguous to Lots 26 to 36 inclusive, Resubdivision of Block H, and Lots 26 to 38 inclusive of Block G Encanto Heights, and 63rd Street, within the limits and as particularly, the City Engineer related to the Council an argument over ownership of land. He said that his office had checked the matter and determined that the earlier protestant owns more property than he contended.

RESOLUTION NO. 115579, recorded on Microfilm Roll No. 73, overruling and denying the appeals of Harry McGibbons and Esther McGibbons and of Mary Wirth, from the Street Superintendent's Assessment No. 2180 made to cover the costs and expenses of the installation of sewer mains in Alley lying northerly of and contiguous to Lots 26 to 36 inclusive Resubdivision of Block H, and Lots 26 to 38 inclusive of Block G Encanto Heights, and 63rd Street, within the limits and as particularly described in Resolution of Intention No. 109910, 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 Burgener, seconded by Councilman Winote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 115149 of Preliminary Determination for the paving and otherwise improving of 54th Street, Blackton Drive, 55th Street, Balboa Vista Drive, 56th Street, Olive Street, Seifert Street, Biloxi Street, Laurel Street, Faulconer Street, the Alleys in Blocks A, B, C, D, F, G, H and J Balboa Vista, the Alley in Balboa Vista Heights easterly of and contiguous to Lots 4 to 12, the Alley easterly of and contiguous to Lots 4 to 9 Block I Balboa Vista, et al., 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. 115580, recorded on Microfilm Roll No. 73, determining that the proposed improvement of 54th Street, Blackton Drive, 55th Street, Balboa Vista Drive, 56th Street, Olive Street, Seifert Street, Biloxi Street, Laurel Street, Faulconer Street, Alleys in Blocks A, B, C, D, F, G, H and J Balboa Vista, Alley Block Vista Heights lying easterly of and contiguous to Lots 4 to 12, Alley lying easterly of and contiguous to Lots 4 to 9 Block I, Lolly Circle and Alley in Lot 3 C. C. Seaman's Subdivision, within the limits and as particularly described in Resolution No. 115149 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 on Resolution No. 115005 of Preliminary Determination, continued from the meeting of December 1, 1953, the City Engineer reported to the City Manager that he had gone into the matter of the storm drain, with the City Manager, in connection with comment made

at the hearing held last week. He said that the work does not include water or storm drain.

The City Manager showed to the Council a photograph of an old drain, which he said will have to be replaced. Work is scheduled to go ahead of the proceedings at City expense, he stated.

RESOLUTION NO. 115581, recorded on Microfilm Roll No. 73, determining that the paving and otherwise improving of Ellison Place, within the limits and as particularly described in Resolution No. 115505 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 Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 115006 of Preliminary Determination for the paving and otherwise improving of Santa Isabel Drive and Olvera Avenue, continued from the meeting of December 1, 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. 115582, recorded on Microfilm Roll No. 73, determining that the proposed improvement of Santa Isabel Drive and Olvera Avenue, within the limits and as particularly described in Resolution No. 115006 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 Investment, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Councilman Godfrey was excused.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued from the meeting of December 1, 1953, on Resolution of Intention No. 114744, for the paving and otherwise improving of T Street, the City Engineer made a verbal report. He told the Council that last week there was a protest of 54.9%. Since then there have been both withdrawals and new protests, now constituting 67.5% protest.

Henry Henson told the Council that the people on T Street want the paving, but the people on the side streets (who would be assessed on an area basis) do not.

The City Engineer explained that the protests are on an area basis, rather than on frontage.

Mr. Henson said that the other streets are paved, that many have just finished paying for them. He said that there are no sidewalks on several streets. The buses use T Street, the speaker said, and added that the City has to repair it frequently as a result.

The City Engineer, answering Councilman Schneider, said that there is a majority protest on T Street also.

Mr. Henson said that on account of lack of sidewalks there is nothing to "keep the kids out of the street". The buses do not stop on T Street, he said, but turn there. He stated that the transit system had advised that if the street is not paved, it will have to stop using the street.

Councilman Wincote repeated that there is a majority protest on T Street.

Councilman Schneider pointed out that if the matter of sidewalk is the primary concern, it can be installed under private contract.

Mr. Henson said that the protestants have improvements.

Councilman Dail said that the City should examine contribution regarding welfare and general interest. He pointed out that it should not be necessary to bear the cost relative to the bus company's use.

Councilman Godfrey returned to the meeting at this time.

Councilman Wincote declared that the City could put the street to grade, then the property owners install the sidewalk by private contract.

Councilman Kerrigan stated that the hearing should be continued.

Mr. Henson said that the proposed improvement is near two schools.

Councilman Dail said that he does not want to overrule unless the City considers making a contribution. Home owners want the street paved, he declared.

Councilman Kerrigan agreed that sidewalks, as mentioned by Mr. Henson, are important. He, also, said that they could be installed at private contract. He asked for a continuance of the hearing for 2 weeks.

Councilman Wincote expressed a need for report from the City Manager.

Councilman Burgener declared that under a 1911 Improvement Act, the grading would be assessed.

Councilman Kerrigan moved to continue the hearing for 2 weeks, to see if it can be worked out.

Paul E. Gaskins, attorney, stated that the main thing before the Council is the paving of T Street, and added that Councilman Kerrigan is confusing the issue.

Councilman Godfrey said that he had "no objection", but that Mr. Gaskins makes a good point, in that suggestions have nothing to do with the project under hearing. It is a different project for just sidewalks, he declared.

Councilman Wincote seconded the motion for a 2-week continuance.

Councilman Godfrey advocated abandonment of the project, and getting it out of the way. He asked on what basis the City could contribute on this street, when it had not on others.

Councilman Wincote wanted to leave the matter open for an answer.

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Councilman Godfrey stated that the City can't contribute to the cost of the project.

Councilman Wincote declared that the City has made contributions on many streets.

Councilman Dail said that the City is put to expense now, relative to the torn up condition created by buses. He asked to have the matter continued, to see if it is justifiable to make a contribution.

The Mayor said that he does not want to see the City contribute on the basis where the bus line could be moved in 2 weeks.

Councilman Dail said that there is more use than on an ordinary neighborhood street.

Councilman Burgener said that it would be unfair to the protestants to continue the hearing again.

Councilman Schneider stated that the Council could overrule the protests if that seems advisable, but felt that a continuance is reasonable.

Councilman Godfrey said that he will not vote for the paving when the petition has only 30% or 32% in its favor. Sidewalks would be a solution, he declared.

Councilman Dail made a point of property values not being as high as in other areas of the City. He re-iterated that the City has contributed in some instances. The City should give good consideration to the proposal, he declared. He said, also, that the specifications made be cut in order to lower the costs.

Councilman Wincote said that protests as of today - inasmuch as the original hearing date had passed - would be persuasive only.

Mr. Gaskin told the Council that it involves a good deal of time coming down to the hearings from time to time. The Engineer could answer the question regarding conditions, he stated.

There was discussion between Councilman Wincote and Mr. Gaskins.

The Mayor left the meeting, and Vice Mayor Charles C. Dail assumed the chairmanship of the meeting.

Councilman Wincote declared that the area assessment protests are unfair, in that their streets had been improved and that others had helped pay.

Mr. Gaskins told about the experience of some owners who have had their property taken away on account of inability to pay assessments thereon.

RESOLUTION NO. 115583, recorded on Microfilm Roll No. 73, continuing until the hour of 10:00 o'clock A.M., Tuesday, December 15, 1953, the hearing on the proposed improvement of T Street between the westerly line of 45th Street and the westerly line of 47th Street, within the limits and as particularly described in Resolution of Intention No. 114744 (to be continued for 2 weeks, 1-week at the time), was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilman Councilman Burgener. Absent--Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed rezoning of a portion of Lot 78 Rancho Mission of San Diego (Tentative Map of Kearney Terrace), the hearing was continued on motion of Councilman Kerrigan, seconded by Councilman Schneider, to the hour of 10:00 o'clock A.M., Tuesday, January 5, 1954.

Petition of residents for the painting at once of cross-walk at 30th and Adams, and giving reasons therefor - including better lighting - 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 cast iron pipe and fittings for the Catalina Project, received by the Purchasing Agent October 23, 1953 from 7 bidders, was presented. Said communication recommends awards to 5 low bidders, in accordance with the detailed report. In one instance it states that bid of Park-Son, Inc., was identical with that of Crane Company, but due to request for "preference for local bidders" award to Crane Company was recommended.

RESOLUTION NO. 115584, recorded on Microfilm Roll No. 73, accepting bid of United States Pipe & Foundry Company for furnishing Item 3, 7,430 lin. ft. 12" Class 150 C.I. Pipe @ \$4.118 per ft., f.o.b. San Diego, terms net, plus State Sales Tax; 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 Wincote, adopted.

RESOLUTION NO. 115585, recorded on Microfilm Roll No. 73, accepting bid of Pacific States Cast Iron Pipe Company for the furnishing of Item 1, 19,894 lin. ft. 16" Class 150 C.I. Pipe @ \$7.02 per ft.; Item 2, 670 lin. ft. 16" Class 250 mechanical joint C.I. Pipe @ \$8.90 per ft.; Item 4, 150 lin. ft. Class 150, 8" C.I. Pipe @ \$2.555 per ft.; and Item 5, 145 lin. ft. 6" Class 150 C.I. Pipe @ \$1.735 per ft., terms net, plus State Sales Tax; 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 Wincote, adopted.

RESOLUTION NO. 115586, recorded on Microfilm Roll No. 73, accepting bid of National Steel & Shipbuilding Corporation for the furnishing of Item 20, 2 Flanged 16" 90 deg. Bands @ \$125.29; Item 42, 4 Flanged 4" 90 deg. Bands @ \$22.15; Item 55, 2 Flanged 34" long 16x12" Reducers @ \$91.28, or a total of \$521.74, f.o.b. San Diego, terms net, plus State Sales Tax; 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 Wincote, adopted.

RESOLUTION NO. 115587, recorded on Microfilm Roll No. 73, accepting bid of Standard Iron Works for furnishing Item 41, 1 B&X 6" 90 deg. Bend @ \$18.20 f.o.b. San Diego, terms net, plus State Sales Tax; awarding contract, authorizing and instructing the City Manager to enter into and execute the same, pursuant to specifications therefor on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115588, recorded on Microfilm Roll No. 73, accepting bid of Crane Co. for furnishing Items 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, (being c.i. fittings, crosses, tees, etc., as itemized and at prices, set forth in said Resolution; awarding contract, authorizing and instructing the City Manager to enter into and execute the same, pursuant to specifications therefor on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on the sole bid of Squires-Belt Material Company of San Diego, for the furnishing of Propeller Type Meters for Catalina Street Pumping Plant, recommending acceptance, was presented. It states that specifications were sent to 7 prospective bidders, but only 1 bid was received. It states that the Housing and Home Finance Agency, Region V, and the Director of the Water Department concur in the recommendation.

RESOLUTION NO. 115589, recorded on Microfilm Roll No. 73, accepting bid of Squires-Belt Material Company for furnishing Propeller Type Meters for Catalina Street Pumping Plant for the sum of \$2,118.00, terms net, plus State Sales Tax; awarding contract, authorizing and instructing the City Manager to enter into and execute the same, pursuant to specifications therefor on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing Chlorinator Control Equipment for Catalina Street Pumping Plant, received from two bidders, was presented. Two bids were received: from Wallace & Tiernan Co., Inc. and from Squires-Belt Material Co., equipment being limited to manufacture by Wallace & Tiernan Co., manufacturers of chlorinator with which it will be used; and recommends award to Squires-Belt Material Co., local agent for the equipment.

RESOLUTION NO. 115590, recorded on Microfilm Roll No. 73, accepting bid of Squires-Belt Material Company for furnishing Chlorinator Control Equipment for Catalina Street Pumping Plant, for the sum of \$3,495 plus State Sales Tax; awarding contract, authorizing and instructing the City Manager to enter into and execute the same pursuant to specifications therefor on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing 50 Plywood Skiffs for the Water Department, received October 22, 1953, from 6 bidders, was presented. It recommends award to O. O. & R.E. Maurer, low bidder, in accordance with its bid. The communication states award was postponed pending construction of a pilot model boat to assure receiving acceptable boats. It states the pilot boat in question has been approved by the Water Department as being of excellent quality; that during construction of said model it was determined that several minor deviations from specifications would be necessary, and the bidder agreed that such minor changes would be included at no extra cost to the City.

RESOLUTION NO. 115591, recorded on Microfilm Roll No. 73, accepting bid of O. O. & R. E. Maurer to furnish 50 Plywood Skiffs at \$200.00 each, net, plus State Sales Tax; awarding contract, authorizing and instructing the City Manager to enter into and execute the same pursuant to specifications therefor on file in the office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on quotations received December 1, 1953, for furnishing 30 Rain Suits, from 6 bidders, was presented. It recommends award to Plastic Sheeting Co., of Portland, Oregon, low bidder.

RESOLUTION NO. 115592, recorded on Microfilm Roll No. 73, accepting bid of Plastic Sheeting Company for furnishing 300 Rain Suits at \$8.23, terms net, plus Sales or Use Tax; awarding contract, authorizing and instructing the City Manager to enter into and execute the same pursuant to specifications therefor on file in the office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing Steel Pipe and Fittings for Catalina Street Pumping Plant, received October 23, 1953, from 2 bidders, was presented. It recommends award to Consolidated Western Steel Division, United States Steel Corporation, low bidder. It states the Housing and Home Finance Agency, Region V, and the Water Department Director concur.

RESOLUTION NO. 115593, recorded on Microfilm Roll No. 73, accepting bid of

Consolidated Western Steel Division, United States Steel Corporation for furnishing Steel Pipe and Fittings for Catalina Street Pumping Plant, for the sum of \$2,980.00 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 Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of storm drain in Virginia Way, near Torrey Pines Road, received by the Purchasing Agent November 25, 1953, from 5 bidders, was presented. It recommends award to H. W. Gould, low bidder - being 21.8% below estimate.

RESOLUTION NO. 115594, recorded on Microfilm Roll No. 73, accepting bid of H. W. Gould for construction of storm drain in Virginia Way, near Torrey Pines Road, for \$1564.00; 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 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, reporting on sale of 19 items of automotive equipment consisting of 18 pickup trucks and one small dump truck replaced by purchase of new equipment, was presented. It states that sales were made to 15 high bidders at auction in accordance with tabulation attached. The report states that a total of \$4,320.00 received has been deposited with the City Treasurer.

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

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing advertising for bids for City's requirements of Gasoline for period of 12 months beginning January 1, 1954, as per specifications on file in the office of the City Clerk bearing Document No. 481421, was presented.

RESOLUTION NO. 115595, recorded on Microfilm Roll No. 73, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with its requirements for Gasoline for period of 12 months beginning January 1, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for approximately 300 tons of Liquid Sodium Silicate for a period of 6 months beginning January 1, 1954, for the Water Department, as per specifications on file in the office of the City Clerk bearing Document No. 481424, was presented.

RESOLUTION NO. 115596, recorded on Microfilm Roll No. 73, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing approximately 300 tons of Liquid Sodium Silicate, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115597, recorded on Microfilm Roll No. 73, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for furnishing and installing about 6,080 feet of 12" asbestos cement pipe in Froude Street between Point Loma Avenue and Voltaire Street, bearing official Document No. 481427; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids in accordance with specifications, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115598, recorded on Microfilm Roll No. 73, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for the improvement of La Jolla Boulevard between Colima Street and Camino de la Costa (including grading, paving, construction of storm drains and appurtenances, curb and sidewalk and removal of miscellaneous obstructions), bearing official Document No. 481428; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids in accordance with specifications, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115599, recorded on Microfilm Roll No. 73, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of Shuffleboard Courts at Ocean Beach Community Center at Santa Monica Avenue and Ebers Street, bearing official Document No. 481429; 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 Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115600, recorded on Microfilm Roll No. 73, giving notice of the proposed annexation to the City of San Diego of a portion of Lot 54 Ex Mission Lands of San Diego, to be known and designated as "Knox Tract", was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Accompanying said Resolution was communication from the City Manager reporting on petition of annexation from Harley T. Knox, and other related documents.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending that revised tentative map of Catoctin Tract Unit No. 3, be reapproved, subject to 10 conditions, was presented. It states that the Tentative Map is a revision and addition to the subdivision of Catictin Tract No. 3, which was approved by Resolution No. 113572.

RESOLUTION NO. 115601, recorded on Microfilm Roll No. 73, approving the Tentative Map of Catoctin Tract Unit No. 3, subject to conditions set forth therein; also revoking Resolution No. 113572 approving said Tentative Map, 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 insofar as they relate to the Tentative and Final Maps, in connection with Tentative Map of Schuetz Soledad Garden, was presented.

RESOLUTION NO. 115602, recorded on Microfilm Roll No. 73, suspending Sections 102.07-5, 102.18, 102.17-c of the San Diego Municipal Code in connection with Tentative Map of Schuetz Soledad Garden, 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 Schuetz Soledad Garden, a 9-lot subdivision of portion of Pueblo Lot 1785, located approximately one-quarter mile south of the new Pacific Beach Reservoir, subject to 10 conditions, was presented.

RESOLUTION NO. 115603, recorded on Microfilm Roll No. 73, approving Tentative Map of Schuetz Soledad Garden, subject to 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 suspension of 7 sections of the San Diego Municipal Code insofar as they relate to the Tentative and Final Maps of Seedorf Heights Unit No. 2, a 6-lot subdivision in portion of Lot 21 East Redlands, was presented.

RESOLUTION NO. 115604, recorded on Microfilm Roll No. 73, suspending Sections 102.07-2, 102.09-1 & 2, 102.12-8, 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code in connection with the Tentative and Final Maps of Seedorf Heights Unit No. 2, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Seedorf Heights Unit No. 2, a 6-lot subdivision located at the northerly end of El Cerrito Place, an extension of Unit No. 1, was presented. Said communication stated that it will be necessary for the City to accept an area reserved for a future street to provide access to said unit of the subdivision. It recommended approval subject to 9 conditions.

RESOLUTION NO. 115605, recorded on Microfilm Roll No. 73, approving the Tentative Map of Seedorf Heights Unit No. 2, subject to conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for the rezoning of portion of Lot 13 Ex-Mission Rancho, being a 14-Acre Regal Lot, Encanto, from R-4 to C & CP Zones, was presented. It states that the rezoning proposed is to permit establishment of a large market building and an off-street parking area approximately 3 times as large as the market at the southwest corner of 63rd Street and Imperial Avenue, and in the S-1/2 of the San Diego & Arizona Eastern Railroad right of way on the north side of Imperial Avenue. The report says that there were no protests at the hearing, and that the petition was accompanied by a letter from the Encanto Associated Merchants, Inc., endorsing the application. It says that the petition was also accompanied by a letter from the owner of the property, stating that he has a signed offer from a large food market to lease the proposed building as soon as it is constructed. In addition to further reports, the report says that the Planning Commission voted 4-0 to recommend approval, but that the rezoning ordinance be held in abeyance until the subdivision may be approved by the Council. It suggested that the matter be forwarded to the City Attorney's office for drafting of a proper ordinance prior to setting for a public hearing.

RESOLUTION NO. 115606, recorded on Microfilm Roll No. 73, adopting recommendation of the City Planning Commission recommending rezoning of portion of Lot 13 Ex-Mission Rancho from the present R-4 Zone to Zones C and CP; directing the City Attorney to prepare and present to the Council the necessary ordinance making said zone changes, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

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Communication from Glenn A. Rick, City Planning Director, submitting form of resolution for adoption by the Council, was presented. It states that pending adoption of the proposed ordinance requiring the filing of subdivision maps in lieu of metes and bounds sales, the City Zoning Committee would like to have some guidance from the City Council as to the City policy.

The matter was presented to the Council by Mr. Rick on December 1, under request for unanimous consent. One member of the Council voted against granting unanimous consent for consideration, so it was not heard.

RESOLUTION NO. 115607, recorded on Microfilm Roll No. 73, referring to Council Conference a communication from the City Planning Director submitting form of Resolution for adoption, relative to the filing of subdivision maps, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Mayor Butler returned to the meeting at this time.

Communication from the Street Superintendent, signed by the Assistant City Manager's approval, submitting petition to close Stone Street east from the westerly line of California Street to the easterly line of Middletown Subdivision, and protest of property owners, was presented. It states that the Planning Commission held a public hearing and after consideration of facts presented, and written protests, recommended denial of the closing. The communication says that in view of the Planning Commission action, it is recommended that the request for closing be denied.

RESOLUTION NO. 115608, recorded on Microfilm Roll No. 73, denying petition for closing Stone Street east from westerly line of California Street to the easterly line of Middletown Subdivision, as recommended by the Street Superintendent, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Street Superintendent, bearing the City Manager's signature of approval, reporting on petition for dedication of portion of Lot 1 Block 5 Golden Park, was presented. It states the dedication is being made as a result of a study carried out by the City Engineer to eliminate existing encroachment of Martinez Street on Lot 1 Block 16 Roseville Heights. Openings required have been obtained by easements, etc. It recommends filing petition and recording of easements.

On motion of Councilman Schneider, seconded by Councilman Burgener, said petition was ordered filed.

Communication from the Street Superintendent, bearing the City Manager's signature of approval, submitting petition to close portion of Bangor Street between Martinez Street and a point 175 feet north of Harbor View Drive, adjacent to Lots 1-6 Block 16 Roseville Heights and Lot 1 Block 5 Golden Park, was presented. It makes a detailed report relative to verbal modification of the original petition for closing, and recommends that portions as cross-hatched and shaded in red on plat attached to said petition (Document No. 473903) be closed.

RESOLUTION NO. 115609, recorded on Microfilm Roll No. 73, granting petition for closing portion of Bangor Street as recommended by the Street Superintendent, as shown cross-hatched and shaded in red on plat attached to petition bearing Document No. 473903; 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 Burgener, seconded by Councilman Godfrey, adopted.

Copy of communication from O. K. Cope, Assistant to the City Manager, dated Dec. 4, 1953, stating that he wishes to add his name to the petition that has been drawn for inclusion of the unclassified personnel of the City to enjoy the benefits of Social Security System, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said request was "approved", and filed.

Communication from Thomas D. Drake, dated 7 December 1953: "In reference to the attached letter, it is requested that I be allowed to appear before you Thursday, 10 December 1953, and present my clients' contention that the area desired by them for a Trailer Park in Ocean Beach is not in Mission Bay Park", was presented.

The matter was set for Thursday, December 10.

RESOLUTION NO. 115610, recorded on Microfilm Roll No. 73, directing notice of filing the Street Superintendent's Assessment No. 2192 and of the time and place of hearing thereof, for the paving and otherwise improving of the Alleys in Block 45 Ocean Beach, and Public Rights of Way and Cable Street, within the limits and as particularly described in Resolution of Intention No. 111078, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115611, recorded on Microfilm Roll No. 73, directing notice of filing of the Street Superintendent's Assessment No. 2190 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 75 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 107161, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115612, recorded on Microfilm Roll No. 73, directing notice of filing of the Street Superintendent's Assessment No. 2189 made to cover the costs and expenses of the work done on the paving and otherwise improving of the Alleys in Blocks 156, 157 and 158 Pacific Beach, within the limits and as particularly described in Resolution of Intention No. 107588, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115613, recorded on Microfilm Roll No. 73, directing notice of filing of the Street Superintendent's Assessment No. 2191 made to cover the costs and expenses of the paving and otherwise improving of Frankfort Street, Erie Street and Denver Street, within the limits and as particularly described in Resolution of Intention No. 106324, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 115614, recorded on Microfilm Roll No. 73, accepting bid of Callahan Bros., a co-partnership, and awarding contract for the paving and otherwise improving of the Alley in Block 11 City Heights Annex No. 2, within the limits and as particularly described in Resolution of Intention No. 114246, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The City Engineer reported in writing that the low bid is 16.6% below the estimate.

RESOLUTION OF AWARD NO. 115615, recorded on Microfilm Roll No. 73, accepting bid of V. R. Dennis, an individual doing business under the firm name and style of V. R. Dennis Construction Co., for the paving and otherwise improving of the Alley in Block 1 Ocean Front, within the limits and as particularly described in Resolution of Intention No. 114247, 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. 115616, recorded on Microfilm Roll No. 73, accepting bid of R. E. Hazard Contracting Co., a corporation, and awarding contract for the paving and otherwise improving of 33rd Street, within the limits and as particularly described in Resolution of Intention No. 114137, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The City Engineer reported in writing that the low bid is 6.2% below the estimate.

RESOLUTION OF AWARD NO. 115617, recorded on Microfilm Roll No. 73, accepting bid of San Diego Gas & Electric Company and awarding contract for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 1, for a period of one year from and including December 1, 1953, to and including November 30, 1954, in accordance with Engineer's Report and Assessment filed September 4, 1953 in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 115618, recorded on Microfilm Roll No. 73, accepting bid of San Diego Gas & Electric Company and awarding contract for the furnishing of electric current for the lighting of the ornamental street lights located in Logan Avenue Lighting District No. 1, for a period of one year from and including November 16, 1953, to and including November 15, 1954, in accordance with Engineer's Report and Assessment filed August 28, 1953 in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 115619, recorded on Microfilm Roll No. 73, accepting bid of San Diego Gas & Electric Company and awarding contract for the furnishing of electric current for the lighting of the ornamental street lights located in Montemar Lighting District No. 1, for a period of one year from and including December 16, 1953, to and including December 15, 1954, in accordance with Engineer's Report and Assessment filed September 4, 1953 in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

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RESOLUTION OF AWARD NO. 115620, recorded on Microfilm Roll No. 73, accepting bid of San Diego Gas & Electric Company for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Highway Lighting District No. 1, for a period of one year from and including November 5, 1953 to and including November 4, 1954, in accordance with the Engineer's Report and Assessment filed in the office of the City Clerk August 28, 1953, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115621, recorded on Microfilm Roll No. 73, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Arbor Street; approving Plat No. 2542 showing the exterior boundaries of the district to be included in the assessment for the work and improvement; directing the City Clerk upon passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115622, recorded on Microfilm Roll No. 73, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Haines Street; approving Plat No. 2538 showing the exterior boundaries of the district to be included in the assessment for the work and improvement; directing the City Clerk upon passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115623, recorded on Microfilm Roll No. 73, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of 17th Street; approving Plat No. 2540 showing the exterior boundaries of the district to be included in the assessment for the work and improvement; directing the City Clerk upon passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 115624, for the paving and otherwise improving of the Alley in Block A First Addition to Ocean Front, within the limits and as particularly described in Resolution of Intention No. 114742, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 115625, recorded on Microfilm Roll No. 73, 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, 1954, to and including February 14, 1955, in accordance with Engineer's Report and Assessment filed October 23, 1953 in the office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 115626, recorded on Microfilm Roll No. 73, 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, 1954, to and including January 31, 1955, in accordance with Engineer's Report and Assessment filed October 23, 1953 in the office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115627, recorded on Microfilm Roll No. 73, 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, 1954, to and including December 31, 1954, in accordance with Engineer's Report and Assessment filed October 9, 1953 in the office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115628, recorded on Microfilm Roll No. 73, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Eighth Avenue Lighting District No. 1, for a period of one year from and including January 1, 1954 to and including December 31, 1954, in accordance with Engineer's Report and Assessment filed October 9, 1953 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115629, recorded on Microfilm Roll No. 73, 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, 1954 to and including January 14, 1955, in accordance with Engineer's Report and Assessment filed October 9, 1953 in the office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 115630, recorded on Microfilm Roll No. 73, for the paving and otherwise improving of Everts 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. 115631, recorded on Microfilm Roll No. 73, for the paving and otherwise improving of 44th Street and Olive 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. 115632, recorded on Microfilm Roll No. 73, for the paving and otherwise improving of 68th 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. 115633, recorded on Microfilm Roll No. 73, for the installation of sewer mains, etc., in Roanoke Street, Rachael Avenue and Morning-side 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. 115634, recorded on Microfilm Roll No. 73, 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, 1954, to and including May 31, 1955, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 115635, recorded on Microfilm Roll No. 73, for the furnishing of electric current for the lighting of the ornamental street lights located in Collwood Lighting District Number One, for a period of one year from and including June 1, 1954, to and including May 31, 1955, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 115636, recorded on Microfilm Roll No. 73, for the closing of Unnamed Street, County Road Survey No. 1220, as more particularly set forth in said Resolution, finding 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 Godfrey, adopted.

RESOLUTION NO. 115637, recorded on Microfilm Roll No. 73, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Hermosa Lighting District No. 1, for a period of one year from and including May 1, 1954, to and including April 30, 1955, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115638, recorded on Microfilm Roll No. 73, appointing time and place for hearing protests and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 4, for a period of one year from and including April 1, 1954, to and including March 31, 1955, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 115639, recorded on Microfilm Roll No. 73, for the paving and otherwise improving of portions of Arbor Drive, 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. 115640, recorded on Microfilm Roll No. 73, for the paving and otherwise improving of Haines Street, within the limits

and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 115641, recorded on Microfilm Roll No. 73, for the paving and otherwise improving of 17th Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115642, recorded on Microfilm Roll No. 73, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of the Alley in Block 3 City Heights, within the limits and as particularly described in Resolution of Intention No. 113379 and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115643, recorded on Microfilm Roll No. 73, 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 Dwight Street and Wilson Avenue, within the limits and as particularly described in Resolution of Intention No. 113492 and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115644, recorded on Microfilm Roll No. 73, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of E Street, within the limits and as particularly described in Resolution of Intention No. 113381 and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115645, recorded on Microfilm Roll No. 73, 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 Haines Street, within the limits and as particularly described in Resolution of Intention No. 113382 and to be assessed to pay the expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115646, recorded on Microfilm Roll No. 73, adopting the recommendation of the City Engineer, filed in the office of the City Clerk on December 2, 1953, under Document No. 481202; authorizing the City Engineer to amend the proceedings for improvement of Wells Street in accordance with said recommendation, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115647, recorded on Microfilm Roll No. 73, adopting the recommendation of the City Engineer filed in the office of the City Clerk on December 2, 1953, under Document No. 481201; authorizing the City Engineer to amend the proceedings for the improvement of portions of Morrell Street, Emerald Street, Hornblend Street and Noyes Street, in accordance with said recommendation, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115648, recorded on Microfilm Roll No. 73, abandoning proceedings and rescinding Resolution No. 111083 adopted by the Council on January 13, 1953, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

(Although the Resolution does not so state, the Resolution has to do with deleting of the storm drain in the Noyes Street from the proceedings).

RESOLUTION NO. 115649, recorded on Microfilm Roll No. 73, granting petition contained in Document No. 479822 for the paving and otherwise improving of the Alley in Block 19 Lexington Park; directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the paving and otherwise improving; directing the City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 110144 for the improvement of Modesto Street, Juniper Street, Laurel Street, Sumac Drive, Olive Street, Maple Street and Columbine Street, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115650, recorded on Microfilm Roll No. 73, granting petition for the paving and otherwise improving of the Alleys in Block 3 Alhambra Park; directing the City Engineer to furnish description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115651, recorded on Microfilm Roll No. 73, granting petitions contained in Documents Nos. 480782 and 477918 for the paving, etc., of Alley Blk 2 Bartlett Estate Company's Subdivision, and the North and South Alley, between C Street and Broadway, 25th and 26th Streets; 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 Wincote, adopted.

RESOLUTION NO. 115652, recorded on Microfilm Roll No. 73, granting petition contained in Document No. 477746 for the paving and otherwise improving of the Alleys in and adjoining Block 16 Bird Rock City by the City, and Block 2 Bird Rock Addition; directing the City Engineer to furnish description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115653, recorded on Microfilm Roll No. 73, granting petition contained in Document No. 480848 for the improvement of the Alley in Block 102 Central Park; directing the City Engineer to furnish description of the assessment district and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115654, recorded on Microfilm Roll No. 73, granting petitions contained in Documents Nos. 480419 and 480420 for the paving and otherwise improving of the Alleys in Blocks 226 through 233 Mission Beach; directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be 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. 115655, recorded on Microfilm Roll No. 73, granting petition contained in Document No. 479823 for the paving and otherwise improving of the Alley in Block 2 Mountain View Subdivision and Block 15 Fairmount Addition; directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115656, recorded on Microfilm Roll No. 73, granting petitions contained in Document No. 480783 for the paving and otherwise improving of the Alley in Block 22 Ocean Beach; 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 thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115657, recorded on Microfilm Roll No. 73, granting petitions contained in Documents Nos. 479824 and 480784 for the improvement of the Alleys in Block 3 Ocean Front and in Block 4 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 of said improvement, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115658, recorded on Microfilm Roll No. 73, granting petition contained in Document No. 480849 for the paving and otherwise improving of the Alley in Block 44 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 thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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RESOLUTION NO. 115659, recorded on Microfilm Roll No. 73, granting petition contained in Document No. 480521 for the paving and otherwise improving of the Alley in Block 83 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 thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115660, recorded on Microfilm Roll No. 73, granting petition contained in Document No. 478930 for the paving and otherwise improving of the Alley in Block 14 F. T. Scripps Addition and the Alley adjacent to Lots 1 through 6 Block 2 Corcoran's Subdivision; directing the City Engineer to furnish the Council with a description of the Assessment District, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115661, recorded on Microfilm Roll No. 73, amending proceedings contained in Resolutions Nos. 111945 and 114272 for the paving and otherwise improving of portions of Logan Avenue and Florence 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115662, recorded on Microfilm Roll No. 73, granting petition contained in Document No. 479825 for the grading and paving, etc., of 29th 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.

Resolution ratifying, confirming and approving sub-lease between the Standard Oil Company of California, sub-lessor, and John Criner, sub-lessee, of a tidelands lease was presented. Said lease covers property previously leased to Ryan School of Aeronautics on or about the 31st day of July, 1947, then assigned to Standard Oil Company of California.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was continued to the Council Meeting of Thursday, December 10, 1953.

Communication from the Harbor Commission, signed by John Bate, Port Director, requesting adoption of Resolution authorizing work for contractual assistance in installing street lighting at the north end of Shelter Island by appropriate City forces, was presented.

RESOLUTION NO. 115663, recorded on Microfilm Roll No. 73, authorizing and empowering the Port Director to do all the work in connection with Contractual Assistance in installing street lighting at the north end of Shelter Island by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution states 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.

Proposed Resolution authorizing execution of application and agreement and submission to the State for acceptance and requesting inclusion of all eligible employees in the Public Agency in agreement between the State and the Federal Security Administrator for coverage under insurance system established by Title II of the Federal Social Security Act, was on motion of Councilman Godfrey, seconded by Councilman Schneider, continued until later in this meeting.

By a later motion, the matter was continued until Thursday, December 10, 1953.

RESOLUTION NO. 115664, recorded on Microfilm Roll No. 73, stating that it is the intention of the Council to follow the recommendation of the City Manager and Director of the Water Department, and award the contract for the furnishing and delivering of Catalina Pumping Plant Remote Control Equipment (Specification No. 79, Housing & Home Finance Agency Project Calif. 4-CR-27) to The Bristol Company, Waterbury, Connecticut, the only bidder for furnishing said equipment, at the lump sum price set forth in its bid - \$853.00, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution, in addition to reciting the facts relative to the receiving of bids, their reference to the City Manager and Director of the Water Department, states that the City Manager and Director of the Water Department have recommended acceptance of bid as stated above.

RESOLUTION NO. 115665, recorded on Microfilm Roll No. 73, declaring that the Council is of the opinion that the property owners of The City of San Diego should not be obligated to pay by taxation or otherwise the cost of any lines constructed by the County Water Authority which do not directly serve the needs of the water consumers of The City of San Diego, or to some extent and degree actually benefit the property owners of City; that representatives of The City now on the Board of Directors of the County Water Authority should be so advised that it is the policy of the Council that no service lines should be constructed at the expense of the San Diego County Water Authority to serve agencies within the authority unless the lines will either serve consumers within The City of San Diego or be of direct benefit to the City so that there is a moral as well as a legal obligation on the part of the property owners within the City to pay a proportionate share of the cost thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115666, recorded on Microfilm Roll No. 73, approving and ratifying action of the City Manager in accepting conditions proposed in letters signed by W. M. Robertson, Major General, USA (Ret), Director of Civil Defense, described in detail in said Resolution, in connection with applications of The City of San Diego for reimbursement of 50% of the actual cost of material and supplies to be used by the City in police service in connection with program of the State of California for Civil Defense purposes, and the agreement of the City Manager and The City as a condition to such reimbursement will comply with all conditions and procedures set forth in FCDA Regulations, Part 1701; authorizing and directing the City Auditor and Comptroller to transfer \$8,000.00 from the Unallocated Reserve Account to the Allocated Reserve Account of Civil Defense Fund, Department 85.00, for the purpose of providing funds for purchase of police equipment (set forth in said Resolution) for Civil Defense purposes, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115667, recorded on Microfilm Roll No. 73, authorizing and empowering the City Manager to enter into contract for and on behalf of The City of San Diego with Luie B. Butterfield and Edna L. Butterfield, husband and wife, and Furlow & Associates, a corporation, 5105 El Cajon Boulevard, San Diego, subdividers of Furlow Heights Unit No. 3, providing for installation of water mains and appurtenant structures in said subdivision and for reimbursement by the City to the subdividers of \$364.90 for difference in cost of water mains and appurtenances required to be installed in the subdivision and the larger size required by the City, upon execution and delivery to the City of a Quit-claim Deed conveying to the City all of the right, title and interest in the subdividers in and to the water distribution system in said subdivision, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115668, recorded on Microfilm Roll No. 73, authorizing and empowering the City Manager to do all the work in connection with construction of a storm drain in Block 2 Villa Tract La Jolla Park, northerly of Soledad Avenue and Crespo, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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

RESOLUTION NO. 115669, recorded on Microfilm Roll No. 73, authorizing and directing the City Manager to install a 600-candle power overhead street light at the northerly end of Virginia Way, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115670, recorded on Microfilm Roll No. 73, 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:

- B Street between the east line of 13th Street and the west line of 14th Street;
- 14th Street between the south line of B Street and the north line of C Street;

establishing parking meter zones; directing the City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of the necessary signs and markings on said streets, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115671, recorded on Microfilm Roll No. 73, 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:

- Fourth Avenue between the south line of Island Avenue and the north line of J Street;

authorizing establishments of parking meter zones; 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 Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115672, recorded on Microfilm Roll No. 73, 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:

Both sides of Girard Avenue between Kline Street and Torrey Pines Road;
authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115673, recorded on Microfilm Roll No. 73, establishing a one-way street:

Ray Street, between University Avenue and Wightman Street, for south bound traffic;
Ray Street, between Upas Street and Wightman Street, for north-bound traffic;
declaring the intersection of said streets to be an "Intersection Stop";
Declaring Ray Street and Wightman Street, affecting traffic in all four directions to be a four-way stop;
authorizing and directing installation of the necessary signs and markings;
Authorizing the City Manager to restore the southwest corner of University and Ray Street to its former condition and to move the parking meters on Ray Street between University and Wightman Street to the opposite end of the stalls to conform to the change in the direction of traffic; With appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115674, recorded on Microfilm Roll No. 73, approving request of W. V. Hutchison, dated November 20, 1953, contained in Change Order No. 1, for extension of 90 days, to and including March 21, 1954, heretofore filed with the City Clerk as Document No. 481462 in which to complete contract for installation of Small Water Main Replacements, Group VIII, contract contained in Document No. 470457; extending time of completion to March 21, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115675, recorded on Microfilm Roll No. 73, approving request of W. V. Hutchison, dated November 20, 1953, contained in Change-Order No. 2, for extension of 30 days to and including December 25, 1953, heretofore filed with the City Clerk as Document No. 481464, in which to complete contract for installation of Small Water Main Replacements, Group V, which contract is contained in Document No. 465035 on file in the office of the City Clerk as Document No. 465035; extending time of completion to December 25, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115676, recorded on Microfilm Roll No. 73, declaring contract dated October 31, 1952, by and between The City of San Diego and the Ace House Moving and Construction Company to be a breach of contract by the contractor for failure to perform contract to wreck and remove the former Officers' Club Building and former Enlisted Men's Club Building at Camp Callan, which contract provided for completion of the wrecking and removal in not more than 120 days from commencement of work, which commencement was to be within 10 days after execution of the contract; that since commencement of the work and although the City has repeatedly demanded completion the contractor has failed and refused to complete the work under the contract; that the City Attorney is authorized to institute action for damages on the faithful performance bond issued by the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115677, recorded on Microfilm Roll No. 73, 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 portion of Lot 78 of Rancho Mission of San Diego, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on said property be cancelled; that the Property Supervisor be authorized and directed to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115678, recorded on Microfilm Roll No. 73, 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 portion of Judson's

Subdivision, Lots 15 & 16 Fairbain's Subdivision of Judson's Orange Hill Park Reserve, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on said property be cancelled; that the Property Supervisor be authorized and directed to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115679, recorded on Microfilm Roll No. 73, 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 22 Block 8 Hillcrest, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on said property be cancelled; that the Property Supervisor be authorized and directed to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115680, recorded on Microfilm Roll No. 73, authorizing the City Manager to accept the revocable permit granted by the United States of America, acting by and through the Public Housing Administration to The City of San Diego of a certain portion of Housing Project Cal-4992 "Linda Vista", for the purpose of carrying on a municipal recreation program, to be effective as of November 30, 1953, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115681, recorded on Microfilm Roll No. 73, authorizing Lieut. A. E. Christian, of the Traffic Division, Police Department, to attend the Traffic Law Enforcement - Administration and Techniques Course, to be held at the University of Southern California, Los Angeles, from January 25, 1954 to February 5, 1954; authorizing the incurring of all expenses necessary in connection with said trip and course, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115682, recorded on Microfilm Roll No. 73, accepting Quitclaim Deed executed on the 20th day of November, 1953, by The United States National Bank of San Diego, a national Banking Association, 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 Collwood Terrace Units Nos. 1 & 2, more particularly described in said Resolution; authorizing and directing the City Clerk to file said deed together with certified copy of said Resolution for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115683, recorded on Microfilm Roll No. 73, accepting deed of Union Title Insurance and Trust Company, bearing date November 4, 1953, conveying portion of Lot 23 The Highlands; setting aside and dedicating the same to the public use as and for a public street, and naming the same Main 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. 115684, recorded on Microfilm Roll No. 73, accepting deed of Union Title Insurance and Trust Company, bearing date November 20, 1953, conveying portion of Lot 1 Block 1 Rosedale, and a portion of Lot 78 Rancho Mission of San Diego, also affecting portion of unnamed street adjacent to said Lot 9; setting aside and dedicating the same to the public use as and for a public unnamed street; 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. 115685, recorded on Microfilm Roll No. 73, accepting deed of Union Title Insurance and Trust Company, bearing date November 23, 1953, conveying portion of Lot 1 Block 1 Rosedale, and Lots 8 and 9 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. 115686, recorded on Microfilm Roll No. 73, accepting deed of J. W. Blackman and Faye A. Blackman, bearing date November 4, 1953, conveying portion of Lot 10 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.

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RESOLUTION NO. 115687, recorded on Microfilm Roll No. 73, accepting partial reconveyance executed by Union Title Insurance and Trust Company, quitclaiming portion of Lot 10 The Highlands; authorizing and directing the City Clerk to file said partial reconveyance 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 following ordinance, which had been introduced at the meeting of December 1, 1953, was reviewed by the Mayor.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the reading of said Ordinance 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. 5877 (New Series), amending the San Diego Municipal Code by amending Section 101.0203 and by adding thereto Sections 101.0205, 101.0206, 101.0207, 101.0208 and 101.0209 relating to Zoning Procedure - Requirements, Commencement, Hearing Before Planning Commission, Hearing Set Before City Council, Action by City Council, Determination of Restrictive Zone - was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman None.
Kerrigan

Councilman Kerrigan was excused from the meeting.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the next ordinance was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

The reading of said Ordinance was dispensed with, on motion of Councilman Wincote, seconded by Councilman Godfrey, 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. 5878 (New Series), appropriating \$3,300.00 out of the Unappropriated Balance Fund for the purpose of providing funds for purchase of Kensington Branch Library from the County of San Diego, together with necessary expenses connected with the relocation of the present Normal Heights Branch Library in the new Library Building, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the next ordinance was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

The reading of said Ordinance was dispensed with, on motion of Wincote, seconded by Godfrey, by the 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. 5879 (New Series), recorded on Microfilm Roll No. 73, appropriating the sum of \$1,750.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for construction of a storm drain in Virginia Way near Torrey Pines Road, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Dail, Wincote, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the next ordinance was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

The reading of said Ordinance was dispensed with, on motion of Councilman Schneider, seconded by Councilman Godfrey, by the 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. 5880 (New Series), recorded on Microfilm Roll No. 73, appropriating the sum of \$1,685.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds to pay the City's contribution toward the cost of the improvement of Beta Street, under 1911 Street Improvement Act Proceeding, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Kerrigan, Wincote

On motion of Councilman Wincote, seconded by Councilman Godfrey, the next ordinance was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

The reading of said Ordinance was dispensed with, on motion of Councilman Wincote, seconded by Councilman Godfrey, by the 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. 5881 (New Series), recorded on Microfilm Roll No. 73, approp-

riating the sum of \$900.00 from the Traffic Safety Fund, for the purpose of providing funds for purchase of 100 3-baffle traffic signal louvers required in connection with "Wait-Walk" Traffic Signals, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the next ordinance was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

The reading of such Ordinance was dispensed with, on motion of Councilman Godfrey, seconded by Councilman Wincote, by the 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. 5882 (New Series), recorded on Microfilm Roll No. 73, appropriating the sum of \$1,650.00 from the Unappropriated Balance Fund, and transferring the same to the Elections Account, City Clerk's Department Fund (Fund 03.02) for the purpose of providing funds for expenses incurred in connection with the validation of signatures on the fluoridation referendum petition, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan. CO

Ordinance prohibiting right turns for southbound traffic on Pacific Highway into Congress Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Kerrigan.

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

RESOLUTION NO. 115688, recorded on Microfilm Roll No. 73, granting property owner permission to improve portion of Cambridge Street by private contract, in accordance with Document No. 480532, and on conditions set forth in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Councilman Kerrigan requested, and was granted, unanimous consent to present the next matter not listed on the agenda:

Councilman Kerrigan handed in a telegram "unsigned", stating that the San Diego Kiwanis Club opposing pending ordinance which will impose health inspection fee of \$1.00 per gum machine per year, inasmuch as said Club sponsors 28 of the machines, proceeds of which go for youth activities, on which \$150 is annual revenue - and tax of \$28 would be exorbitant.

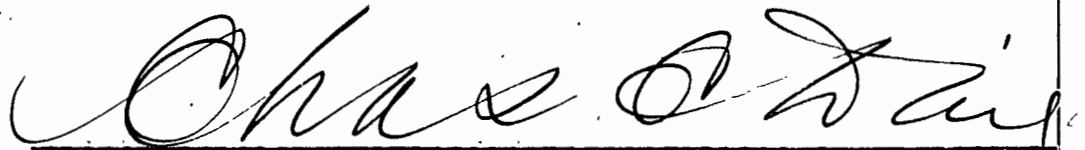
Said telegram was "presented for the file".

On motion of Councilman Schneider, seconded by Councilman Godfrey, the Council took a recess until the hour of 11:55 o'clock A.M.

Upon reconvening, at the hour of 12:13 o'clock Noon, the roll call showed the following:

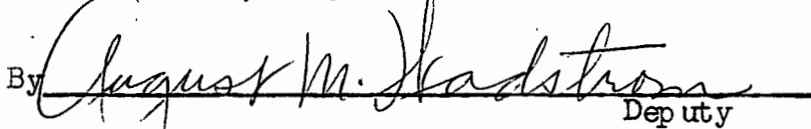
Present--Councilmen Kerrigan, Dail, Mayor Butler.
Absent---Councilmen Burgener, Wincote, Schneider, Godfrey.

No items were considered, and the Council adjourned the meeting immediately, there being no quorum present.



Vice Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

115688
5882 N.S.

REGULAR MEETING

Chamber of the Council of The City of San Diego, Calif-
ornia; Thursday, December
10, 1953

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

The next matter was considered by the Council at this time, out of order as listed on the agenda:

Proposed Resolution (which had been before the Council on December 8, 1953) having to do with Standard Oil Company sublease was presented.

Carl Reusch, representing the Harbor Department, told the Council that the rental is low - on the service station on Pacific Highway at Laurel Street - is low, that business had not reached the minimum provided for. It is not a good operation, he stated. The business is mostly for the benefit of employees of Ryan, according to Mr. Reusch.

Councilman Godfrey entered the meeting at this time..

Answering Councilman Schneider, Mr. Reusch agreed that the City through the Harbor Department, is competing to a gree with another operating. He stated that the proposal covering operation of a washrack is an existing service.

Councilman Burgener pointed out that if the station increases its gallonage, the City will receive more rent. There is no objection, he added.

Mr. Reusch re-iterated that it is not a good station.

RESOLUTION NO. 115689, recorded on Microfilm Roll No. 73, ratifying, confirming and approving sub-lease entered into between the Standard Oil Company of California, sub-lessor, and John Criner, sub-lessee, covering portion of property previously leased to Ryan School of Aeronautics on or about the 31st day of July, 1947, which lease was assigned to Standard Oil Company of California on or about the 28th day of August, 1952, a copy of which is on file in the office of the City Clerk under Document No. 481283 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 proposed ordinance incorporating portion of Lot 72 Rancho Mission into "CP" and "C" Zones, as defined by the Municipal Code, and repealing Ordinance No. 5252 (New Series), adopted 1 1952, insofar as it conflicts - which had been introduced on November 17, 1953 - the Council adopted the following Resolution:

RESOLUTION NO. 115690, recorded on Microfilm Roll No. 73, referring back to the Planning Commission the proposed Ordinance incorporating portion of Lot 72 Rancho Mission into "CP" and "C" Zones, for consideration of an "M-1A" Zone in connection therewith, 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 1, 2, 3, 4, 7, 8, 9, 10 Hoitt's Addition into "C" Zone, as defined by the Municipal Code, and repealing Ordinances - which had been introduced on November 17, 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.

Glenn A. Rick, City Planning Director, told the Council that the proposed zoning is a continuance of the existing C Zone.

The reading of the next ordinance in full prior to its 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. 5893 (New Series), recorded on Microfilm Roll No. 73, incorporating portions of Blocks 1, 2, 3, 4, 7, 8, 9, 10 Hoitt's Addition into "C" Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 12795 adopted April 14, 1930 and Ordinance No. 13216 approved May 18, 1931, insofar as the same conflict, 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--Councilmen None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing Pacific Beach area citizens relative to completion of the Pacific Beach Recreation Center, the Mayor invited Mr. Lafferty to be heard.

Leonard Lafferty spoke in behalf of Pacific Beach Town Council, was heard. He stated that he feels there is insufficient recreational facilities for the great number

youth. There is a need in the area for additional facilities, and asked the City to review the situation.

Councilman Burgener asked Mr. Lafferty for figures.

The question was not answered.

Next, Charles Morgan was heard, during which he read a prepared statement relative to the small recreation facilities. They had been erected to serve a third of the number of people now served, he declared. He told of City appropriation for portion of the constructed. Mr. Morgan opposed a piece-meal construction, and spoke for earmarking of funds until facilities can be developed as a unit. He told of collection made for funds. He filed the communication which he had read.

The Mayor complimented the Pacific Beach Town Council for its interest in the problem, and for having sponsored the collection of funds for the recreation improvement. He told of reasons why the work, as requested, can't be done everywhere. The Mayor spoke of having arranged a conference with the Park and Recreation relative to the all-City need. The time is right to do something, he declared.

The Reverend Quentin P. Garman reviewed the number of children and the condition of delinquency which he considered bad. There is a necessity for development to attempt to correct the situation, he declared. He spoke of appreciating what has been done, but pointed out that the present facilities are inadequate. Rev. Garman spoke of the 4 gathering places for juveniles in the area, and told the Council that they are not proper areas for juveniles. Facilities for basket ball tournaments were and are inadequate, he declared, as he related that he has taken his basket ball team away from Pacific Beach for their games.

Councilman Dail reviewed the juvenile activities constructed under the Lanham Act.

Rev. Garman told of the need for a gathering place for the youngsters.

Councilman Burgener admitted that the Council cannot provide adequate facilities, but that the City is going into the overall program.

Rev. Garman spoke of having many recreation programs.

Councilman Godfrey said that it is unfortunate that the Council does not hear of these things from more persons. He indicated that it is not lack of interest on the part of the Council, but that it is a budget problem. Councilman Godfrey pointed out that at budget time there is a cry to keep the budget down, while in December there is a call for additional services. He recommended that comments requesting additional facilities be made at budget time, but emphasized that would provide for the levying of additional taxes.

Councilman Kerrigan said that the budget is made up by departments, under the City Manager. He told of the method of preparing the budget.

Councilman recognized that that it is a community-wide problem. He was not advocating a mad race for facilities in various city areas, he added.

Mr. Morgan told the Council that the problem had been on its agenda for years.

The Mayor told the speakers that the conference has been set for today.

RESOLUTION NO. 115691, recorded on Microfilm Roll No. 73, referring to Council Conference communication from the Pacific Area Recreation Committee relative to completion of the Pacific Beach Recreation Center, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of W. H. Comley from the decision of the Zoning Committee in denying request for a garden shelter with a zero setback on Lot 7 and 30 feet of Lot 6 Block H' Resub of Villa Tract of La Jolla Park, 7644 Pepita Way, in Zone, the report from the Zoning Committee, signed by D. E. South, relative to requests for zero setback and zero side yard, was read.

Glenn A. Rick, City Planning director, showed a map of the area, and plan of the property with its proposed development. There is a uniform setback along the street, he declared. Mr. Rick told the Council that the Comleys want a rumpus room or patio in their front yard. What was asked would constitute a first violation, he declared.

A man whose name was understood to be Duherot, told the Council that the building proposed is for protection from the elements. The Comleys want to have something nicer than is permitted, he declared, and told the Council that there would be no enclosure. He also related that portable umbrellas and cabanas would be allowed. The speaker stated that the proposal would be only an Alcenite roof as a shelter, but into the bank. It is for protection, he said.

Mr. Rick said that it is a violation of the front yard requirements. He read the application, and states that it does not prove unusual circumstances and hardship, as required. He told of not permitting porches in the front yard.

Councilman Burgener said that it is not a question of reduction of property values in the area.

Mr. Rick said he could not answer the matter suggested by Councilman Burgener. If granted with Alcenite it would be one thing; but if a shingle roof is proposed he could not recommend it, Mr. Rick said.

Mrs. Comley was heard at this time, saying that there are hedges on both sides of the property.

Councilman Schneider said that he could not support the request which could injure anyone else, or is not permitted for anyone else.

Councilman Wincote said that the steep hill and the contour of the property makes the situation something that the Council should see.

Councilman Dail said that he thinks the Planning Commission should take pictures, which could be done quickly with a Polaroid camera, of the various requests, for showing to the Council.

Councilman Wincote said he thought the Council should look at the property.

Councilman Schneider indicated an interest in the first opening for other violations.

Councilman Wincote contended that contour of the land would determine the situation.

The matter was held temporarily, to see if there was available in the Planning Department's files.

(Although there was a lapse of time between the hearing, and the report from the Planning Department, the matter is shown here rather than later, in order to keep the subject together).

Mr. Rick reported to the Council, after having had the matter checked, that a picture of the property does not exist.

On motion of Councilman Wincote, seconded by Councilman Ierrigan, the appeals of W. H. Comley relative to the setback and to the sideyard, were both continued to the meeting of Thursday, December 24, 1953.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of H. L. Pence, agent for Adm. George Murray (ret.) and Mrs. Murray, owners, Douglas and Katherine McKellar, purchasers, from the decision of the Zoning Committee in denying permission to split a portion of Pueblo Lot 1285, also known as Arbitrary Lot 5 Assessor's Map 33-A, and a portion of Block L Resubdivision of Villa Tract La Jolla Park No. 1535, was considered at this time. A single-family residence is proposed for each parcel, at the east end of Amalfi Street dedicated, in Zone R-1.

The detailed report of the Zoning Committee, signed by D. E. South, was presented and read. Among other things, it says that of a possible 28 signatures in the 300-foot area, the purchaser obtained 3 signatures, 1 of which was withdrawn before the meeting. It states that the Committee discussed the possibility of obtaining additional signatures, but the purchaser said he was unable to secure any more. The report states that a zone variance was granted October 20, 1948, permitting construction of a single-family residence and garage on portion of the parcel with 41.27-foot frontage on a dedicated street and with approximately 140 feet facing on a 30-foot easement (parcel known as Arbitrary Lot 5 of Assessor's Map No. 33). The report says it is realized that a number of similar variances had been granted in the area and considered the application with due deliberation. It says, further, that because of lack of signatures approving the application and the policy that the Zoning Committee has acted on for the past year on the division of the undivided land, it had denied the application by a vote of 3 to 0. That report was read to the Council.

Glenn A. Rick, City Planning Director, showed to the Council a plat of the property and explained the situation. It is on a private, undedicated road, he declared. He showed from the plat what is wanted. He told of previous zone variance, and metes and bounds description.

Discussion, over the plat, followed.

Councilman Wincote pointed out that Amalfi is dedicated up to the corner, which would give access.

Mr. Rick said that Admiral Murray would need a variance to permit the building, and stated that a map should be filed.

Capt. H. L. Pence, speaking in behalf of Admiral Murray, explained the existing condition.

Then where was a conference held by members of the Council, Mr. Rick, and the appellants.

Councilman Wincote asked if metes and bounds is not wanted. He spoke of trouble resulting from that method, and said that the appellants can accomplish the same thing by filing a subdivision map.

There was discussion, by several at once, over the situation.

Admiral Murray said that he thinks it would have been granted by the Zoning Committee, if it had been presented properly. All the affected property owners approve, he declared, and added that it would be a large area.

Answering Councilman Wincote, Mr. Rick said that he would recommend the division of the property, if the appellants file the map.

Admiral Murray contended that he would be forced to file a map.

There was discussion over the matter of access on account of there being no dedicated street.

Capt. Pence said that there is a tax sale coming up on that property.

Admiral Murray told the Council that he has been trying to sell the property for 2 years.

Councilman Burgener asked about the cost involved in the filing of the map.

Mr. Rick replied that it depends on various circumstances.

Councilman Schneider asked about the dedication of Amalfi.

Councilman Godfrey discussed the situation, instead of the dedication matter being settled. He stated that the Council has been forced into the policy (of requiring maps), since it had been informed in every case that it is an isolated situation. The map is the right way, he declared.

Admiral Murray said that is a cumbersome manner.

Councilman Wincote announced that if the appellants do not file a subdivision map, he will vote against the variance.

Capt. Pence said that there has already been \$1100. assessed for the sewer.

Admiral Murray stated that he had purchased the entire piece of property, as 2 lots for 2 houses, 7 years ago. He said he would need to take off a portion of 1 parcel and add it to the other to make the property to make it buildable on account of the arroyo.

Councilman Burgener asked about the difficulties encountered relative to metes and bounds descriptions.

Councilman Dail was excused from the meeting at this time.

Mr. Rick went over the situation, for Councilman Burgener.

Capt. Pence said that he had consulted with Mr. Rick first regarding the problem, relative to a plan for putting the property into 3 lots. He had been told there would be no trouble over 2 lots.

Councilman Godfrey commented on question having been asked of Mr. Rick relative to the policy and to the survey. He said the survey could be included in the map, since it had been made recently and is available.

Commenting on time involved, Mr. Rick said that the map could be processed in 2 weeks. He added that much of Harry Haelsig's time is taken up on the housing sit-

uation, but that he felt time could be taken on this matter.

Councilman Schneider moved to deny the appeal.

On motion of Councilman Wincote, seconded by Councilman Wincote, the appeal was referred back to the Planning Department,

Petition of Roy E. Barnett, being application for permission to operate automobiles for hire (number not stated), was presented.

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

** The next matter listed on the agenda, being petition from proprietors of business establishments on Broadway between 8th and 12th Avenues, to permit parking on said street (which had been banned by a recent Council action), was held temporarily.

Petition of Geoffrey H. Gould, 4237 Orchard Avenue, San Diego 7, dated December 4, 1953, for "Stop" signs on Marragansett Avenue at intersections with Chatsworth and Catalina Boulevards, was presented.

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

Communication from March of Dimes, 3785 Fifth Avenue, San Diego 3, signed by Jerry Rudrauf, Campaign Director, dated December 7, 1953, was presented.

It states that it would be much appreciated if the March of Dimes could have permission to use the Plaza for 3 Saturdays during the 1954 Drive which commences January 2 - January 9, 16, 23 - 1954.

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

Councilman Dail returned to the meeting at this time.

Petition of property owners requesting rescinding of proceedings for the paving of A Street, between Edgemont and 32nd Streets, was presented.

Said petition was read to the Council. It states among other things, that some of the signers of the original petition did not understand that the improvement was for concrete, but believed that it was for a light coating or dust cap.

It says that the signers represent 75% of the owners of property fronting on the project.

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

** Petition of business operators on Broadway, between Eighth Avenue and Twelfth Avenue, stating that since Friday December 4, 1953, the City has prohibited the parking of automobiles, and that as a result the petitioners have suffered great economic detriment, was presented. It requests that the regulation prohibiting the parking of automobiles on Broadway between Eighth Avenue and Twelfth Avenue be rescinded.

Henry Bowman was heard in connection with the petition. He said that the first intimation that any of the affected businesses on Broadway had received was through the newspaper. As a result of the ruling prohibiting parking, business has dropped off some 75%, he stated. Mr. Bowman declared that there is no traffic block on Broadway, as alleged, except in the case of an accident. Traffic has been cut 50% on account of the parking ban, and on that account shoppers are now going northerly to North Park.

The previously-listed Minutes were for the item listed earlier, at the time it was presented. The matter was continued temporarily, to this time.

Upon resumption of the discussion, when James Reading, Traffic Engineer, had arrived, he told the Council that parking runs about 8 or 10 cars to the block on Broadway - due to the various loading zones and no parking zones - answering questions put by members of the Council.

The Mayor left the meeting at this time, and the duties of Chairman were assumed by Vice Mayor Charles C. Dail.

Mr. Bowman told the Council that he has heavy products in his establishment, which cannot be carried. He added that the parking ban has also cut down foot traffic.

Mr. Reading stated that the problem has been solved during peak by the prohibiting of temporary parking.

Councilman Schneider asked if enough is gained to warrant the drastic action.

Although it was not clear what meant, Mr. Bowman said that it is between 9 and 10 on the south side of the street - thought to be the number of cars which could be parked.

Councilman Wincote said that one of the worst parking conditions is created by buses on Broadway, at 12th Avenue.

Councilman Wincote wondered if the City could open up the parking between 8th and 11th Avenues.

Mr. Reading replied "yes".

Petitions
Communications
Hearing

Councilman Schneider averred that the City could reduce the restriction. Mr. Reading spoke about the parking being already prohibited between 3rd and 7th Avenues. The worst block is between 11th and 12th Avenues, he stated.

Mr. Bowman told the Council that he had asked all merchants if there were serious traffic blocks and all had said "no".

Councilman Kerrigan, however, stated that it had taken him about 20 minutes to get up Broadway.

RESOLUTION NO. 115692, recorded on Microfilm Roll No. 73, directing that parking meters on Broadway between 8th and 11th Avenues be placed in operation; that the City Manager and the Traffic Engineer be given power to act differently if conditions are found to warrant the same, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of storm drain in Balboa Avenue easterly of Pacific Highway, received November 27, 1953 from 9 bidders, in accordance with tabulation attached thereto, was presented. It recommended award to W. V. Hutchison, low bidder, in the amount of \$6,517.00 - being 18.5% below the estimate.

RESOLUTION NO. 115693, recorded on Microfilm Roll No. 73, accepting bid of W. V. Hutchison for construction of storm drain in Balboa Avenue; awarding contract, authorizing and instructing the City Manager to enter into and execute 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 Kerrigan, adopted.

RESOLUTION NO. 115694, recorded on Microfilm Roll No. 73, authorizing and directing the Purchasing Agent to advertise for sale and sell 23 1950 Ford 8-cylinder, 4-door sedans which the City Manager reports are no longer desirable for use or retention by the City - all as set forth in said Resolution - directing that all expenses connected with the said shall be deducted from the proceeds, 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 insofar as they relate to the Tentative and Final Maps of Muirlands Acres, was presented.

RESOLUTION NO. 115695, recorded on Microfilm Roll No. 73, suspending Sections 102.11-2, 102.18, 102.17-c of the San Diego Municipal Code in connection with the Tentative Subdivision Map of Muirlands Acres, 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 Muirlands Acres, subject to 9 conditions contained therein, was presented.

Fred Corey appeared in connection the the map's approval, but was not heard at this time.

Glenn A. Rick, City Planning Director, showed the Council the Commission's recommendation relative to restrictions. He told the Council that he would have recommendations, which could be overruled by the Council. Across the street the property has the same requirements, he stated.

Mayor Butler returned to the meeting at this time and resumed the duties of Chairman.

There was discussion between Mr. Rick and Corey.

Mr. Corey said that he will put in the improvements eventually, but does not want others to "ride" on the street and sidewalk and curb improvement made by him.

The Clerk read the conditions set forth in the recommendation of the Planning Commission.

Councilman Wincote said that when the street goes in it will result in a funny situation. He told about water running down the street from the watered trees. Two strips would be rather than a regular street, he stated. He spoke about there being hesitation to tear out the existing trees.

The Clerk continued to read the report, which had been interrupted.

Councilman Schneider said that there are 4 and 5 (on the recommendation) to which objections are being made relative to the paving. He wondered about objections to installation of drainage.

Mr. Corey that there is a natural drain. He contended that costs should be shared by others.

Speaking about grade, Councilman Wincote said that it would remain within a few inches.

Councilman Wincote moved to eliminate conditions relative to grading, paving, curbs, trees, drainage; also relative to payment for proportionate cost of sewer and water.

There was discussion by the City Manager relative to the method used, on account of connection charge. It becomes a matter of record when agreements are entered into relative to payment on large developments.

Councilman Kerrigan said he was "willing to vote.....", but the sentence was not completed.

Instead, the City Manager stated that in small projects, when project develops, individuals are asked to carry the cost unless they can get together with the

"other side".

Councilman Kerrigan said that he is willing to vote to eliminate the requirement for paving and curbs.

Mr. Corey gave an estimate of about \$20,000.00 for the mains.

Councilman Burgener said that the developer had originally asked for a variance by metes and bounds, and now he is being required to file a map, instead. He wanted to know who is to pay for sewer and water.

Mr. Corey told the Council that the developer would run individual lines to the existing service.

Councilman Wincote said that it is a peculiar situation. He asked Councilman if he sees anything wrong. (The question was not answered). He suggested looking at the property; and declared that the developer is not trying to evade anything.

Answering a question about property across the street, Mr. Corey said that there would be 7 lots.

Members of the Council looked at a map.

Mr. Corey pointed out that there is no paving or curbs in the area, inasmuch a country atmosphere is desired.

Councilman Wincote stated that Mr. Corey is high in his figures - for the mains.

The Mayor spoke of a complication which has arisen, relative to requirement for paving, etc.

Mr. Corey said that he does not want one thing on one side of the street, and not on the other.

Councilman Kerrigan stated that a subdivision had already been approved on the other side of the street, with more conditions.

Councilman Wincote spoke about a different character.

Councilman Kerrigan spoke again of the Tentative Map having been approved across the street.

What's required across the street? Councilman Godfrey asked.

Mr. Corey interjected an opinion by saying that the developers had just about given up, for the other area.

Councilman Godfrey stated that Councilman Kerrigan has a point regarding requirements under contract on the one side, but not on the other. Maybe if there is relief on the other side, he might be willing to ahead, he stated.

On motion of Councilman Dail, seconded by Councilman Kerrigan, the matter was continued one week - to Thursday, December 17, 1953.

Councilman Dail spoke about having to leave, for another engagement.

Councilman Godfrey said that the Council should recess the meeting to 3:30 or 4:00.

The Mayor said that he will return at 3:30.

Councilman Dail was excused from the meeting at this time.

Continuing, the City Manager spoke regarding water and sewer contribution, for the benefit of Mr. Corey. He told, also, about sizes of mains.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of Sections the San Diego Municipal Code insofar as they relate to the Tentative and Final Maps of portion of Pueblo Lot 104, was presented.

RESOLUTION NO. 115696, recorded on Microfilm Roll No. 73, suspending sections 102.07-5, 102.11-3, 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code, in connection with the Tentative Map of 3-lot subdivision of portion of Pueblo Lot 104, located at Catalina Boulevard, southerly of Rosecroft Lane, 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 subdivision of portion of Pueblo Lot 104 - recently rezoned from R-1C - subject to 9 conditions, was presented.

Fred A. Luscher, owner of the property, asked for elimination of the requirement for paving and the size of water main.

Councilman Wincote stated that neighbors have what is being recommended.

Jack D. VanCleave, of the Planning Department, told the Council that the City Engineer is attempting to be consistent in his recommendations and requirements. He said that the man to the east has been in talking about subdividing. Part of the street is not even dedicated, Mr. VanCleave declared.

Councilman Godfrey said that if the rest of the neighborhood does not want the improvements, it would be requiring more from Luscher according to the recommendation.

Councilman Wincote spoke about opposition to metes & bounds descriptions, and told about having advised Mr. Luscher to come back to the Council with a subdivision instead.

Answering Councilman Schneider, Mr. Luscher said that there are no curbs.

The City Manager told of the advantage of bringing the street to grade, in that property owners want to know what the elevation is.

12/10/53

Councilman Kerrigan, speaking on the point made by the City Manager, said that the grading could be done in 2 hours. He said he could not approve of the subdivision without the grading.

Mr. Luscher said that the paving, curbs, and water main as provided, are not desired.

Mr. VanCleave explained to members of the Councilmen over the map, relative to improvements. One neighbor has a 1" water main, he stated.

Councilman Wincote asked by Mr. Luscher should be penalized.

Councilman Burgener said that a 6" main, if required, would be for only 1 lot.

Councilman Godfrey said that the whole neighborhood should support the idea of a 6" main.

The City Manager said that the property becomes a marketable commodity. The subdivider is getting an advantage under the recommendation, he declared.

Councilman Godfrey was excused from the meeting.

Councilman Burgener said that a 6" line is not required.

Councilman Burgener spoke for deletion of the street, curb, and 6" water main from the requirements.

Councilman Kerrigan stated that he will not go along with the idea of eliminating the water main.

Mr. Luscher was willing to stipulate to a 2" water main, he stated.

Councilman Kerrigan stated that there will be other property to be served later.

Councilman Wincote seconded the motion of Councilman Burgener for deletion of the street, curb, 6" water main requirements from the Resolution of approval.

RESOLUTION NO. 115697, recorded on Microfilm Roll No. 73, approving the Tentative Map for subdivision of portion of Pueblo Lot 104 into 3 parcels at Catalina Boulevard, subject to 7 conditions (3 conditions which had been recommended by the City Planning Department having been deleted), was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Mayor Butler. Nays--Councilman Kerrigan. Absent--Councilmen Dail, Godfrey.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 3 sections of the Subdivision Ordinance in connection with the Tentative Map of Spindrift, a 6-lot subdivision of portion of Pueblo Lot 1281, was presented.

RESOLUTION NO. 115698, recorded on Microfilm Roll No. 73, suspending Sections 102.16-8, 102.18, 102.17-c of the Municipal Code in connection with the Tentative Map of Spindrift, a 6-lot subdivision of portion of Pueblo Lot 1281, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, approving Tentative Map of Spindrift, subject to 10 conditions, was presented.

RESOLUTION NO. 115699, recorded on Microfilm Roll No. 73, approving Tentative Map of Spindrift, subject to 10 conditions, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Application of La Jolla Development Co. for cabaret license at the La Jollan, 6363 La Jolla Blvd., La Jolla, was presented, together with recommendations for approval from the interested City departments, ~~was presented.~~

RESOLUTION NO. 115700, recorded on Microfilm Roll No. 73, granting permission to La Jolla Development Company to conduct a cabaret with paid entertainment at the La Jollan, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Application of E. E. Schultz for a Class "A" Dine and Dance License at "The Aztec", 2690 Balboa Ave., was presented, together with recommendations for approval from the interested City departments.

RESOLUTION NO. 115701, recorded on Microfilm Roll No. 73, granting application of E. E. Schultz for a Class "A" Dine and Dance License to conduct public dance at "The Aztec" 2690 Balboa Avenue, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Apartment Association of San Diego, Inc., signed by Paul M. Phillips, Pres., dated December 7, 1953, was presented. It states that the writer had been instructed by unanimous vote of the Board of Directors to suggest the name of Col. Thomas D. Drake, USA Ret., as a member of the Mission Bay Advisory Committee, was presented.

RESOLUTION NO. 115702, recorded on Microfilm Roll No. 73, referring to Council Conference communication from Apartment Association of San Diego, Inc., 499 West Broadway, requesting that ~~the name~~ of Col. Thomas D. Drake be named a member of the Mission Bay Advisory Committee, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The next matter, which had been before the Council on December 8, 1953, was continued on that date to this meeting.

It was a communication requesting that he be allowed to present his clients' contention that the area desired by them for a Trailer Park in the Ocean Beach, is not in Mission Bay Park, which was presented.

Attached to that communication was copy of one addressed by Col. Drake to O. W. Campbell, City Manager, on the same subject. Among other things, it states that it is beyond his understanding why a contract was made 3 years ago employing such terms as "Mission Bay Park Area", and "Mission Bay Park", and then an attempt made to apply the terms to the entire area, both north and south of the flood control area, when the only dedicated park is that area in the northeast quadrant of the project called "Mission Bay Park" owned by the State and leased to the City and presently occupied in part by the lessees of that contract. It states that it appears necessary that the Council take steps to define the general planning term "Mission Bay Area", and sets forth the area the writer believes should be embraced therein. Councilman Godfrey returned.

RESOLUTION NO. 115703, recorded on Microfilm Roll No. 75, referring to the City Attorney for conference with Thomas D. Drake, the matter of his letter addressed to the City Manager contending that the area desired by Col. Drake's clients for Trailer Park in Ocean Beach is not in the Mission Bay Park, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

After adoption of said Resolution, Col. Drake told the Council that he was representing clients interested in the area.

The Mayor stated that the City Attorney has advised that the land in question is in the Mission Bay Park, and that the Purdy lease was for the exclusive operation by the lessee.

Councilman Burgener asked who is the official body to determine the boundaries.

The Mayor replied that the City Attorney advises that the land in question is in Mission Bay.

Douglas D. Deaper, Deputy City Attorney showed a map dated 1945 delineating Mission Bay Park.

Councilman Godfrey was excused from the meeting.

Mr. Deaper told of the map on which the lease was executed by Mrs. Purdy. He said that there can be no question of violating the lease, if it is contended that the land in question by Col. Drake is not in Mission Bay Park.

Col. Drake said that no reference was made to property south of the Bay, relative to federal funds for flood control.

Councilman Godfrey returned to the meeting.

Col. Drake had a map which he exhibited, relative to what Mission Bay Park consists of in relation to the U.S.A. on account of flood control. He spoke of land which was produced regarding the State Park on account of the contract.

The Mayor pointed out to Col. Drake that his presentation should be made to the City Attorney. The Mayor stated that if the Colonel convinces the Attorney, that is one matter; if not, he would have to go to court.

Col. Drake gave his idea of a master plan, which he declared is not definite, but just a flexible guide. He read from the Charter about the requirement of publication of ordinances, which subject was not being discussed. He said that pursuant to the Charter the Council had adopted definition of the Mission Bay Park.

Mr. Deaper said that had been considered, and that ordinances relative to Mission Bay are for police regulation, and had nothing to do with an ordinance, contract, or lease negotiations.

The Mayor said again that he wanted Col. Drake to Confer with the City Attorney - J. F. DuPaul, City Attorney, and Douglas D. Deaper, Deputy City Attorney. The matter cannot be settled by the Council, he declared.

Councilman Wincote said that the area in question has been brought up time and time again.

The Roll was called on Resolution No. 115703.

Communication from Mrs. Traffic L. Lockridge, 3930 El Cajon Blvd., San Diego 5, dated December 4, 1953, was presented. It expressed opposition to a liquor license at 3938 El Cajon Boulevard, applied for by Bonnie J. and John Yelich to the State for the selling and serving beer at said premises.

The communication expresses several reasons why the applicants should not have the liquor license.

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

Communication from Clifford S. Maher, 1663 Sixth Ave., dated Dec. 7, 1953, favoring downtown plaza parking, as carried in the press, was presented. It relates that San Francisco and Los Angeles are examples of successful underground parking, and the world's largest underground parking garage under Chicago's Grant Park, will accommodate 2,359 vehicles. However, it does oppose an auditorium in connection with the underground plaza parking, but favors possible use of portion of the property as a "bus terminal". It adds that Washington, D.C. is planning for a downtown bus terminal and parking garage to cost \$85 million and is being built with private capital.

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

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Communication from Carroll Weldin, Rancho Santa Fe, Calif., headed "Why Not Locate Sewage Plant in Plaza", was presented. It opposes parking underground with auditorium above, and makes a variety of comments relative to this area's Spanish-American heritage, etc.

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

Communication from Willian B. Moeser, Secretary, San Diego County Democratic Central Committee, 109 E Street, Chula Vista, relative to appointment of Councilman Clair Burgener as public relations director of the Republican County Central Committee, was presented. It states that it is the opinion that a City Councilman holds a non-partisan position and should not accept a position as an officer or a chairman of a committee of any political party while serving on the Council.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said communication was referred to the Mayor and to the City Attorney.

Communication from San Diego Highway Development Association, 4479 Ingraham St., signed by Robert Apitz, Sec'y, dated December 7, 1953, was presented. It deals with need for adding mileage to the State Highway Road System in the City and County, etc.

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

Communication from J. Harvey Workman, 3046 Congress Street, San Diego 10, dated December 7, 1953, withdrawing objection to closing Alley in Block 376 et al. of Old San Diego, commonly known as Sonnichsen's Subdivision, was presented.

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

RESOLUTION ORDERING WORK NO. 115704, recorded on Microfilm Roll No. 73, for the closing of the Alley in Block 36 Marilou Park, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The next matter, having to do with a continued item authorizing application and agreements for submitting to the State for inclusion of eligible employees in agreement between the State and Federal Security Administration for coverage under the insurance system, etc., was held. The whole matter was considered, in detail, near the end of the meeting.

RESOLUTION NO. 115705, recorded on Microfilm Roll No. 73, declaring bid submitted by L. B. Butterfield for construction of sanitary sewer outfall in Muirlands (westerly section), from Muirlands Vista Way easterly to La Jolla Mesa Drive, to be the lowest bid received, that said Butterfield is the lowest, responsible and reliable bidder; that the Council rejects all bids received except said bid, and awards contract at a total estimated sum of \$40,990.70; authorizing and empowering the City Manager to execute for and on behalf of the City a contract with L. B. Butterfield, upon execution, delivery, filing and approval of bonds required, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115706, recorded on Microfilm Roll No. 73, 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:

Both sides of Sixth Avenue, between the north line of Robinson Avenue and the south line of University Avenue; establishing parking meter zones; directing the City Manager to cause parking meters to be installed and shall cause Parking Meter Spaces to be designated; authorizing installation of the necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115707, recorded on Microfilm Roll No. 73, authorizing and empowering the City Manager to do all the work in connection with the razing and filling of the abandoned Soledad Reservoir, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

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

RESOLUTION NO. 115708, recorded on Microfilm Roll No. 73, approving report of the City Engineer, dated November 12, 1953, together with plat or diagram, entitled

"Drawing No. 2262-D (Sewer Extension Plat No. 6)," showing tributary areas to three proposed Muirlands outfall sewers, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution states that under date of November 12, 1953, the City Engineer prepared report and plat or diagram, shown above, together with an estimated cost of such outfalls in the amount of \$104,500.00; that the City Manager has recommended that the report and plat or diagram be approved.

Two Resolutions having to do with issuance by the Public Utilities Commission of the State of California to the San Diego Transit System relative to bus lines in Clairemont and in Fairmount Park residential areas, were continued to the meeting of Tuesday, December 15, 1953.

RESOLUTION NO. 115709, recorded on Microfilm Roll No. 73, approving expenditure of \$350.00 from Major Property Purchases Account, Property Management Division Fund for purchase of portion of Lot 18 Block 22 Lexington Park, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115710, recorded on Microfilm Roll No. 73, granting permission to Mrs. Hazel Aker, 7660 Fay Avenue, La Jolla, to install a sewer line from 837 Kline Street, to connect with City main sewer on Fay Avenue, subject to approval of the Plumbing Inspection section, and sewer section of the Engineering Department, and upon conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115711, recorded on Microfilm Roll No. 73, approving bill of San Diego City and County Convention Bureau, bearing date December 7, 1953, in the sum of \$1014.97 for expenses incurred; authorizing requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1953-54 for said sum, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115712, recorded on Microfilm Roll No. 73, approving claim of Maria Fielding, on file in the office of the City Clerk under Document No. 480871 in the amount of \$13.04; directing the City Auditor and Comptroller to draw warrant in full payment of said claim, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115713, recorded on Microfilm Roll No. 73, approving claim of J. B. Hemphill, on file in the office of the City Clerk under Document No. 480050 in the amount of \$47.19; directing the City Auditor and Comptroller to draw warrant in full payment of said claim, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115714, recorded on Microfilm Roll No. 73, approving claim of Antonio M. Joaquin, Jr. on file in the office of the City Clerk under Document No. 473795 in the amount of \$58.98; directing the City Auditor and Comptroller to draw warrant in full payment of said claim, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115715, recorded on Microfilm Roll No. 73, approving claim of Sybil Mary Kile, on file in the office of the City Clerk under Document No. 479974 in the amount of \$78.27; directing the City Auditor and Comptroller to draw warrant in full payment of said claim, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115716, recorded on Microfilm Roll No. 73, approving claim of National Steel and Shipbuilding Corporation on file in the office of the City Clerk under Document No. 471935 in the amount of \$384.09; directing the City Auditor and Comptroller to draw warrant in full payment of said claim, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115717, recorded on Microfilm Roll No. 73, approving claim of S. F. Nielsen doing business as Nielsen Construction Company on the basis of the City Attorney setting the claim, under Document No. 480214, in the sum of \$660.58 for \$400.00; authorizing and directing the City Auditor and Comptroller to draw his warrant in the amount of \$400.00 in full settlement, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115718, recorded on Microfilm Roll No. 73, denying claim of Oliver M. Carnrike, under Document No. 481087, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115719, recorded on Microfilm Roll No. 73, denying claim of Raymond L. and Peary Chavez, under Document No. 481176, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115720, recorded on Microfilm Roll No. 73, denying claim of Mrs. John B. Clark, under Document No. 480780, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115721, recorded on Microfilm Roll No. 73, denying claim of S. E. Fishman, under Document No. 480866, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115722, recorded on Microfilm Roll No. 73, denying claim of Eva E. Goldstein, under Document No. 480022, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115723, recorded on Microfilm Roll No. 73, denying claim of Mrs. M. D. Goodrich, under Document No. 476293, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115724, recorded on Microfilm Roll No. 73, denying claim of Mrs. Mary Alice Grossvenor, under Document No. 481093, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115725, recorded on Microfilm Roll No. 73, denying claim of James S. Johnston and Ella Brown Johnston, under Document No. 477599, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115726, recorded on Microfilm Roll No. 73, denying claim of Warren S. McClatchey, M.D., under Document No. 480417, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115727, recorded on Microfilm Roll No. 73, denying claim of John W. Nelson, under Document No. 480529, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115728, recorded on Microfilm Roll No. 73, denying claim of Evelyn A. Ranft, under Document No. 480042, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115729, recorded on Microfilm Roll No. 73, denying claim of Leoncio B. Santos, under Document No. 480213, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115730, recorded on Microfilm Roll No. 73, denying claim of Leo I. Taylor, under Document No. 480816, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115731, recorded on Microfilm Roll No. 73, denying claim of C. L. Whiteis, under Document No. 479443, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115732, recorded on Microfilm Roll No. 73, accepting Quitclaim Deed executed on the 1st day of December, 1953, by Scripps Estates Associates, a corporation, 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 Scripps Estates Associates, being portions of Pueblo Lot 1312; 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. 115733, recorded on Microfilm Roll No. 73, accepting subordination agreement, executed by Elizabeth Abegg, beneficiary, and Bank of America National Trust and Savings Association, trustee, bearing date November 2, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 3 Block 5 Center Addition to La Jolla Park, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said deed 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. 115734, recorded on Microfilm Roll No. 73, accepting subordination agreement, executed by Walter A. Abegg, Jr., beneficiary, and Bank of America National Trust, trustee, bearing date November 2, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 3 Block 5 Center Addition to La Jolla Park, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego in portion of said property; authorizing and directing the City Clerk to file said deed 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. 115735, recorded on Microfilm Roll No. 73, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date November 27, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 23 Block 13 Morrison's Marscene Park, 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115736, recorded on Microfilm Roll No. 73, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date January 16, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lots 38, 39, 40, 41, 42, 43, 44 Block 304 Boone Brother's Addition, to the easement and right of way 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115737, recorded on Microfilm Roll No. 73, accepting subordination agreement, executed by Carl F. Butler and Osa Butler, beneficiaries, and Security Title Insurance Company, trustee, bearing date November 19, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 2 Block 10 Lexington Park, 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115738, recorded on Microfilm Roll No. 73, accepting Deed of Samuel S. Gilbert and Mercedes Gilbert, bearing date November 30, 1953, conveying portion of Lot 18 Block 22 Lexington Park; 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. 115739, recorded on Microfilm Roll No. 73, accepting quitclaim deed of Herbert C. Kelly and Helen G. Kelly, husband and wife, bearing date October 7, 1948, quitclaiming Lots 15 and 16 Block 6, Lots 11 and 12 Block 13, and Lot 22 Block 13, Electric Line Addition; authorizing and directing the City Clerk to file said deed for record in the office of the County Recorder of San Diego County, and with the Registrar of Land Titles in the office of said County Recorder, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115740, recorded on Microfilm Roll No. 73, accepting deed of Scripps Estates Associates, bearing date December 4, 1953, conveying easement and right of way for street purposes in portion of Lots 6 and 7 Scripps Estates Associates Subdivision, 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 Schneider, adopted.

RESOLUTION NO. 115741, recorded on Microfilm Roll No. 73, accepting deed of Charles H. Longmore and Harriet M. Longmore, Roy W. Green and Ellen L. Green, bearing date October 19, 1953, conveying easement and right of way for street purposes in portion of Southwest quarter, Quarter Section 81 Rancho de la Nacion; setting aside and dedicating the same to the public use as and for a public street, and naming the same Cumberland 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. 115742, recorded on Microfilm Roll No. 73, accepting deed of Westlands Investments, Inc., bearing date November 19, 1953, conveying easement and right of way for street purposes in portion of the Southwest Quarter of Quarter Section 81 Rancho de la Nacion; setting aside and dedicating the same to the public use as and for a public street, and naming the same Cumberland 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. 115743, recorded on Microfilm Roll No. 73, accepting deed of Eunice T. Granger, bearing date July 1, 1953, conveying easement and right of way for street purposes in portion of Lot 23 Block 13 Morrison's Marscene Park; setting aside and dedicating the same to the public use as and for a public street, and naming the same J 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. 115744, recorded on Microfilm Roll No. 73, accepting deed of Lydia M. Street, bearing date August 10, 1953, conveying easement and right of way for street purposes in portion of Lot 37 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 J 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. 115745, recorded on Microfilm Roll No. 73, accepting deed of Henry F. Windle and Pauline M. Windle, bearing date November 20, 1953, conveying easement and right of way for street purposes in portion of Lot 11 Block 12 Lexington Park; setting aside and dedicating the same to the public use as and for a public street, and naming the same Sycamore Drive; authorizing and directing the City Clerk to file said deed 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. 115746, recorded on Microfilm Roll No. 73, accepting deed of Thomas B. Webb, and Rose B. Webb, bearing date December 31, 1953, conveying easement and right of way for street purposes in portion of Lots 10, 11, 12 Block 304 Boone Brother's Addition; setting aside and dedicating the same to the public use as and for a public street and naming the same 36th Street; authorizing and directing the City Clerk to file said deed for record in the office of the City Clerk together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

(Said Resolution also dedicates parcel B as and for a public alley).

RESOLUTION NO. 115747, recorded on Microfilm Roll No. 73, accepting deed of Thomas B. Webb and Rose B. Webb, bearing date January 2, 1953, conveying easement and right of way for street purposes in portion of Lots 38, 39, 40, 41, 42, 43, 44 Block 304 Boone Brother's Addition; setting aside and dedicating the same to the public use as and for public streets, naming the same 36th Street, Acacia Street, and Parcel C is 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115748, recorded on Microfilm Roll No. 73, accepting deed of Joseph L. Cherry and Helen M. Cherry, bearing date November 4, 1953, conveying ease-

ment and right of way for sewer purposes in portion of Lot 6 Block 6 Sunny Slope 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. 115749, recorded on Microfilm Roll No. 73, accepting deed of Andrew DeSoto, bearing date November 18, 1953, conveying easement and right of way for sewer purposes in portion of Lots 10 and 11 Block 6 Sunny Slope 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. 115750, recorded on Microfilm Roll No. 73, accepting deed of Owen L. Gullicksen and Edna M. Gullicksen, bearing date October 6, 1953, conveying easement and right of way for sewer purposes in portion of Lots 25, 26, 27 Block 19 Swan's Addition; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115751, recorded on Microfilm Roll No. 73, accepting deed of David M. Miller and Alice K. Miller, bearing date November 16, 1953, conveying easement and right of way for sewer purposes in portion of Lots 20, 21, 22, 23, 24 Block 15 Swan's Addition; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115752, recorded on Microfilm Roll No. 73, accepting deed of the Presbytery of Los Angeles of the Presbyterian Church in U.S.A., bearing date November 19, 1953, conveying easement and right of way for sewer purposes in portion of Canon Street closed, Pueblo Lot 190, 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 Schneider, adopted.

RESOLUTION NO. 115753, recorded on Microfilm Roll No. 73, accepting deed of Gwendolyn M. Parsons and Olive G. Parsons, bearing date October 7, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 3 Block 5 Center Addition to La Jolla 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 Schneider, adopted.

RESOLUTION NO. 115754, recorded on Microfilm Roll No. 73, accepting deed of Scripps Estates Associates, bearing date December 4, 1953, conveying easement and right of way for storm drain purposes in portion of Lots 6 and 7 Scripps' Estates Associates 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 Schneider, adopted.

On motion of Councilman Godfrey, seconded by Councilman Burgener, the next ordinance was introduced.

On motion of Councilman Godfrey, seconded by Councilman Burgener, the reading of said ordinance 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.

ORDINANCE NO. 5884 (New Series), recorded on Microfilm Roll No. 73, appropriating \$45,000.00 from the Capital Outlay Fund, for the purpose of providing funds for construction of sanitary sewer outfall in The Muirlands area (Westerly Section), from Muirlands Vista Way easterly to La Jolla Mesa Drive, was on motion of Councilman Godfrey, 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 Dail.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the reading of said ordinance 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.

ORDINANCE NO. 5885 (New Series), recorded on Microfilm Roll No. 73, appropriating the sum of \$15,000.00 from the Capital Outlay Fund, for the purpose of providing additional funds for the City's share of the cost of cooperative storm drain projects in the City, was on motion of Councilman Burgener, 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--Councilman Dail.

The next matter had been before the Council twice previously, and continued until this date for consideration.

Ordinance amending Section 101.0204; amending the Title to Division V; Amending Sections 101.0501 and 101.0502 of Article I, Chapter X of The San Diego Municipal Code; adding Sections 101.0503, 101.0504, 101.0505, 101.0506 and 101.0507 to Division 5 Article I Chapter X of the San Diego Municipal Code, all regulating Zoning Matters, was introduced, on motion of Councilman Wincote, seconded by Councilman Burgener, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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

RESOLUTION NO. 115755, recorded on Microfilm Roll No. 73, - all having to do with Initiative Petition for adoption of Ordinance prohibiting fluoridation of the city water supply:

The Council finds and resolves;

1. That there is to be held in The City a State and County Primary Election June 8, 1954 and that such election is within 7 months of the date of presentation of the petition;

2. That the ordinance which is subject to said petition shall be presented to the qualified electors at said election;

3. That the City Attorney and City Clerk are directed to prepare all necessary papers to affectuate the foregoing and timely submit such as are necessary to the Registrar of Voters,

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

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

RESOLUTION NO. 115756, recorded on Microfilm Roll No. 73, authorizing and empowering the City Manager to execute for and on behalf of The City a lease with Neil N. Russell and Rose M. Russell, Lewis R. Henderson and Mary E. Henderson, a partnership, of a portion of Balboa Park as a golf driving range and professional shop, for a term of 5 years, on terms as provided in said Resolution, and in form of Lease filed in the office of the City Clerk under Document No. 481757, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION NO. 115757, recorded on Microfilm Roll No. 73, being intention to call a special election within the territory to be known and designated as "Rolando Tract" in the County of San Diego, for the purpose of submitting to the electors residing therein the question whether the territory shall be annexed to and incorporated within the City, and that the property shall, after annexation, be subject to taxation equally with the property within The City of San Diego to pay the bonded indebtedness of the City outstanding at the date of such annexation, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

On motion of Councilman Schneider, seconded by Councilman Godfrey, at the hour of 12:46 o'clock Noon, the Council took a recess to the hour of 3:30 o'clock this date.

Upon reconvening, at the hour of 4:28 o'clock P.M., the roll call showed the following:

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

Absent---Councilmen None.

Clerk---Fred W. Sick.

RESOLUTION NO. 115758, recorded on Microfilm Roll No. 73, instructing the City Manager to call Mr. Silk, of the Downtown Association, relative to the traffic meters removal, which prohibited parking on portions of 5th Avenue; authorizing him to use his own judgment, as to whether or not the meters should be replaced, and if so at what locations, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION was adopted relative to elective officials on Social Security, on motion of Councilman Godfrey, seconded by Councilman Burgener.

(The Resolution was not numbered, inasmuch as it was repealed later, in the same meeting).

The City Manager was authorized to sign an application and agreement, under a motion, which was later repealed.

Councilman Wincote said that if the City Attorney declines to sign the petition for coverage of eligible employees in the Federal Social Security, he thinks the Council members should not sign. It might cost the City more than anyone realizes, he stated. He said he was not sure it is a good idea. It could be one of the worst things the Council could do, he added.

RESOLUTION was adopted authorizing the City Manager to send some one to Sacramento with the papers relative to Social Security.

(The Resolution was not numbered, inasmuch as it was repealed later, in the same meeting).

The Council was polled relative to its desire relative to signing the petition, and going into Social Security.

A majority of the members of the Council indicated that they favored the plan.

Ordinance repealing Ordinance adopted November 24, 1953, having to do with contributions heretofore made to the City Employees' Retirement Fund, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, introduced.

Douglas D. Deaper, Deputy City Attorney, said that the proposed Ordinance is an emergency ordinance which would take effect and be in force from and after its passage, that it would have to be read in full in order to become effective upon the day of its adoption. He said that J. F. DuPaul, City Attorney, would vote "no" relative entering the Social Security system.

Said ordinance was then read in full.

ORDINANCE NO. 5886 (New Series), recorded on Microfilm Roll No. 73, repealing Ordinance No. 5857 (New Series) of the ordinances of The City of San Diego, adopted November 24, 1953; relative to members of the City Employees' Retirement System for those who are at present in the Unclassified Service, and who should not be deprived of any pension or retirement rights now vested because of contributions heretofore made and there is a possibility that said Ordinance may be construed to deprive them of such benefits; was on motion of Councilman Kerrigan, seconded by 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--Councilman None.

(The final paragraph of the ordinance says that it is for the immediate preservation of the public peace, health and safety, for the reasons set forth in the preamble, and shall take effect and be in force from and after its passage.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the Resolution authorizing the City Manager to sign application and agreement, relative to coverage of eligible employees on Social Security, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

(Said matter is shown above, on this page, but was not numbered in lieu of this action).

The City Manager brought up the matter of balloons for advertising - re Jack Darval petition referred to the City Manager previously. He spoke relative to the considerable damage which could result from their use. He said that City Departments, however, have little interest, except that the Fire Department does not think much of it. The C.A.A. would have no jurisdiction under the proposal, the Manager said.

Councilman Kerrigan moved to "retain the ordinance as is".

There was no second, and no action was taken on the City Manager's verbal report.

The following matters were withdrawn from Council Conference, and filed:

Proposed Resolution re opinion of the Council on the County Water Authority expenditure of revenues by taxation on new pipelines, etc.;

Resolution re Mrs. W. L. Diffendorf's opinion relative to keeping pigs;

Resolution re proposed Ordinance on the keeping of domestic and wild animals;

Communications from Mrs. Winna Ortman and from the City Planning Director relative to keeping more than 200 chickens at one location near Encanto, and about the keeping of commercial raising of chickens, etc.;

Resolution relative to charge for sewer laterals;

5886 N.S.
Retirement
Conference items

12/10/53
12/15/53

(Cont from previous page):

Resolution relative to traffic movement on Ray Street;

Appointment of George Kerrigan as member of Board of Director of San Diego County Water Authority;

Resolution re City participation in North Park 17th Annual Toyland Parade;

Resolution re amendment to San Diego Municipal Code re wording of Zone R-4 regulations;

C. J. Paderewski communication to be heard re building permit for residence on portion of Pueblo Lot 1264.

There being no further business to come before the Council at this time, the Council adjourned, on motion of Councilman Kerrigan, seconded by Councilman Dail, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Mayor Butler. Absent--Councilmen None - at the hour of 5:07 o'clock P.M.

FRED W. SICK,

City Clerk

Chas Dail
Vice Mayor of The City of San Diego, California

By

August M. Hadstrom
Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, December 15, 1953

Present--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey
Absent---Councilman Schneider; Mayor Butler (who was in Washington for the President's conference with Mayors on Civil Defense)
Clerk----Fred W. Sick

In the absence of the Mayor, as noted, Vice Mayor Dail acted as Chairman.

The Regular Meeting was called to order by the Vice Mayor at the hour of 10:05 o'clock A.M.

The Minutes of the Regular Meetings of Tuesday, December 8, 1953, and of Thursday, December 10, 1953, were presented to the Council by the Clerk.
On motion of Councilman Kerrigan, seconded by Councilman Burgener, said Minutes were approved, after which they were signed by the Vice Mayor.

The Vice Mayor awarded service emblems to the following City employees, honoring their long-time service:

Claude Walden, construction and maintenance Foreman II in the Street Division of the Public Works Department - 30 years;
Reuben A. Bellis, Patrolman, Police Department - 25 years;
Thomas E. Stotler, Patrolman, Police Department - 25 years;
Bruce D. McElwain, traffic sign painter, Street Division - 25 years;
Vernon C. Barnett, right-of-way Agent I, in the Property Management Division of the Finance Department - 20 years;
Judge Shelley J. Higgins, Assistant City Attorney (who was with the City originally in 1914, and has returned at various times since) - 20 years.

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 Nashville Street, Morena Boulevard, Lehigh Street and Tonopah Avenue, within the limits and as particularly

Conference return filings
Service awards

described in Resolution of Intention No. 114360, the Clerk reported that 6 bids had been received, which bids were presented to the Council.

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

Said bids were as follows:

The bid of M. H. Golden Construction Company, 3485 Noell Street, San Diego 1, accompanied by bond written by Pacific Indemnity Company in the sum of \$2,000.00, which bid was given Document No. 481889;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$2,000.00, which bid was given Document No. 481890;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1,700.00, which bid was given Document No. 481891;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$2,000.00, which bid was given Document No. 481892;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of 10% of amount bid not exceeding \$2,000.00, which bid was given Document No. 481893;

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 \$2,000.00, which bid was given Document No. 481894.

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 Poe Street and Evergreen Street, within the limits and as particularly described in Resolution of Intention No. 114500, the Clerk reported that 3 bids had been received, which bids were presented to the Council.

On motion made and seconded, said bids were publicly opened and 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. 481895;

The bid of John B. Henry, 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. 481896;

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 \$2,400.00, which bid was given Document No. 481897.

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.

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 Rhode Island Street and Madison Avenue, within the limits and as particularly described in Resolution of Intention No. 114361, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

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

Said bids were as follows:

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$900.00, which bid was given Document No. 481898;

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. 481899;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1,000.00, which bid was given Document No. 489100;

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 \$1,000.00, which bid was given Document No. 481901;

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. 481902.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115144, the paving and otherwise improving of Georgia Street, within the limits and as particularly described in said Resolution, the Clerk reported that no protests had been received.

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

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

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

Bids
Hearing

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115145, for the paving and otherwise improving of Gloria Street, within the limits and as particularly described, the Clerk reported that no written protests had been received.

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

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

On motion of Councilman Wincote, seconded by Councilman 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 hearing on Resolution of Intention No. 115146, for the paving and otherwise improving of J Street and 43rd Street, within the limits and as particularly described, the Clerk reported that written protests had been received from John Sedlack, and from Frank D. Goodman and others, which protest was presented to the Council.

Asked by the Vice Mayor for a report, the City Engineer told the Council that there was a 41% protest.

At the request of Council, the Clerk read the Sedlack protest, but not the other one.

Councilman Wincote asked about the percentage on the original petition.

The City Engineer replied 61.3%.

RESOLUTION NO. 115759, recorded on Microfilm Roll No. 73, overruling and denying the protests of John Sedlack, and of other property owners against the proposed improvement of J Street and 43rd Street, within the limits and as particularly described in Resolution of Intention No. 115146; overruling and denying all other protests thereon; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

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

After action had been taken, Mrs. Brinkman asked the Council if the J Street improvement would go through.

Councilman Dail, as presiding officer, said "yes".

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115147, for the paving and otherwise improving of Landis Street and the Alley in Block 82 City Heights, within the limits and as particularly described in said Resolution, the Clerk reported that written protest had been received from R. O. Coggeshall, which protest was presented.

The Vice Mayor acknowledged Mr. Coggeshall, of 3036 Hawthorn Street, who made a verbal protest. He said that his property runs along Landis Street, the long way, and contended that it would not be benefited by the improvement. He said that he did not see why he should have to pay for the benefit of others. If the lot is graded, it would leave no entrance on Landis Street, he stated.

The Vice Mayor pointed out to Mr. Coggeshall that he is familiar with the system of assessment for improvements. The Council would be powerless to leave the property out of the assessment district, he stated.

Mr. Coggeshall re-iterated that his property should not be assessed, and that the improvement would be of no benefit to his property.

Councilman Wincote emphasized the point that the Council did not initiate the petition, but that the request had come to the City from the property owners who would be benefited by the improvement.

RESOLUTION NO. 115760, recorded on Microfilm Roll No. 73, overruling and denying the protest of R. O. Coggeshall against the proposed improvement of Landis Street and the Alley in Block 82 City Heights, within the limits and as particularly described in Resolution of Intention No. 115147, overruling and denying all other protests, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

On motion of Councilman Burgener, 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 to which the hearing on the paving and otherwise improving of T Street, within the limits and as particularly described in Resolution of Intention No. 114744 had been continued, the following action was taken, inasmuch as it was agreed at the meeting of December 8, 1953, to continue the hearing for two weeks - one week at the time.

RESOLUTION NO. 115761, recorded on Microfilm Roll No. 73, continuing the hearing on the proposed improvement of T Street, within the limits and as particularly described in Resolution of Intention No. 114744 until the hour of 10:00 o'clock A.M., Tuesday, December 22, 1953, was on motion of Councilman Wincote, 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 made to cover the costs and expenses of the paving and otherwise improving of Congress Street, Mason Street, Twiggs Street, Harney Street,

and Conde Street, within the limits and as particularly described in Resolution of Intention No. 107164, the Clerk reported that he had received written appeals from John Sedlack and from Mr. & Mrs. R. F. Webber, Sr., 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.

Joe Garcia was heard relative to his property at Congress and Twiggs Streets. He said that whenever a car is washed an area holds 6" to 8" of water.

The City Engineer told the Council that there is a flat grade, and questioned the 6" to 8" water depth of water. He said that, having heard comment on the subject, representatives of his office had tested the area by turning a fire hose on the street. He stated that the area had been filled, but that it still holds water (referring apparently to statements that the pavement caused water to disappear through cracks). Disagreeing with the previous statement, the City Engineer said that when flooded, a small portion about the size of a bird bath, about 1/4" deep is evident.

Mrs. R. F. Webber was heard in agreement with what Mr. Garcia had said. She said that when lawns are sprinkled even water from that does not drain off. Water stands all the time and is a hazard, she declared. Up and down the street there are quite a few cracks, Mrs. Webber said. She stated that if the street had been graded down properly, the water would drain right.

The Vice Mayor pointed out that the hearing is on the assessment, and said the other question could be referred to the Attorney.

Mrs. Webber said that many had come to her with their assessments, and wanted explanations regarding differences of \$100.00 to \$125.00.

The Vice Mayor asked the City Engineer about the differences.

Willard Olson, from the City Engineer's Office, said that he had explained the matter in detail to the individuals who had inquired.

Mr. Garcia insisted that the work should be right.

Councilman Wincote expressed the opinion that the matter should be delayed one week and have the City Engineer check it in the meantime.

The City Engineer said that he had inspected the work himself, and stated that it is a perfectly good job. He said that there is all surface drainage, and that the area is very flat. Any drainage problem is minor, he told the Council, and added that it is not possible to correct that except through installation of a storm drain. He said that he saw nothing out of the way.

Councilman Wincote wanted a report from the Engineer next week.

Councilman Wincote moved to continue the hearing one week, and the City Engineer give a report regarding the drain, which motion was seconded by Councilman Burgener.

Councilman Godfrey stated that there is no purpose in a delay.

Councilman Dail said that a delay is costly to the contractor.

Councilman Burgener told the Council that the matter would not be jeopardized, if delayed.

Councilman Wincote said that if property owners in the area would want assistance, perhaps they could proceed with a drain project. He said, however, that if there is a 3" puddle of water, city does commit it self to correct. His statement was in the form of a question.

Councilman Godfrey declared that the contractor had conformed to the specifications, that the work is in, and that it is equitable. He said that the Engineer has made tests.

Douglas D. Deaper stated that if the Council is satisfied that the work has been done in accordance with contract, the assessment should be confirmed. The other problem is an independent thing, he stated.

Mrs. Webber said that the street should not have to be torn apart, and contended that it is not a perfect job.

Vice Mayor Dail said that the City Attorney is the responsible official who says that the Engineer approves the work.

The City Engineer expressed a willingness to look at it again.

Mrs. Webber said that the engineers have been called repeatedly; that she wanted the work done; but this is a "terrible thing".

Councilman Burgener asked about initiating a petition for storm drain.

The Vice Mayor informed Councilman Burgener that something not necessary cannot be initiated.

If statements made are true, the job is wrong, Councilman Wincote stated.

The Vice Mayor said that is nothing new.

Councilman Godfrey said that the only point is that the job has been built to specifications, that if there is a depression it has to be repaired by the City. The assessment can be approved, he stated.

Councilman Wincote said he is willing to approve the assessment, if the situation is corrected.

The Vice Mayor said that if there is anything to be corrected, it should be corrected.

RESOLUTION NO. 115762, recorded on Microfilm Roll No. 73, overruling and denying the appeals of Mr. & Mrs. R. F. Webber, Sr., John Sedlack, and of Joe Garcia (mentioned as Garcia above, as was understood at the time), from the Street Superintendent's Assessment No. 2185 made to cover the costs and expenses of the paving and otherwise improving of Congress Street, Mason Street, Twiggs Street, Harney Street and Conde Street, within the limits and as particularly described in Resolution of Intention No. 107164; 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 the Street Superintendent to record said warrant, diagram and assessment in his office, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115763, recorded on Microfilm Roll No. 73, referring the matter of water standing on the street as a result of the improvement of Congress Street,

12/15/53

Mason Street, Twiggs Street, Harney Street and Conde Street, to the City Manager for investigation and report to the Council, under the Street Superintendent's Assessment No. 2185, as provided for in Resolution of Intention No. 107164, was on motion of Councilman Godfrey, 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. 2186 made to cover the costs and expenses of 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 written protest had been received from Mabel H. Genung, 201 E. 92nd Street, Los Angeles, which protest (appeal), was presented.

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

Hugo Trup, 1943 Edgemont, asked the Council why he is assessed to pay for the improvement of the street on which his property has no frontage.

Councilman Wincote, speaking to Mr. Trup, told of the City's formula of 70% and 30% on assessment. His property is in the district, so has to be assessed, Councilman Wincote stated. He related that it is an old practice.

RESOLUTION NO. 115764, overruling and denying the appeals of Mabel H. Genung and Hugo Trup from the Street Superintendent's Assessment No. 2186 made to cover the costs and expenses of the paving and otherwise improving of Date Street, under Resolution of Intention No. 110070; 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 in his office said warrant, diagram and assessment, was on motion of Councilman Burgener, 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 Garnet Street Lighting District No. 1, for a period of one year from and including January 30, 1954, to and including January 29, 1955, 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. 115765, recorded on Microfilm Roll No. 73, 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 Garnet Street, contained in the Engineer's Report and Assessment for Garnet Street Lighting District No. 1, filed in the office of the City Clerk November 6, 1953; adopting said report as a whole, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The Vice Mayor announced that it would be necessary to continue for a period of one week the next 3 hearings, inasmuch as there were not 6 members of the Council present to adopt resolutions of feasibility thereon.

RESOLUTION NO. 115766, recorded on Microfilm Roll No. 76, continuing until the hour of 10:00 o'clock A.M. Tuesday, December 22, 1953, the hearing on the proposed improvement of the Alley in Block 3 Normal Heights under Resolution of Preliminary Determination No. 115269, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115767, recorded on Microfilm Roll No. 76, continuing until the hour of 10:00 o'clock A.M. Tuesday, December 22, 1953, the hearing on the proposed improvement of the Alley in Block 50 Ocean Beach under Preliminary Determination Resolution No. 115270, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115768, recorded on Microfilm Roll No. 73, continuing until the hour of 10:00 o'clock A.M. Tuesday, December 22, 1953, the hearing on the proposed improvement of Del Rey Street, under Resolution of Preliminary Determination No. 115271, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

(Hearings were not held on the Resolutions of Preliminary Determination on the three matters above, for the reason stated by the Vice Mayor).

Petition of V. M. Butterfield and others for the annexation to The City of San Diego of uninhabited territory in portions of Lot 40 La Mesa Colony, was presented.

Said petition was referred to the City Manager on motion of Councilman Burgener, seconded by Councilman Wincote.

Petition signed by businessmen in the block between Seventh and Eighth Avenues on Broadway requesting consideration with a view to lifting the restriction on parking during the hours of 7:00 P.M. until regular business hour each morning - whereupon the parking restriction would prevail all day until 7:00 P.M., was presented. It states that the parking restrictions in effect for a few days has proved to be a considerable handicap to businesses.

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

115764 - 115768

Hearings

Petitions

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received for furnishing 15 or more (not exceeding 18) garbage truck covers, received November 25, 1953 from 9 bidders, was presented.

It recommends award to Ace Welding and Trailer Works, low bidder, for furnishing 18 covers, at \$323.15 each, plus sales tax.

RESOLUTION NO. 115769, recorded on Microfilm Roll No. 73, accepting bid of Ace Welding and Trailer Works for furnishing 18 garbage truck covers for a price of \$323.15 each, plus 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, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing 10 or 15 tons of Polyphosphate in accordance with Water Department Specification No. 89, received from 3 bidders, was presented. It states that on the basis as stated therein, the bid of Los Angeles Chemical Company at \$14.50 per cwt. was low; and it recommends award to said company, at a total of \$4,306.50 plus State Sales Tax.

RESOLUTION NO. 115770, recorded on Microfilm Roll No. 73, accepting bid of Los Angeles Chemical Company for furnishing 15 tons of Polyphosphate at \$14.50 per cwt., f.o.b. San Diego, terms 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 a contract therefor pursuant to specifications on file in the office of the Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, stating that the Electrical Division, Department of Public Works has requested procurement of Microwave Radio Relay Multiplex Equipment for expanding the City's microwave system - consisting of 2 each Duplex Voice Terminals, Power Suppliers, and 84" Cabinet Racks, was presented. It states that the equipment for City's equipment is manufactured by Radio Corporation of America, the only source of supply. It states that the price is \$3,285.80 on 6 units, f.o.b. Camden, New Jersey plus California State Sales Tax, and recommends acceptance of authorization to purchase.

RESOLUTION NO. 115771, recorded on Microfilm Roll No. 73, authorizing and directing the Purchasing Agent to purchase from the Radio Corporation of America, Microwave Radio Relay Multiplex Equipment for a total price of \$3,285.80 f.o.b. Camden, New Jersey, plus California State Sales Tax, 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 that he had advertised and sold at auction 9 used Pickup, Carryall and Dump Trucks no longer required by the City, and recently replaced by newly-purchased equipment, was presented. It states the sale was held November 21, 1953; and equipment was sold to 6 high bidders in accordance with tabulation attached thereto, for a price of \$1,715.00. It states that with the exception of 1 1948 Model Pickup Truck which sold for \$320.00, and 1 1946 Jeep which sold for \$215.00, the equipment varied in age from 1936 to 1941 models. It reports prices as being considered satisfactory on the existing market, and that money received has been deposited with the City Treasurer.

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

RESOLUTION NO. 115772, recorded on Microfilm Roll No. 73, 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 systems at the intersections on Cass and Faniel Streets at Garnet Street, and at Linda Vista Road at Ulrich Street, bearing Document No. 481822; authorizing and directing the Purchasing Agent to publish in accordance with law, notice to contractors calling for bids therefor, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 3 sections of the Municipal Code insofar as they relate to the Tentative and Final Maps, was presented.

RESOLUTION NO. 115773, recorded on Microfilm Roll No. 73, suspending Sections 102.12-8, 102.18, 102.17-c of the San Diego Municipal Code, in connection with the Tentative Map of Clairemont Manor No. 6, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, stating that the Commission, by a split vote of 2 to 2 recommended approval of the Tentative Map of Clairemont Manor Unit No. 6, for a 56-lot resubdivision of Clairemont Manor Unit No. 1, located in the northerly section of Clairemont development and originally

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planned for a parochial school, now zoned R-2, was presented. It mentioned the split vote in connection with approval of the map with the exception that "B" Street be extended to Otomi Avenue, and subject to 10 conditions.

Ted Wilson, representing the Clairemont Company, was heard in opposition to the street continuance.

Glenn A. Rick, City Planning Director, showed to the Council a map of the property, over which members of the Council conferred with him.

Mr. Wilson stated that if required to extend the street, the developers would lose 1 lot, invite more traffic, and that it would cost \$10,000.00, to follow Mr. Rick's recommendation.

Councilman Burgener declared that it is better to live on dead-end streets.

Mr. Wilson said that it would not only increase the cost to open the street, but would make it less desirable. He spoke of property being 6 feet high above the curb. Mr. Wilson noted the 2-2 vote by the Planning Commission. Re-iterating his statement, when asked about the situation, Mr. Wilson said that Otomi is 6 feet below the property. He showed a map of the property to Councilman Wincote.

Next there was a conference held by members of the Council and Mr. Rick.

Councilman Burgener stated that while it would be a short cut to have the street open, so as to eliminate going around property, it is not desirable.

Mr. Wilson said it would cost \$11,000.00, as opposed to the previous figure he had given.

Harry Haelsig, Assistant Planning Director, spoke about the extension of the street to Otomi. He said the reason is based on demand of various City departments for better through service, which would arise through opening of the street. He stated that the Fire Department has pointed out that request should not be permitted, and added that fire trucks could block the entrance. The situation is going to be with the community for the next 100 years, Mr. Haelsig stated, and that it would increase costs to the City to comply with Mr. Wilson's request regarding the dead ends.

Councilman Wincote said that perhaps the City could be out \$50,000., \$60,000., or even \$80,000. (as opposed to the lesser expenditure required by the developers).

Councilman Kerrigan moved to approve the map, with the conditions as stated in the proposed Resolution, which motion was seconded by Councilman Wincote.

Councilman Godfrey said that the Council would be adopting the map with the street cut through. He said that arguments for the open street outweigh the dead-end street.

Mr. Wilson declared that people will have to pay more for their lots as a result of the Council's proposed action.

Councilman Godfrey and Vice Mayor Both said that it is the public interest, rather than that of the individual developer, which prevails.

Councilman Godfrey said that the Wilson arguments are not good.

Mr. Wilson wondered about the tax, if the Council's demand is followed.

The Vice Mayor said that subject is under the County Tax Assessor; not the City Council.

RESOLUTION NO. 115774, recorded on Microfilm Roll No. 73, approving the Tentative Map of Clairemont Manor Unit No. 6, subject to 10 conditions as listed therein, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending reapproval of the Tentative Map of Fairmount Gardens (formerly View Heights Manor), under the same conditions set forth in Resolution No. 108386 adopted September 18, 1952, and amended by Resolution No. 111161 adopted March 19, 1953, was presented. It points out that the original approval has expired.

RESOLUTION NO. 115775, recorded on Microfilm Roll No. 73, reapproving the Tentative Map of Fairmount Gardens (formerly View Heights Manor), subject to the conditions and recommendations set forth in the previously-mentioned communication which just precedes this item, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by the Assistant Planning Director, recommending suspension of 4 conditions in connection with the Tentative Map of Hubbard & Walter Subdivision, a 3-lot subdivision of portion of 14 Acre Regal Lot, was presented.

RESOLUTION NO. 115776, recorded on Microfilm Roll No. 73, suspending Sections 102.07-5, 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code, in connection with the Tentative Map of Hubbard & Walter Subdivision, 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 Hubbard & Walter Subdivision, a 3 lot subdivision of portion of 14 Acre Regal Lot in the Encanto area, located at 63rd and Imperial - site for a proposed commercial development - was presented. The report states that the rezoning of the property is to be submitted to the Council in the near future.

RESOLUTION NO. 115777, recorded on Microfilm Roll No. 73, approving the Tentative Map of Hubbard & Walter Subdivision, a 3-lot subdivision of portion of 14 Acre Regal Lot, subject to 11 conditions, 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 in connection with

the Tentative Map of portion of Pueblo Lot 1257, located on the northwest hillside below the Muirlands at the south west end of Muirlands Drive, was presented.

RESOLUTION NO. 115778, recorded on Microfilm Roll No. 73, suspending Sections 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code in connection with the Tentative Map of subdivision of portion of Pueblo Lot 1257, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, approving the Tentative Map of portion of Pueblo Lot 1257, subject to 9 conditions, was presented.

RESOLUTION NO. 115779, recorded on Microfilm Roll No. 73, approving the Tentative Map of a 13-lot subdivision of portion of Pueblo Lot 1257, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

(Approval was subject to conditions set out in the Resolution).

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 3 sections of the Rancho Hills Unit No. 6, was presented.

RESOLUTION NO. 115780, recorded on Microfilm Roll No. 73, suspending Sections 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code, in connection with the Tentative Map of Rancho Hills Unit No. 6, located in the NE 1/4 and NW 1/4 of Quarter Section 82 Rancho de la Nacion, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, approving the Tentative Map of Rancho Hills Unit No. 6, for a 12-lot subdivision in the NE 1/4 and NW 1/4 of Quarter Section 82 Rancho de la Nacion, located in the Paradise Hills area southerly of Roanoke Street and between Winchester Street and Calle Tres Lomas, was presented.

RESOLUTION NO. 115781, recorded on Microfilm Roll No. 73, approving the Tentative Map of Rancho Hills Unit No. 6, subject to conditions set forth therein, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 6 sections of the San Diego Municipal Code, in connection with the Tentative Map of Sears Heights, a 40-lot subdivision of portion of Lot 64 Horton's Purchase, was presented.

RESOLUTION NO. 115782, recorded on Microfilm Roll No. 73, suspending Sections 102.05, 102.07-2, 102.11-3, 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code in connection with the Tentative Map of Sears Heights, 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 Sears Heights, located on the westerly side of Euclid Avenue, southerly of Logan Avenue, was presented.

RESOLUTION NO. 115783, recorded on Microfilm Roll No. 73, approving the Tentative Map of Sears Heights, subject to the 10 conditions listed therein, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Glenn Rick, recommending approval of the Final Map of Tingley Estates, subject to the posting of an adequate bond to insure installation of the required improvements, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115784, recorded on Microfilm Roll No. 73, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego a contract with Mack Tessler and Eleanor Tessler, husband and wife, for installation and completion of unfinished improvements and the setting of the monuments required for Tingley Estates; directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115785, recorded on Microfilm Roll No. 73, adopting the Map of Tingley Estates, being subdivision of portions of Pueblo Lots 146, 182 and 193 of the Pueblo Lands of San Diego; accepting on behalf of the public El Mac Place, John Street, Moana Drive, portion of Loma Land Drive, together with unnamed easements for public purposes; declaring the same to be public streets, portion of a public street and unnamed easements, and dedicated to the public use; authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council that said streets, portion of a street and unnamed easements are accepted on behalf of the public, directing him to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending granting petition to improve the southerly half of Beryl Street between Academy Street and Noyes, by paving, etc., was presented. It states that the petition is signed by owners of 76.9% of property frontage. It makes mention of others which had been signed for portions of the same street. The communication recommended that the Council order a district formed to improve portions of Noyes Street, Academy Street, as outlined in detail.

RESOLUTION NO. 115786, recorded on Microfilm Roll No. 73, 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 portions of Noyes Street and Beryl Street, and Academy Street, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, giving detailed report on petitions for the improvement of portions of Olney Street and Felspar Street, was presented. It recommends that the Council order a district to be formed to improve portions of both streets, as outlined in detail therein.

RESOLUTION NO. 115787, recorded on Microfilm Roll No. 73, 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 portions of Olney Street and Felspar Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Craig Hosmer, member of Congress, the 18th District of California, being copy of communication addressed to the Governor, several Mayors and Councils, presiding judges, the Mayor and Council, the Chief of Police, the Sheriff, the County Board of Supervisors and the District Attorney, was presented.

RESOLUTION NO. 115788, recorded on Microfilm Roll No. 73, referring communication from Craig Hosmer, Member of Congress, 18th District of California relative to meeting the serious narcotics problem, to the Council Conference of Thursday, December 17, 1953, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from L. P. Kendall (Mrs. Oscar J. Kendall), 3995 Crown Point Drive, San Diego 9, California, dated December 9, 1953, was presented. Among other things she expresses objections to the proposed ban on oil drilling, and declares that there is vital need for protection of supreme importance which can be done by drilling for gas and oil at certain strategic points on Mission Bay's shoreline.

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

RESOLUTION OF AWARD NO. 115789, recorded on Microfilm Roll No. 73, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract for the paving and otherwise improving of the Alley in Block 11 North Shore Highlands, within the limits and as particularly described in Resolution of Intention No. 114358, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The City Engineer reported in writing that the low bid is 14.7% below the estimate.

RESOLUTION OF AWARD NO. 115790, recorded on Microfilm Roll No. 73, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract for the paving and otherwise improving of the Alley in Block 63 University Heights, and Meade Avenue, within the limits and as particularly described in Resolution of Intention No. 114359, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The City Engineer reported the low bid as being 22.3% below the estimate.

RESOLUTION OF AWARD NO. 115791, recorded on Microfilm Roll No. 73, 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 Catocin Drive, within the limits and as particularly described in Resolution of Intention No. 114249, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The City Engineer reported in writing that the low bid is 19.1% below the estimate.

RESOLUTION NO. 115792, recorded on Microfilm Roll No. 73, approving plans, drawings, typical cross-sections, profiles and specifications for the grading and paving of the Alley in Block 45 Normal Heights, under Document No. 481397; approving Plat No. 2530 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. 115793, recorded on Microfilm Roll No. 73, approving plans, drawings, typical cross-sections, profiles and specifications for the installation of storm drains in Olney Street, Grand Avenue, Kendall Street, Morrell Street, Noyes Street, Garnet Street, Diamond Street, Lamont Street, Chalcedony Street, Academy Street, Beryl Street, and Public Rights of Way in Acre Lots 21 & 51 Pacific Beach, under Document No. 481401; approving Pat No. 2504 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 Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115794, recorded on Microfilm Roll No. 73, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of 35th Street, Webster Avenue, Pardee Street, 36th Street, and Pardee Place; under Document No. 481399; approving Plat No. 2543 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 Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 115795, recorded on Microfilm Roll No. 73, 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, 1954, to and including February 28, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 115796, recorded on Microfilm Roll No. 73, 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, 1954, to and including February 28, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 115797, recorded on Microfilm Roll No. 73, 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, 1954, to and including February 28, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 115798, recorded on Microfilm Roll No. 73, for the closing of portions of 52nd Street; more particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115799, recorded on Microfilm Roll No. 73, 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, 1954, to and including February 14, 1955, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115800, recorded on Microfilm Roll No. 73, 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, 1954, to and including January 31, 1955, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115801, recorded on Microfilm Roll No. 73, 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, 1954, to and including April 30, 1955, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 115802, recorded on Microfilm Roll No. 73, for the paving and otherwise improving of the Alley in Block 45 Normal Heights, as particularly described in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 115803, recorded on Microfilm Roll No. 73, for the installation of storm drains in Olney Street, Grand Avenue, Kendall Street, Morell Street, Noyes Street, Garnet Street, Diamond Street, Lamont Street, Chalcedony Street, Academy Street, Beryl Street, and Public Rights of Way in Acre Lots

21 and 51 Pacific Beach, as particularly described in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 115804, recorded on Microfilm Roll No. 73, for the paving and otherwise improving of 35th Street, Webster Avenue, Pardee Street, 36th Street and Pardee Place; as more particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115805, recorded on Microfilm Roll No. 73, ascertaining and declaring the Wage Scale for the paving and otherwise improving of Ellison Place, as more particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

ascertaining and declaring the Wage Scale
RESOLUTION NO. 115806, recorded on Microfilm Roll No. 73, for the paving and otherwise improving of 54th Street, Blackton Drive, 55th Street, Balboa Vista Drive, 56th Street, Olive Street, Seifert Street, Biloxi Street, Laurel Street, Faulconer Street, the Alleys in Blocks A, B, C, D, E, G, H and J Balboa Vista; the Alleys in Balboa Vista Heights which lies easterly of and contiguous to Lots 4 to 12 inclusive, said Balboa Vista Heights; the Alley lying easterly of and contiguous to Lots 4 to 9 inclusive Block I Balboa Vista; Lolly Circle and the Alley in Lot 3 C. C. Seaman's Subdivision, within the limits and as particularly described in Resolution of Preliminary Determination No. 115149, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115807, recorded on Microfilm Roll No. 73, ascertaining and declaring the Wage Scale for the paving and otherwise improving of Santa Isabel Drive and Olvera Avenue, more particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115808, recorded on Microfilm Roll No. 73, approving the diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Franklin Avenue, and Commercial Street, within the limits and as particularly described in Resolution of Intention No. 112023, 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 Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115809, recorded on Microfilm Roll No. 73, approving the diagram of the property affected or benefited by the work of improvement to be done on the installing 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, et al.; within the limits and as particularly described in Resolution of Intention No. 109063, 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 Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115810, recorded on Microfilm Roll No. 73; 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 Florence Street, as particularly described in Resolution of Intention No. 113493 and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that proceedings be amended to include portion of 60th Street between the westerly prolongations of the north and south lines of Wunderlin Avenue - in connection with Resolution No. 111295 - was presented.

RESOLUTION NO. 115811, recorded on Microfilm Roll No. 73, adopting recommendation of the City Engineer, filed in the office of the City Clerk December 8, 1953, under Document No. 481554; authorizing the City Engineer to amend proceedings for improvement of portion of Wunderlin Avenue in accordance with his recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115812, recorded on Microfilm Roll No. 73, being a continued matter from a previous Council meeting, expressing the opinion that the best interests of the City will be subserved by issuance by the Public Utilities Commission of the State of California to the San Diego Transit System of certificate of public convenience and necessity for changing the routing of its Route 5 bus line in Clairemont, on 54th Street northward, etc., was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115813, recorded on Microfilm Roll No. 73, (being a continued matter which had been before the Council previously), expressing opinion that the best interests of the City will be subserved by the issuance by the Public Utilities Commission of the State of California to the San Diego Transit System of a certificate of public convenience and necessity for changing the routing of its Route "75" bus line from Poplar and Violet Streets into the new Fairmount Park residential areas, etc., was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115814, recorded on Microfilm Roll No. 73, authorizing and empowering the City Manager to do all the work in connection with the replacement of 750 feet of 4 inch water main with 8 inch A. C. pipe in Eighth Avenue, from A Street to Beech Street, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, 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. 115815, recorded on Microfilm Roll No. 73, authorizing and directing the Property Supervisor to advertise for a period of at least 5 days in the official newspaper of the City the sale at public auction of Lots 39, 40, 41, 42 Block C Alta Vista Suburb, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Said Resolution states that the reason for selling 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 of such real property as determined by the appraiser is the sum of \$3000.00, that the minimum amount which the Council will consider is \$3000.00. The Resolution recites that the Council reserves the right to reject any and all bids at said public auction; that all expenses in connection with the sale of said property shall be deducted from the proceeds received from the sale, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115816, recorded on Microfilm Roll No. 73, establishing a parking time limit of 2 hours, between the hours of 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

Both sides of Grape Street between the easterly line of India Street and the westerly line of Columbia Street; establishing parking meter zone upon said street; directing the City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of the necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115817, recorded on Microfilm Roll No. 73, granting permission to San Diego Glass and Paint Company, 633 Ninth Avenue, San Diego 1, to remove approximately 11 feet of curb between the 2 15-foot driveways adjacent to the southerly half of Lots 23 and 24 Block 192 Pacific Beach, so as to provide a continuous 41-foot driveway as measured at the top of the full-height curb on the northerly side of Felspar Street, approximately between points 101 and 142 feet west of the westerly line of Mission Boulevard, subject to the conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115818, recorded on Microfilm Roll No. 73, approving Change Order No. 6, dated November 30, 1953, heretofore filed with the City Clerk as Document No. 481809, issued in connection with contract between The City of San Diego, and Golden Construction Company for construction of Wabash Freeway, Section "B", which contract is contained in Document No. 473088 on file in the office of the City Clerk, changes amounting to an increase in the contract price of \$1000.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115819, recorded on Microfilm Roll No. 73, approving Change Order No. 1, dated 11 December 1953, heretofore filed with the City Clerk as Document 481811, issued in connection with contract between The City of San Diego and Sim J. Harris Co. for construction of pavement for 28th Street Mole Pier and 28th Street, south from Harbor Drive, contract contained in Document No. 480408 on file in the office of the City Clerk, changes amounting to increase in the contract price of approximately \$3,072.40, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115820, recorded on Microfilm Roll No. 73, approving Change Order No. 5, dated December 2, 1953, heretofore filed with the City Clerk as Document No. 481813, 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, which contract is

contained in Document No. 451108 on file in the office of the City Clerk; changes amounting to a decrease in the contract price of \$209.07, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115821, recorded on Microfilm Roll No. 73, authorizing and empowering the City Manager to execute, for and on behalf of the City, a lease with the Junior Chamber of Commerce for the purpose of conducting sports car racing on portions of Pueblo Lots 1325, 1330, 1331, 1332 and 1333, the value of which land according to the report of the last appraisal of the Auditor and Comptroller is \$625,000.00, which land is more particularly described in lease, all according to terms and conditions set forth in form of lease on file in the office of the City Clerk as Document No. 482064; cancelling pursuant to the written request of the California Sports Car Club, heretofore filed with the City Clerk as Document No. 481380, the agreement between the City and said Club heretofore executed on the 14th day of July 1952 and on file with the City Clerk as Document No. 452340, cancellation effective at the commencement of the term of the agreement, the execution of which is authorized by said Resolution No. 115821, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115822, recorded on Microfilm Roll No. 73, 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 the westerly 440.00 feet of the northerly 80.00 feet of Lot 67 Ex-Mission Lands of San Diego (Hortons Purchase), more particularly described in Said Resolution; together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes 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 Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115823, recorded on Microfilm Roll No. 73, authorizing Globe Furniture Company, in accordance with Section 33.1006.1 of the San Diego Municipal Code, to extend its present "closing out" sale to and including December 31, 1953, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution states that good cause appearing therefor from application of said Company set forth in Document No. 481117 on file in the office of the City Clerk, the extension was granted.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the reading of the next ordinance - having been introduced on December 8, 1953, - 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. 5887 (New Series), prohibiting right turns for southbound traffic on Pacific Highway into Congress Street; authorizing the City Manager to be placed, painted or maintained such signs or markers as may be required by the Vehicle Code of the State of California, or as may be in his opinion necessary or useful; adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, Mayor Butler.

Godfrey

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the next ordinance was introduced.

The reading of such ordinance was dispensed with, on motion of Councilman Kerrigan, seconded by Councilman Godfrey, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, Mayor Butler.

ORDINANCE NO. 5888 (New Series), recorded on Microfilm Roll No. 73, establishing the grade of the Alley in Block 86 Point Loma Heights, between the southeasterly line of Guizot Street and the northwesterly line of Santa Barbara Street, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, Mayor Butler.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the next ordinance was introduced.

The reading of such ordinance was dispensed with, on motion of Councilman Wincote, seconded by Councilman Godfrey, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, Mayor Butler.

ORDINANCE NO. 5889 (New Series), recorded on Microfilm Roll No. 73, establishing the grade of Thorn Street, between the east line of 41st Street and the west line of Marlborough Avenue, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, Mayor Butler.

In connection with the next matter, Douglas D. Deaper, Deputy City Attorney, said that it an emergency, and that as such, it can be introduced, read, and adopted at one meeting. He said, further, that it is a specific ordinance, as set up.

Glenn A. Rick, City Planning Director, said that several properties are affected; that the property has been outside the City, then annexed. He spoke of having had hearings regarding plans of the community previously. The interim ordinance is the next step, and is a "holding zone". He told the Council that the Commission is getting ready to hold hearings on zones.

Councilman Kerrigan said he thought that the proposed Ordinance would be to hold for protection until the time of the regular zoning. He said he felt the Planning Commission should consider the possibility of an agricultural zone on the property.

Councilmen Wincote and Kerrigan both said they thought it should be gone over on other points if proper; to amend the zoning.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the ordinance was read in full.

ORDINANCE NO. 5890 (New Series), recorded on Microfilm Roll No. 73, being an interim ordinance establishing regulations governing the use of land in portions of The Highlands, New Riverside and Lot 78 Rancho Mission, as indicated on interim zone map on file in the office of the City Clerk as Document No. 481037, was adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Dail, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, Mayor Butler.

Said Ordinance states that the Planning Commission is making a study of a comprehensive zoning plan for certain recently annexed areas, as indicated on said map; that it is desirable under authority of the Municipal Code to regulate the use of said land pending adoption of a comprehensive zoning plan. The ordinance states that the development of the land and the use of buildings might be accomplished in a manner adverse to the comprehensive zoning plan; that the Council is of the opinion that the public safety, health and welfare would be promoted by the adoption of such temporary interim zoning.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, ordinance amending the San Diego Municipal Code by amending Sections 52.25 and 52.25.1 - Regulating use of Pedestrian Tunnels; loitering in prohibited; facilities for locking - was on motion of Councilman Wincote, seconded by Councilman Kerrigan, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, Mayor Butler.

Councilman Wincote stated, at the conclusion of the agenda, that Councilman Dail, as Vice Mayor made the finest presentation of service awards at the beginning that he had heard. Next, he said that he had received a telephone call from Mrs. Wells - as he thought other members of the Council might have - stating that dogs will be lost on account of people not being able to pay license because of expenses at Christmas time.

John McQuilken, City Auditor and Comptroller, asked about dates on the licenses, answered.

Councilman Godfrey expressed the belief that no one will be hurt under the prevailing provisions.

Douglas D. Deaper, asked about the matter, read from the San Diego Municipal Code relative to the licensing.

Councilman Wincote said that as of January 1 a new license is required.

Mr. Deaper said that it can apply in November and in December.

There was no action taken.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 11:41 o'clock A.M., on motion of Councilman Godfrey, seconded by Councilman Burgener.

Upon adjournment, the Vice Mayor announced that members of 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

12/17/53

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, December 17, 1953

Present--Councilmen Burgener, Schneider, Kerrigan, Dail; Godfrey
Absent---Councilman Wincote; Mayor Butler, still absence from the City on City business
in Washington, D.C.
Clerk---Fred W. Sick

In the absence of the Mayor, Vice Mayor Charles C. Dail presided.

Calling the meeting to order, at the hour of 10:04 o'clock A.M., the Vice Mayor introduced County Supervisor Gibson who was present as the meeting convened.

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing on appeal of Robert B. Conway, et al from the decision of the Zoning Committee in granting permission to Robert and Corinne C. Embleton to operate an off-sale liquor store in an existing building on Lot 13 Block 12 La Jolla Shores Unit No. 1, at 2176 Avenida de la Playa, in Zone R-C, had been continued, Glenn A. Rick, City Planning Director, made a verbal report.

Answering Councilman Schneider, Mr. Rick said that it has not been customary to grant the license requested in R-C Zone. He continued, by saying that hearing had been held, that there had been several protests, one of which was within 300 feet of the property that had since been put up for sale. Mr. Rick said that the Holland Inn, adjoining, has an on-sale beer and wine license. The Marine Room and Del Charro hotel both have liquor licenses, he stated.

Councilman Wincote entered the meeting at this time.

Mr. Rick showed members of the Council a map, and stated that the building had been built for a liquor store. There was discussion over the map. He said that beer and wine sale are illegal in Zone R-C, but that there is one such license which was issued by the Board of Equalization.

Councilman Dail said that the City is not allowing liquor licenses in Zone R-C. He said that where such a license had been issued in R-C, the zone had been changed to provide for the proper issuance.

Councilman Schneider said that if this is not granted, the existing license in the grocery for beer and wine should be closed.

Councilman Wincote said he thinks the drug store - in Crown Point, which is in R-C Zone - is selling liquor.

Mr. Rick spoke about attempt being made for the rezoning of a real estate office in Crown Point for the purpose of liquor sale. That had been denied, he stated.

Councilman Schneider asked Mr. Rick what would be done (relative to the existing licenses) if this is denied.

Mr. Rick replied that the Planning Department is not staffed "to snoop".

Councilman Wincote asked about the liquor license at the Beach and Tennis Club.

Mr. Rick stated that is is in a different zone, and spoke about 2 operations at the Beach & Tennis Club.

Councilman Wincote spoke about the bar at the Del Charro Hotel, also in La Jolla.

Mr. Rick said that the Manor hotel operates on the same basis. Answering a question, Mr. Rick said that the Planning Department does not check grocery store permits. They go to the Board of Equalization for beer and wine licenses. When someone comes in for a liquor license only, the Zoning Committee considers the question, he said.

Wm. MacKenzie, representing the La Jolla Shores Improvement Association, showed the members a plat of property owners, was heard in opposition. He declared that the grocery, heretofore referred to, does not have an off-sale liquor license. He said that when the petition was first circulated in favor of the Embleton liquor license, persons approached were told that everyone favored it; and that they should go along with the crowd. Many of the original signers have retracted their signatures in favor of the license, when they learned the true picture, he declared. Mr. MacKenzie said that the proposal to sell liquor opposes the deed restrictions. He told of the property owners desire and the Zoning Committee up-zoning of the property. As a result, the property was rezoned from C to R-C, he declared. He said that the grocery store was in existence, with beer and wine. The Holland Inn serves beer and wine with dinners only; has no regular bar. He said that packaged liquor would be a menace, in relation to Kellogg Park and to the beach. He said that he had called Leo Callan, Park and Recreation Director, who said that a packaged-liquor store adjoining the beach would compound a bad situation. It would be easier to get the liquor there for consumption at the beach, rather than driving to town for it. He said he saw that the Council has a problem. Mr. MacKenzie said that when the owner had bought (the property in question) he had evidently thought that it was in C Zone. He said he felt that it should not be rezoned to permit the sale as desired. He spoke of the property as being a residence, with a small room in the front, which could be used. No one is occupying the property, how, he declared. He asked that the Zoning Committee, which had granted the variance.

Next a speaker, Ralph (Wilde or Wilder), told the Council that 15 members of the Improvement Association directors oppose the granting of the license. There is tremendous opposition to the granting, and added that 36 out of 59 lots within 300 feet are in opposition. Outside the 300-foot line there is 65% opposition, he declared.

Mr. Rick said that originally 1 property in the 300-foot area opposed the request.

Mr. Wilde, or Wilder, said that if property owners had thought there was any possibility of the Council approving the variance to permit the liquor sale there would have been violent protest. If the license is secured, the operator will not have

the support of the residents, he stated. The speaker declared that there are deed restrictions which would be violated, if liquor sale is transacted. He pointed out that Beach and Tennis which had been referred to does not have an "off-sale" license.

Councilman Schneider wondered if no license had been issued.

An unidentified voice from the audience said no application had been made. Councilman Schneider said that the situation could be handled, based on

the protest.

Cecil Hardesty, who stated that he had come to San Diego 3 years ago, was heard next. He said that he had checked in the La Jolla Shores area before buying, and found that no liquor stores were permitted. He asked that there be no down grading of property.

Paul Schminke referred to the deed restrictions, spoken of previously. He said that the Beach & Tennis Club and the Del Charro Hotel are outside deed restriction area, so that they were not affected by that feature although they do have liquor licenses.

Councilman Wincote asked Mr. Schminke if he was opposed to a 1-week delay, of the property owners do not know (about the deed restrictions, it was presumed).

Bailey Ballison, executive director of the La Jolla Town Council, upheld the opposition expressed by a majority of the members of the Town Council.

Mrs. Hardesty said that she spoke at the request of the La Jolla PTA and the High School principal in opposition to the liquor license variance. She pointed out that the grocery store referred to closes at 7:30, whereas the liquor store would be open later - could be until 2:00 A.M.

David A. Block, of the law firm of Levenson, Levenson & Block, was heard. He spoke about the license applied for, and showed photographs of the area which he said show the character of the neighborhood more clearly than plats. Mr. Block spoke about the question of fair and proper use of the property. He said that Mr. Conway (the original appellant) had said that the property would be devaluated if a zone variance were granted and liquor permitted, but that the Conway property had been sold. He admitted, upon being asked, that he was aware of the deed restriction, but expressed the belief that it is unenforceable.

Councilman Wincote asked Mr. Block about the deed restrictions.

As a result, Mr. Block read the restrictions in the deed, which he said was drawn years ago.

Vice Mayor Dail said that he was not in a position to say what a court would in the event of violation of the deed restrictions.

Mr. Rick spoke about business zone being set up on portion, in C Zone - he said that he thinks the restriction does not apply.

Mr. Block said that the Holland Inn has an on-sale license. He said that it is obvious that cannot do property owners any harm. He spoke of Mr. Kellogg owning 17 lots, and reported that he did not oppose the variance. Mr. Kellogg may have changed his point of view, in relation to the Town Council's opposition. (The file contains petition signed Estate of F. W. Kellogg, by Wm. S. Kellogg, Trustee Manager; Wm. S. Kellogg; Florence Scripps Kellogg, by Wm. S. Kellogg, Attorney in Fact; covering 18 lots located within 300 feet of 2176 Avenida de la Playa opposing the action of the Zoning Committee favoring granting variance for the liquor store). He said that the Planning Commission has investigated the matter, and has "passed" it.

Councilman Wincote asked Mr. Block if Mr. Embleton has a liquor license.

Robert Embleton, who stated that he owns the property in question, said he had made a mistake in not checking before buying. He said that he had gone to the State Board of Equalization, and had been informed that the Planning Commission had not opposed the existing licenses. Mr. Embleton said that he had bought the property, and intended to operate the liquor business, particularly to accommodate out-of-State residents who visit in the La Jolla Shores area. It is no different than other businesses, Mr. Embleton declared. He stated that minors cannot buy liquor, and that there is not much drinking on the beach. He told the Council that he would run a legitimate business, buy a house and live in the area. It is a legitimate and honest business, he stated.

Councilman Schneider pointed out that Mr. Embleton has suffered no loss, in that he has no license. He said that just this morning, in conference, the Council had a serious discussion regarding the juvenile problem of today. He said that the operation proposed, and sought, is different from a hotel or a store, where the liquor can be taken to the beach for juveniles. The safety of the neighborhood is greater than the need for liquor, he declared.

Vice Mayor Dail said that the question of philosophy is not involved; it is the law which is to be considered.

Councilman Burgener pointed out that Mr. Embleton has the same rights as others.

Councilman Kerrigan stated that the applicant can't set up a false premise relative to the making of more money.

Councilman Wincote said that nevertheless, there are 2 there already. He asked Mr. Embleton if he was aware of the deed restriction.

Mr. Embleton replied that he was, but that he had been advised by his attorney that the deed restriction is not effective.

Councilman Wincote stated that grocery and variety stores could not be permitted under the restrictions as set out in the deeds.

Councilman Godfrey said that the deed restriction rests with the former owner.

Mr. Wilde or Wilder referred to the signatures of the petition. He spoke of having effective signatures of 11 in favor.

Mr. Rick reviewed the purpose, and the allowable uses in R-C Zone. Liquor stores are not permitted, he declared. He said that the City Attorney had drawn an ordinance to clarify the prohibition. Deed restrictions in Lots 1 to 3 apply; they do not apply to the 25-foot lot.

Mr. Block read the restrictions only, said that he did not know which lots applied.

Hearing

Councilman Wincote referred to liquor stores being not more objectionable than service stations, but that variances have been given for the stations.

Mrs. Weeker, 7928 La Jolla Shores Drive said that "kids on the beach can't go to the Beach & Tennis Club and to the Marine Room. She made reference to not being able to see why a bad influence.

The Vice Mayor stated that a lengthy hearing had been conducted, that members of the Council had been able to express themselves fully. He said that if the Council had no objection, he would declare the hearing closed - which he did.

Councilman Kerrigan moved to sustain the appeal, and overrule the Zoning Committee, which motion was seconded by Councilman Schneider.

Councilman Wincote moved that if the appeal is sustained, the Holland Inn and the Grocery Store (liquor licenses) be closed. There was no second.

Councilman Godfrey said Councilman Wincote had a point worthy of consideration, but that it was not applicable to this hearing, which had to do with zone variance on a particular parcel. He felt that question should be referred to Conference of the Council relative to enforcement of the zone.

Councilman Wincote declared that there is a principle behind the existing operations and the application.

Councilman Burgener stated that he was going to vote in favor of the appeal. He said that the law spells out what can be done in R-C Zone.

Next there was unrecorded discussion between Councilmen Wincote and Vice Mayor Dail regarding enforcement of the law relative to violations.

The roll was called on the motion, resulting in

RESOLUTION NO. 115824, recorded on Microfilm Roll No. 73, sustaining the appeal of Robert B. Conway, et al., from the decision of the Zoning Committee granting permission to Robert and Corrine C. Embleton to operate an "off-sale" liquor store in an existing building on Lot 13 Block 12 La Jolla Shores Unit No. 1, 2176 Avenida de la Playa, Zone R-C - Zoning Committee Resolution No. 7754, Application No. 12188 - overruling said decision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilman Wincote. Absent--Mayor Butler.

RESOLUTION NO. 115825, recorded on Microfilm Roll No. 73, referring to Council Conference the matter of enforcement of R-C Zone regulations and restrictions, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued on appeal of Mrs. W. H. Comley from the decision of the Zoning Committee in denying permission to construct garden shelter with zero setback in Resub of V/L La Jolla Park, 7644 Pepita Way, in Zone R-1 - was on motion of Councilman Burgener, seconded by Councilman Kerrigan, continued to the Council Meeting of Thursday, December 24, 1953.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued on appeal of Mrs. W. H. Comley from the decision of the Zoning Committee in denying permission to construct garden shelter with zero side yard in Resub of V/L La Jolla Park, 7644 Pepita Way, in Zone 1 - was on motion of Councilman Burgener, seconded by Councilman Kerrigan, continued to the Council Meeting of Thursday, December 24, 1953.

Petitions from property owners and residents requesting cross walks on Adams at 30th and at Boundary, and better lighting were presented.

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

The next matter, which had been considered at the meeting of the Council at the meeting of December 10, 1953, was considered again at this time.

The City Planning Commission's communication, submitting Resolution approving the Tentative Map of Muirlands Acres, a 4-lot subdivision of a portion of Pueblo Lot 1774, subject to 9 conditions, was presented.

Fred Corey, the subdivider, spoke about a former map, which he said was being withdrawn on the property to the north.

Councilman Kerrigan said that the Tentative Map had been approved. He wondered who can withdraw it.

Glenn A. Rick told the Council that the approved Tentative Map expires at the end of a year, and that a letter of withdrawal would not be against the writer. He stated that the subdivider could go ahead despite such a letter.

There was discussion between Councilman Godfrey and Mr. Wilhelm relative to the subdivision across the street from the Corey property which is in Pueblo Lot 1774.

Next, discussion was entered into between Councilmen Godfrey and Burgener. Councilman Wincote said that the Wilhelm subdivision of 25 lots has been reduced to 16. He said that Mr. Corey makes his request due to adoption on area across the street, where there is a possible subdivision.

Mr. Corey said that if Mr. Wilhelm withdraws, there would be 3 3 lots on frontage.

Councilman Wincote said there is no connection, on account of the row of trees in the middle of the street. If the road goes through, hundreds of acres would be opened up, he declared.

At this point Glenn A. Rick reviewed the conditions. Grading presents a problem since the street would be above or below future driveways. He wondered if it was proposed to eliminate the grade provisions.

Councilman Burgener replied "yes".

Mr. Corey spoke of being a 5% grade.

Councilman Kerrigan insisted that it will become a City problem, if the grade is not established.

Mr. Corey told the Council that if somebody else shares the expense, he would not object.

Councilman Kerrigan stated that he had to pay for a street on an access street - to serve others. He contended that the Council should not create problems.

Councilman Wincote pointed out that he had asked everybody to look at the property, the proposed subdivision, the street, trees, and the drain. He inferred that no one else had.

Councilman Kerrigan asked why not pave the street now.

Councilman Wincote said again that if it goes through it would serve 500 lots.

Councilman Kerrigan declared that there is, of course, no compulsion to pave any streets.

Councilman Wincote said that the owner wants to utilize the property, and reviewed existing conditions. He said that there are at least 12 or 15 houses "in the back, on the same type of conditions".

Discussion followed between Councilmen Wincote and Kerrigan.

Vice Mayor Dail said that the street might be paved under the 1911 Act, under which it would then be charged to the property.

Councilman Kerrigan offered objection on the first condition of the recommendation and proposed Resolution.

Mr. Corey declared that 250 feet would not be graded.

Councilman Kerrigan then read condition 1.

Mr. Rick said that 6 feet would be the area, if the trees were left, answering Councilman Wincote.

Councilman Kerrigan continued with reading of the conditions.

Mr. Corey said that he should not bear the expense regarding other people hooking in on the sewers.

E.W. Blom, Acting City Manager, said that it might be called a trunk sewer.

Councilman Godfrey said that the policy set out by the City is for great areas regarding the revolving fund. It stated that the area under discussion could not be called a great development. He told the Council that it would not qualify, and stated that it would not be a proper use of the citizens' money to put it into the sewer main.

Mr. Wilhelm spoke next. He said that he does not own the property across the street, as had been said. He said that, rather, he is the agent for 4 people who do own it. Also, Mr. Wilhelm said, he has been retained by Mr. Corey for the engineering.

Councilman Wincote said that City Manager Campbell had said that there is a way.

Councilman Kerrigan, continuing, read conditions 3 and 4.

Mr. Corey stated that he objects to conditions 4 and 5.

Councilman Kerrigan felt that the matter should go to the City Manager to work out with Mr. Corey. He said that the sewers and water should be accepted - as can be worked out.

Councilman Wincote told the Council that it should accept the withdrawal of the "other" subdivision map.

Douglas D. Deaper, Deputy City Attorney, said that he does not know about the withdrawal. The map is part of the City records now, and pointed out that it is not unusual to file new maps. He said that there is no such thing as "withdrawing".

Mr. Rick said that the subdivider could have one year to comply with the terms and conditions provided in the Tentative Map, or he could make request for modification of conditions.

Councilman Godfrey stated that with 6 of the 9 suggestions, there are no problems.

Mr. Corey said that he does not want to "put in money for other birds to ride on."

Mr. Deaper said that City Manager Campbell had mentioned the ordinance in relation to the policy on account of contribution to the project by the City on the sewer mains. He read it, and spoke about the larger size main, which can be used by the City for contribution.

Councilman Godfrey said that the problem is related to the Wilhelm property. The Manager can work out the main regarding the property across the street, he stated. He commented that Mr. Corey might do only the grading affecting him.

There was discussion between Councilmen Schneider and Godfrey regarding the street to grade.

Councilman Kerrigan pointed out that it was now a quarter to twelve, and that he had, by appointment, to be in East San Diego in fifteen minutes.

Councilman Kerrigan was excused at this time.

RESOLUTION NO. 115826, recorded on Microfilm Roll No. 73, approving the Tentative Map of Muirlands Acres, a 4-lot subdivision of a portion of Pueblo Lot 1774, subject to the conditions set forth therein (Resolution, proposed, was to be rewritten by Planning Director, to eliminate requirements for paving the street, curbing, and grading), was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted. All members present voted for the Resolution. Councilman Kerrigan and Mayor Butler were absent.

Communication from Margaret Romer, P.O. Box 417 Pacific Beach Station, San Diego 9, owner of property in Lots 21 to 25 incl. Block 207 Pacific Beach - on Garnet Avenue at the northwest corner of Olney Street - was presented. It speaks of need for widening of Garnet Street from Pendleton Street to Morrell Street. Also, the communication stated that Balboa and Garnet from 101 Highway to Pendleton has been widened at City expense - creating a bottleneck on Garnet between Pendleton and Morrell. She asks for widening at City expense on the additional 3 blocks, as was done to the east.

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

Communication from La Jolla Town Council, Inc., signed by C. C. Cummings, Chairman, Contractors' Committee, relative to Tentative Subdivision ruling, was presented. It urges any action regarding subdivision of divided properties to be tabled until through investigation and discussion can be made, especially in the La Jolla area where there are a great number of areas more or less regarded as country estates, and to protect small land owner in cases of one or two acre divisions.

RESOLUTION NO. 115827, recorded on Microfilm Roll No. 73, referring to Council Conference communication from La Jolla Town Council, Inc. by C. C. Cummings, re Tentative Subdivision ruling especially in La Jolla area, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Resolution authorizing and empowering the Port Director to do all work in connection with construction of boneyard and storage area adjacent to Non-Scheduled Flight Area at Lindbergh Field by appropriate City forces, was presented.

Comment was made that the Harbor Department had not been represented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said Resolution was continued to the meeting of Tuesday, December 22, 1953.

Resolution setting forth City policy that temporary structures in housing projects being disposed of by the Public Housing Administration be demolished except under specified conditions, was presented.

RESOLUTION NO. 115828, recorded on Microfilm Roll No. 73, referring to Council Conference the proposed Resolution stating opinion of the Council relative disposing housing projects, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115829, recorded on Microfilm Roll No. 73, authorizing and empowering the City Manager to do all the work in connection with the widening and surfacing with road mix material of 58th Street, from Trojan Avenue to Meade Avenue, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution states that the City Manager 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. 115830, recorded on Microfilm Roll No. 73, authorizing and empowering the City Manager to execute, for and on behalf of the City, a lease with H. G. Fenton Material Company, Inc. of portion of Lot 20 Ex-Mission Lands of The City of San Diego County, for one year beginning on the 1st day of January, 1954, at a yearly rental of \$1,200.00, payable yearly in advance, 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. 482107; real property has value of \$15,000.00 as disclosed by the report of the 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 Burgener, seconded by Councilman Godfrey, adopted.

The question was asked, from the Acting City Manager if the lessee is to remove any material.

E. W. Blom replied that the lease calls only for operating and maintaining a concrete mixing plant and appurtenances.

RESOLUTION NO. 115831, recorded on Microfilm Roll No. 73, authorizing and directing the City Manager to execute, for and on behalf of the City, a Memorandum of Agreement and Agreement with the Pacific Telephone and Telegraph Company, a corporation, for the construction, installation, and maintenance of a telephone conduit system across portions of the DeAnza area of Mission Bay Park, which Memorandum of Agreement is filed in the office of the City Clerk as Document No. 482108, and which agreement is filed under the same Document, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115832, granting permission to the Director of the Water Department to allow The La Mesa, Lemon Grove & Spring Valley Irrigation District to install, at its own expense, a 4" meter at the air valves on the El Monte Pipeline in the vicinity of Pierce Street, and connecting therewith a 6" water main extending along the easterly edge of the El Monte Pipeline right of way from said air valve location, and in and along Wagner Street, together with connection therewith of a fire hydrant, all for the purpose of providing domestic water service from the El Capitan Pipeline to the District's new shop and storage facilities located on Wagner Street, upon terms and conditions set forth in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

In addition to the various recitations in said Resolution as to the purpose, etc., the Resolution states that permission shall be revocable at the pleasure of the City Council.

12/17/55
65

RESOLUTION NO. 115833, recorded on Microfilm Roll No. 73, approving claim of Farmer's Insurance Exchange (Kenneth V. Lauher Jr. and Mary Louise Lauher) on file in the office of the City Clerk under Document No. 481513 in the amount of \$254.56; authorizing and directing the City Auditor and Comptroller to draw his warrant in favor of Farmer's Insurance Exchange and Kenneth V. Lauher Jr. and Mary Louise Lauher in the amount of \$254.56 in full payment of said claim, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115834, recorded on Microfilm Roll No. 73, denying claim of Florence E. Boots, on file in the office of the City Clerk under Document No. 477280, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115835, recorded on Microfilm Roll No. 73, denying claim of Nelson Lawson, on file in the office of the City Clerk under Document No. 476900, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115836, recorded on Microfilm Roll No. 73, denying claim of Malcolm A. Spooner, on file in the office of the City Clerk under Document No. 481512, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115837, recorded on Microfilm Roll No. 73, denying claim of Mrs. C. E. Tussey on file in the office of the City Clerk under Document No. 480874, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115838, recorded on Microfilm Roll No. 73, accepting partial reconveyance executed by Union Title Insurance and Trust Company, a corporation, quitclaiming portions of Lots 8, 9, 23 The Highlands, Lot 1 Block 1 Rosedale, Lot 78 Rancho Mission - to persons legally entitled thereto - authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115839, recorded on Microfilm Roll No. 73, accepting subordination agreement, executed by George A. Longaker, beneficiary, and Security Title Insurance Company, trustee, bearing date December 3, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 21 Block 11 Lexington Park, 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115840, recorded on Microfilm Roll No. 73, accepting subordination agreement, executed by Charles F. Sachtleben, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date December 3, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 12 Block 6 Sunny Slope Addition, 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115841, recorded on Microfilm Roll No. 73, accepting subordination agreement, executed by Charles R. Turner and Verna H. Turner, Beneficiaries, and Union Title Insurance & Trust Company, trustee, bearing date December 7, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 23 and 24 Block 52 C. L. Carr's Subdivision, 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115842, recorded on Microfilm Roll No. 73, accepting deed of Margaret M. Baer, Fon C. Johnson and Audrie V. Johnson, bearing date October 12, 1953, conveying to the City an easement and right of way for street purposes in portion of Lot 1788, setting aside and dedicating the same to the public use as and for a public street, and naming the same Santa Fe 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115843, recorded on Microfilm Roll No. 73, accepting deed of Violet Beck, bearing date November 24, 1953, conveying easement and right of way for storm drain purposes in portion of Lots 23 and 24 Block 52 C. L. Carr'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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115844, recorded on Microfilm Roll No. 73, accepting deed of San Diego Unified School District of San Diego County, bearing date December 1, 1953, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 1262 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115845, recorded on Microfilm Roll No. 73, accepting deed of Security Trust and Savings Bank, bearing date December 7, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 24 Wadsworth Olive Grove; authorizing and directing the City Clerk to file said deed 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 Wincote, adopted.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of the next ordinance was dispensed with prior to final passage, by 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. 5891 (New Series), recorded on Microfilm Roll No. 73, amending Section 101.0204; amending the Title to Division V; amending Sections 101.0501 and 101.0502 of Article I Chapter X of The San Diego Municipal Code; adding Sections 101.0503, 101.0504, 101.0505, 101.0506 and 101.0507 to Division 5 Article I Chapter X of The San Diego Municipal Code, all regulating Zoning Matters: Zoning - fees; Zoning Administration, Board of Zoning Adjustment; Application for conditional use permits; Application for Zone Variance; Failure to Utilize Conditional Use Permit or variances; Appeal to the City Council; Minor Adjustment to the Zone Requirements; was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey. Nays--Councilman None. Absent--Councilman Kerrigan, Mayor Butler.

On motion of Councilman Wincote, seconded by Councilman Burgener, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Burgener, the reading of the said ordinance was dispensed with prior to final passage, by 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. 5892 (New Series), recorded on Microfilm Roll No. 73, appropriating the sum of \$2,395.00 from the Capital Outlay Fund, for the purpose of providing funds for payment of the costs of street improvement on La Paz Drive and San Bernardo Terrace, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Kerrigan, Mayor Butler.

On motion of Councilman Burgener, seconded by Councilman Wincote, ordinance amending San Diego Municipal Code by amending Sections 101.0409 and 101.0411 thereof, relating to zoning (affecting "similar" uses in RC and C Zones, and giving Council right to decide or overrule Planning Commission by a 5-vote), was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Kerrigan, Mayor Butler.

In connection with the next matter, Councilman Schneider said that the requirement "involves every little grocery store"; he referred to packaged goods covered.

On motion of Councilman Burgener, seconded by Councilman Wincote, ordinance amending Sections 41.01.4, 41.03, 41.07, 41.15, 42.0101 of Chapter 4 of the San Diego Municipal Code, and adding to said Chapter, Sections 41.01.17, 41.07.1, 41.07.2 and 42.0101.1 - all of which said sections concern the regulations and fees pertaining to food handling establishments including vehicles and vending machines; was on motion of Councilman Burgener, seconded by Councilman Wincote, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Kerrigan, Mayor Butler.

115843 - 115845
5891 N.S. - 5892 N.S.
Ords. introduced

On motion of Councilman Burgener, seconded by Councilman Godfrey, Ordinance adding Section 41.07.3 to Chapter 4 of the San Diego Municipal Code, which establishes a health permit fee for apartment houses and hotels, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Kerrigan, Mayor Butler.

On motion of Councilman Schneider, seconded by Councilman Godfrey, ordinance incorporating portion of Lot 13 Ex-Mission Rancho of The City of San Diego into CP Zone and C Zone as defined by Sections 101.0410 and 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 116 (New Series), insofar as the same conflicts, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Kerrigan, Mayor Butler - and a hearing set for the hour of 10:00 o'clock A.M., Thursday, January 14, 1954.

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

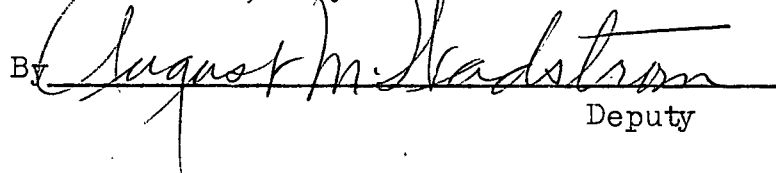
RESOLUTION NO. 115846, recorded on Microfilm Roll No. 73, authorizing the Street Superintendent to grant R. E. Hazard Contracting Co. a 30-day extension of time for completion of contract for improvement of portions of Congress Street, Twiggs Street, et al., in accordance with his recommendation filed in the office of the City Clerk under Document No. 482065, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

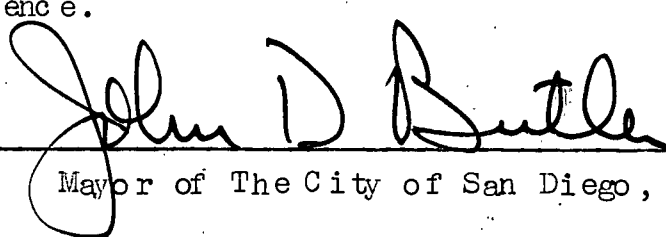
On motion of Councilman Burgener, seconded by Councilman Godfrey, the meeting was adjourned, at the hour of 11:55 o'clock A.M.

Upon adjourning, the Vice Mayor asked members of the Council to remain in the Council Chambers for a brief Conference.

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, December 22,
1953

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

On motion of Councilman Godfrey, seconded by Councilman Schneider, the Minutes of the Regular Council Meetings of Tuesday, December 15, 1953, and of Thursday, December 17, 1953, were approved without reading, after which they were signed by the Mayor.

Councilman Wincote 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 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, 1954, to and including December 31, 1954, the Clerk reported that one bid had been received, which bid was referred to the Council.

115846 -
Ords introduced
Bid

12/22/53

On motion made and seconded, said bid was opened and declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$226.02 written by San Diego Trust and Savings Bank, which bid was given Document No. 482326.

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

Councilman Dail entered the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued on Resolution of Intention No. 114744, for the paving and otherwise T Street, which is more particularly set forth in said Resolution, Henry Henson stated that someone was supposed to go out and look at the street, as the result of the previous hearing.

The City Engineer, asked by the Mayor for a report, told the Council that he had a report, addressed to the City Manager. He read the report which referred job of grading and embankment as \$3220.00.

Councilman Dail wondered if the property owners would start a proceeding for the grading, if the proceedings were abandoned.

Earnest A. Gaskins, who had previously been represented by his brother, Paul Gaskins, attorney, declared that the City has a 67.5% protest.

Councilman Kerrigan pointed out that there have been contributions made by the City for paving and otherwise improving of the north and south streets in the area.

The City Engineer spoke of having had three assessment proceedings in last year.

Councilman Kerrigan expressed the belief that the property will stand the assessment, in that it is good property. He said that the sidewalks are wanted.

Mr. Henson said "true".

Councilman Kerrigan said that there could be grading and sidewalking, and re-iterated that it is good property; that there will be paving there eventually. He asked Mr. Gaskin if he would favor assessment for sidewalks.

Mr. Gaskin's reply was that he could not answer the question.

Councilman Wilcote spoke about there being a moral obligation involved, that protestants should go along regarding the sidewalks.

Mr. Gaskins said that with grading an awkward position would result insofar as the garages are concerned.

Mr. Henson spoke of not being able to use the street. The people in the center of the block "don't want to put out", he declared.

RESOLUTION NO. 115847, recorded on Microfilm Roll No. 73, sustaining the protests of F. Sidney Sinall, Marian J. Christison et al, Frank W. Galway et al, Clyde L. Miller et al, Earnest A. Gaskins et al, against the improvement of T Street, within the limits and as particularly described in Resolution of Intention No. 114744; sustaining all other protests thereon; abandoning proceedings heretofore taken for said proposed improvement, 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 continued hearing on Resolution No. 115269 of Preliminary Determination, for the paving and otherwise improving of the Alley in Block 3 Normal Heights, the Clerk presented the appeal of Harley H. Steele and Virginia M. Steele, which had been before the Council last week.

The City Engineer, answering the Mayor, stated that there is a 3.5% protest. No oral protests were presented.

RESOLUTION NO. 115848, recorded on Microfilm Roll No. 73, overruling and denying the protest of Harley H. Steele and Virginia M. Steele, against the improvement of the Alley in Block 3 Normal Heights, within the limits and as particularly described in Resolution of Preliminary Determination No. 115269; overruling and denying all other protests thereon, was on motion of Councilman Burgener, seconded by Councilman Wilcote, adopted.

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

RESOLUTION NO. 115849, recorded on Microfilm Roll No. 73, determining that the proposed improvement of the Alley in Block 3 Normal Heights, within the limits and as particularly described in Resolution No. 115269 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 continued hearing on Resolution No. 115270 of Preliminary Determination, for the paving and otherwise improving of the Alley in Block 50 Ocean Beach, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 115850, recorded on Microfilm Roll No. 73, determining that the proposed improvement of the Alley in Block 50 Ocean Beach, within the limits and as

particularly described in Resolution No. 115270 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 Schneider, adopted. No written protests were presented, and no one appeared to be heard verbally.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 115271 of Preliminary Determination for the paving and otherwise improving of Del Rey Street, within the limits and as particularly described in said Resolution, the Clerk reported that no protests had been received relative to the continued hearing.

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

RESOLUTION NO. 115851, recorded on Microfilm Roll No. 73, determining that the proposed improvement of Del Rey Street, between the limits and as particularly described in Resolution No. 115271 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 Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on 7 bids received for the furnishing of valves, fittings and appurtenances for the Catalina Project, received October 23, 1953, recommending awards to Industries Supply Co., Crane Co., Mission Pipe and Supply Company, Park-Son, Inc., Standard Iron Works, low bidders, on the various items as set forth therein, was presented.

RESOLUTION NO. 115852, recorded on Microfilm Roll No. 73, accepting bid of Industries Supply Company of San Diego, and awarding contract for the furnishing of various valves and fittings; authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract therefor, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115853, recorded on Microfilm Roll No. 73, accepting bid of Crane Company, and awarding contract for furnishing altitude valve and ells; authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract therefor, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115854, recorded on Microfilm Roll No. 73, accepting bid of Mission Pipe and Supply Company, and awarding contract for furnishing valves and couplings; authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract therefor, on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115855, recorded on Microfilm Roll No. 73, accepting bid of Park-Son, Inc., and awarding contract for furnishing cast iron covers; authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract therefor, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115856, recorded on Microfilm Roll No. 73, accepting bid of Standard Iron Works, and awarding contract for furnishing fire hydrants, base bend flanges and bell, hydrant extensions; authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract therefor, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for installation of traffic signals and safety lights at intersection of National Avenue and Imperial Avenue, received December 9, 1953, was presented. It recommends award to Ets-Hokin & Galvan, low bidder in the amount of \$16,802.12 - 16.0% below the estimate.

RESOLUTION NO. 115857, recorded on Microfilm Roll No. 73, accepting bid of Ets-Hokin & Galvan for installation of traffic signals and safety lighting at the intersection of National Avenue and Imperial Avenue; awarding contract, authorizing and instructing the City Manager to enter into and execute contract therefor pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing the City's requirements of Incandescent and Fluorescent Lamps for a period of one year beginning January 1, 1954 - received December 16, 1953, from 5 bidders, was presented. It recommends award to Distributors, Inc., of San Diego, at a discount of 44-1/2% from list, terms 2% - 10th prox., plus State Sales Tax, the low bidder. The communication says that due to the joint call for bids in which the City, County and School District collaborated, the discount approximates that given the Federal Government - for the furnishing of Ken-Rad lamps.

RESOLUTION NO. 115858, recorded on Microfilm Roll No. 73, accepting bid of Distributors, Inc., for furnishing Incandescent and Fluorescent Lamps for period of one year beginning January 1, 1954; awarding contract, authorizing and instructing the City Manager to enter into and execute contract therefor, pursuant to 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 for furnishing 10 tons large crystal Copper Sulphate, was presented. It recommends award to McKesson & Robbins, Inc., low bidder, at \$11.37 per cwt., f.o.b. Chollas Station, San Diego, terms 1% - 20 days, plus State Sales Tax, or \$2,318.80.

RESOLUTION NO. 115859, recorded on Microfilm Roll No. 73, accepting bid of McKesson & Robbins, Inc., for furnishing 10 tons of large crystal Copper Sylphate; awarding contract, authorizing and instructing the City Manager to enter into and execute contract pursuant to specification on file in the office of the Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent reporting on bids for construction of Underground Electric Service to the Control Tower Area, Lindbergh Field, received December 9, 1953, from 5 bidders. It recommends award to Ets-Hokin & Galvan, low bidder, in the amount of \$3,021.00 (estimate was \$3,300.00).

RESOLUTION NO. 115860, recorded on Microfilm Roll No. 73, accepting bid of Ets-Hokin & Galvan for construction of Underground Electric Service to the Control Tower Area, Lindbergh Field, for the Harbor Department; awarding contract, authorizing and instructing a majority of the members of the Harbor Commission to enter into and execute contract therefor, pursuant to the 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 for furnishing requirements of bulk Quick Lime, for water purification for a period of 6 months beginning January 1, 1954, received December 16, 1953, was presented. It recommends award to Arrowhead Lime & Chemical Co., Sales Division, United States Lime Products Corporation of Los Angeles - in accordance with detailed report.- It states that although 3 bidders were furnished specifications and bid forms, but a single bid was received.

RESOLUTION NO. 115861, recorded on Microfilm Roll No. 73, accepting bid of Arrowhead Lime & Chemical Co., Sales Division, United States Lime Products Corporation to furnish requirements of Bulk Quick Lime for a period of 6 months beginning January 1, 1954, at a price of \$17.05 per net ton, f.o.b. Sloan and/or Henderson, Nevada, prepaid transportation charges to Alvarado Filtration Plant, San Diego, \$10.40 per net ton, subject to increases or decreases according to charges authorized by Interstate Commerce Commission, etc; 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 pursuant to 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 the City Manager's stamp of approval, reporting on bids for construction of storm drain in Lots 24 and 25 Block 274 Pacific Beach, the Alley in said Block, and Reed Avenue, received December 9, 1953, from 7 bidders, was presented. It recommends award to Pacific Construction Company, low bidder, in the amount of \$1669.00 - 16.6% below the estimate.

RESOLUTION NO. 115862, recorded on Microfilm Roll No. 73, accepting bid of Pace Construction Company for construction of storm drain in Lots 24 and 25 Block 274 Pacific Beach, the Alley in said Block, Reed Avenue; 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 pursuant to 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 reporting on bids for construction and installation of Harbor Master's float and partial construction of wood pile pier on Shelter Island, received December 4, 1953, from 3 bidders, was presented. It states that low bid was submitted by R. E. Staite at \$15,710.00; original estimate of the Harbor Engineer, prepared many months ago, was \$11,400.00, based on construction by City forces. It states that the City Engineer reports that when additions for insurance, profit, etc., in the case of work being done by private contract are added to the original estimate, the estimate and bid price is satisfactorily close. Award to R. E. State, based on the low bid, was recommended.

RESOLUTION NO. 115863, recorded on Microfilm Roll No. 73, accepting bid of R. E. Staite for construction and installation of Harbor Master's float and partial construction of wood pile pier on Shelter Island, for the Harbor Department; 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 pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115864, recorded on Microfilm Roll No. 73, authorizing and directing the Purchasing Agent to purchase 1,000 feet of 2-1/2" Double Jacketed Rubber Lined Fire Hose from Bi-Lateral Fire Hose Company at a price of \$1.65 per foot, including couplings, plus State or Use Tax, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Chief of the Fire Department has advised

the Purchasing Agent of requirement, for use as lead-in hose by downtown engine companies; that said company is the sole source of supply, and has quoted price as stated; that in view of the fact that no benefit to the City can be obtained by advertising for bids, authorization for purchase is made.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for 1 6-Wheel Drive Dump Truck for the Public Works, as per specifications on file in the office of the City Clerk bearing Document No. 482233, was presented.

RESOLUTION NO. 115865, recorded on Microfilm Roll No. 73, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 6-Wheel Drive Dump Truck, in accordance with specifications, etc., 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 1 Portable Vibratory Compactor, for the Public Works Department, as per specifications on file in the office of the City Clerk bearing Document No. 482232, was presented.

RESOLUTION NO. 115866, recorded on Microfilm Roll No. 73, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 Portable Vibratory Compactor, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115867, recorded on Microfilm Roll No. 73, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of a fire station building for Fire Engine Company #26 at 2850 - 54th Street, bearing Document No. 482231; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115868, recorded on Microfilm Roll No. 73, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of traffic signal and safety lighting system on Wabash Boulevard, Section B, bearing Document No. 482230; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition to close Alley Block 4 Chesterton Extension, and Templeton Street between Shenandoah Drive and Chesterton Drive, was presented. It states that except for a strip of commercial development along the northerly side of Chesterton Drive, all of Blocks 4 and 5 Chesterton Extension, is occupied by school buildings and playgrounds. The communication says there is a water main and an 8" sewer in Templeton Street, and a 6" sewer in the Alley Block 4, which are a necessary part of the sewer and water system of the area, that since existing sewers were constructed with cement tile it may be necessary to replace them at some time in the future, that if the sewers and water mains are required to be replaced they will be rerouted around the school site, with estimated cost of relocation at \$11,000.00. The report states that in order to make the area available for school site, it is proposed to grant the requested closings, providing the School Board will grant easement for existing main, sewers and utilities and that agreement be negotiated between the City and the School Board providing for relocation when the City determines it is no longer feasible to maintain them in their existing location; that the City and the Board of Education share the cost of relocation on a 50-50 basis. The Board of Education agreed to the conditions at a meeting on November 17, 1953, the report states. It recommends that the Alley be closed as requested; also that the City Attorney be requested to prepare an agreement covering the proposed agreement between the City and School Board for the relocation of the sewers and water main.

RESOLUTION NO. 115869, recorded on Microfilm Roll No. 73, granting petition for closing the Alley in Block 4 Chesterton Extension, and Templeton Street between Shenandoah Drive and Chesterton Drive, contained in Document No. 469695, 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; also directing the City Attorney to prepare and present an agreement between the City of San Diego and the Board of Education covering the proposed future relocation of sewers and water main; the City and Board of Education to share the cost of relocation on a 50-50 basis - all as set forth in communication from the Street Superintendent under Document No. 482252, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition for closing portion of the Alley in Block 266 San Diego Land and Town Co.'s Addition between the easterly line of Wabash Freeway and the easterly line of San Diego Land and Town Co.'s Addition, was presented. Said

communication states that portion of the alley proposed to be closed is unimproved and contains no sewers or water mains, that Wabash Boulevard right of way has been acquired diagonally across the northwesterly portion of Block 266 (Dwg. 7239-L for R/W Plat), with access rights acquired in Lots 10, 11, 39 and 40. Also, the communication says that portion of the proposed closing adjacent to Lot 10 would revert to the City of San Diego. Further, it reports that construction of Wabash Boulevard will physically cut off access to said Alley, it would be advantageous to the City for the Alley to be closed, and to obtain access rights across the closed Alley on the easterly line of Wabash Boulevard as shown on sketch dated 12-7-53. It says that the owner of the adjacent property has agreed to grant access rights when the alley is closed, in exchange for small triangular portion of the Alley adjacent to Lot 10, marked "Parcel A". The communication recommends that the portion of the Alley be closed as requested.

RESOLUTION NO. 115870, recorded on Microfilm Roll No. 73, granting petition for the closing of portion of the Alley in Block 266 San Diego Land and Town Co.'s Addition, between the easterly line of Wabash Freeway and the easterly line of San Diego Land and Town Co.'s Addition (Dwg. 7239-L), as recommended by the Street Superintendent; directing the City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Burchener, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition to close Cable Street, between a line drawn parallel to and 75 feet southerly from the southerly line of Orchard Avenue, and a line drawn between a point on the easterly line of Cable Street a distance of 174.74 feet southerly from Orchard Avenue and the most southerly point of Block 67-1/2 Ocean Beach, was presented. It states that Cable Street southwesterly from Orchard Street terminates in the Pacific Ocean and the area proposed to be closed is located within a "wash out" which is unlikely ever to be improved as a street. In addition, it says that the proposed closing would not affect the Major Street Plan of the City, but it would conflict with the policy of the City as defined in Section 102.04 of the Municipal Code, which requires that all streets leading to the bay front to be open to the mean high tide line. It says, also, that the closing would violate said sections of the Municipal Code and would deny the public the right of access from Orchard Avenue to the ocean, and might cut off some view of the surrounding property owners and obstruct the view of persons walking or driving to said point for the purpose of viewing the ocean and rocky shore line adjacent to Cable Street. It recommends that the petition to close said portion of Cable Street be denied.

RESOLUTION NO. 115871, recorded on Microfilm Roll No. 74, denying petition contained in Document No. 479532 for the closing of Cable Street between a line drawn parallel to and 75 feet southerly from the southerly line of Orchard Avenue, and a line drawn between a point on the easterly line of Cable Street a distance of 174.74 feet southerly from Orchard Avenue and the most southerly point of Block 67-1/2 Ocean Front, as recommended by the Street Superintendent, which recommendation was approved by the Assistant City Manager, 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 letter requesting closing of Front Street between the southerly line of Island Avenue and the northerly line of the San Diego & Arizona Eastern Railway right of way, was presented. It states that portion of Front Street proposed to be closed is now paved for use as a storage yard, and access is cut off by a fence along the southerly line of Island Avenue. Front Street is improved from Island Avenue, with the grade established northerly from J Street (profile No. 357), and the storm drainage flowing southerly on Front Street crosses Island Avenue and flows on the surface to inlets in a culvert system located along the northerly S.D. & A.E. Ry. right of way (drawing 1977-L), according to the report. It states that in correspondence and conferences subsequent to June 29, 1953 the Geo. W. Carter Company (petitioner for the closing) has agreed to construct a storm drainage system, satisfactory to the City, which will carry the storm water from Island Avenue to the existing culvert system near the S.D. & A.E. Railway; to grant easements for said storm drains and for public utilities, and construct curbs as required by the City along the southerly curb line of Island Avenue, all at no expense to the City, if Front Street is closed. Also, the communication says that all interested City Departments, the Harbor Department, the S.D. & A.E. Railway Co., the A.T. & S.F. Railway Co. and the utility companies have been advised of the proposed closing, and have no objections under the conditions stated in the above paragraph. It recommends that Front Street between the southerly line of Island Avenue and the northerly line of the S.D. & A.E. Railway Co. right of way be closed.

RESOLUTION NO. 115872, recorded on Microfilm Roll No. 74, granting petition for the closing of Front Street between the southerly line of Island Avenue and the northerly line of the S.D. & A.E. Railway Co. right of way, as petitioned for in Document No. 472510, and as recommended 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 Kerrigan, 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 westerly half of Hawk Street between Walnut Avenue and Brooks Avenue, was presented. A canyon approximately 50 feet deep extending westerly from Reynard Way, cuts off the extension of Hawk Street between Walnut Avenue and Brooks Avenue, according to the report. It says that portion of Hawk Street is unimproved and contains no sewers or water mains, and is not required

public use, except for a drain culvert located in the easterly half of Hawk Street, and that the proposed closing does not affect the Major Street Plan. It recommends that the westerly 40 feet of Hawk Street be closed, as requested, between the northerly line of Walnut Avenue and the southerly line of Brooks Avenue.

RESOLUTION NO. 115873, recorded on Microfilm Roll No. 74, granting petition for closing the westerly half of Hawk Street between Walnut Avenue and Brooks Avenue, as petitioned for in Document No. 478796, and 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 Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 3 sections of the San Diego Municipal Code in connection with the Tentative Map of Lorenz Avenue Tract subdivision, was presented.

RESOLUTION NO. 115874, recorded on Microfilm Roll No. 74, suspending Sections 102.12-6, 102.18, 102.17-c of the San Diego Municipal Code in connection with the Tentative Map of Lorenz Avenue Tract, 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 Tentative Map of Lorenz Avenue Tract, a 4-lot subdivision of Lot 142 National Vista, located on Lorenz Avenue and Harbison Avenue, north of Division Street - in the area recently annexed to the City - was presented. It states that between the time the Commission had recommended adoption of the map subject to recommendations of the departments, the City Engineer has discovered the grading on the easterly side of Harbison Avenue will adversely affect the adjacent properties and has subsequently recommended the omission of sidewalks on Harbison Avenue, which is contrary to the policy of the Commission and the Council. There are no sidewalks now installed on the easterly side of Harbison Avenue, and it will be necessary in the future to grade an additional 10 feet along the street to provide width required in the Major Street Plan, according to the report.

RESOLUTION NO. 115875, recorded on Microfilm Roll No. 74, approving the Tentative Map of Lorenz Avenue Tract, subject to the 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, relative to hearing conducted by the Planning Commission December 16, hearing initiated by the City Council in Resolution No. 115049, wherein the Planning Commission was directed to hold a hearing for the purpose of amending the 3 zoning ordinance by deleting one section from each ordinance, which deletion would then prohibit oil and gas well drilling in the areas covered by the zoning ordinances, except the land zoned M-2; oil and gas well drilling would still be permitted in the M-2 zones. It states that the Resolution referred to proposal to delete Section 7 from Ordinance No. 13455, Section 7 from Ordinance No. 13456 and Section from Ordinance No. 13457; and that when the area was zoned in 1932 some property owners felt that the possibilities of oil and gas discovery were such as to justify the retention of the right to make such subsurface explorations. In addition to a detailed report from the Commission, it is stated that there were no objections from any area, other than one in Sorrento. (One letter of protest was received from Mrs. L. P. Kendall, given Document No. 481700; referred to the City Manager by the Council on December 15, 1953 - having to do with the proposed ban in Mission Bay). It reports that the Commission voted 6-0 to recommend that Section 7 of Ordinance No. 13455, Section 7 of Ordinance No. 13456 and Section 9 of Ordinance No. 13457 be deleted so that oil and gas well drilling would no longer be listed as a permitted use in the areas; that it be forwarded to the City Attorney's office for drafting of proper ordinance prior to setting for a public hearing.

RESOLUTION NO. 115876, recorded on Microfilm Roll No. 74, adopting recommendation of the Planning Commission, contained in Document No. 482275; directing the City Attorney to prepare the necessary ordinance or ordinances deleting Section 7 of Ordinance No. 13455, Section 7 of Ordinance No. 13456 and Section 9 of Ordinance No. 13457, so that oil and gas well drilling would no longer be listed as permitted use in the areas mentioned, in connection with zoning, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition of 100% of the abutting property owners requesting that the name of Hempstead Place be changed to Wesleyan Place - being a short deadend street, about 225 feet in length, which extends northwesterly from Hempstead Circle in Kensington Heights. In addition to a further report, the communication states that the Planning Commission voted unanimously to recommend that the name of Hempstead Place be changed to Wesleyan Place, as requested.

RESOLUTION NO. 115877, recorded on Microfilm Roll No. 74, adopting the recommendation of the City Planning Commission, contained in Document No. 482276, that petition be granted for changing of the name of Hempstead Place to Wesleyan Place; directing the City Attorney to prepare and present an Ordinance making such change in street name, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending that the Council order a district formed to pay the costs and expenses of improving Byron Street between Scott Street and the Mean High Tide Line, by the grading, paving and installing curbs, was presented. It states that the Harbor Department has recently paved the center of Byron Street between Scott Street and the Mean High Tide Line by City contract, and recommends that the balance be improved under 1911 Improvement Act proceedings.

RESOLUTION NO. 115878, recorded on Microfilm Roll No. 74, adopting the recommendation of the City Engineer, under Document No. 482151, that district be formed to pay the costs and expenses of the improving of Byron Street between Scott Street and the Mean High Tide Line, by the grading, paving and installing of curbs under a 1911 Improvement Act proceedings - the area not heretofore improved in the center by the Harbor Department under a City contract - was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Clairemont Company, signed by Louis C. Burgener, partner, P.O. Box 569 La Jolla, dated December 14, 1953, and bearing Document No. 482123, was presented. It requests exchange of easements in Lot 194 Clairemont Unit No. 2.

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

Communication from El Cajon Boulevard Civic Association, 6810 El Cajon Boulevard, San Diego 15, dated December 15, 1953, was presented. It refers to the plan for the re-routing of Highway 80. Among other things, it says that the Association is in full accord that there is desperate need for the present route through the Valley being brought up to full freeway standards to accommodate more cars and relief the congestion at peak hours, but that it should not be necessary to remove the official status of Highway 80 from El Cajon Blvd. in order to improve the Valley road to full freeway standards. It points out that San Diego is a tourist town and as such the highways should go through it, not around it. In addition, it says that if the proposed Valley route is made Highway 80 and El Cajon Blvd. is made a "business route" as has been suggested, without doubt the vast majority of the small percentage of tourist traffic would be diverted through the Valley to the junction with Highway 395 or 101, then on to Los Angeles and points north, with their gain and our loss to the tune of thirty million dollars.

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

Communication from Mrs. Bessie N. Russell, 2150 Garnet Avenue, relative to need for widening of the pavement on Garnet Avenue, between Pendleton Street and Morrell Street, was presented. It refers to the bottleneck created by the recent widening of Balboa from Pacific Highway to Pendleton at City expense, and that the places are no longer desirable for residence, etc. It asks for the widening by City expense.

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

Communication from San Diego Chamber of Commerce, dated December 17, 1953, signed by C. T. Leigh, president, was presented. It urges establishment of a Mission Bay Commission, and endorses plans for an Oceanarium in plans for Mission Bay development.

RESOLUTION NO. 115879, recorded on Microfilm Roll No. 74, referring to Council Conference communication from San Diego Chamber of Commerce urging establishment of Mission Bay Commission, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115880 will be found at the end of this meeting, where it was introduced, under unanimous consent - but numbered at this point for the convenience of those interested in the matter of demountable housing.

RESOLUTION NO. 115881, recorded on Microfilm Roll No. 74, directing notice of filing of assessment and of the time and place of hearing thereof, on the City Engineer's Assessment No. 2193 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 195 City Heights and Lincoln Avenue, under Resolution of Intention No. 109805, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115882, recorded on Microfilm Roll No. 74, directing notice of filing of assessment and of the time and place of hearing thereof, on the City Engineer's Assessment No. 2194 made to cover the costs and expenses of the work done upon the installing of a sanitary sewer in Littlefield Street and Knoxville Street, under Resolution of Intention No. 112877, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 115883, recorded on Microfilm Roll No. 74, accepting bid of Griffith Company, and awarding contract for the paving and otherwise improving of Nashville Street, Morena Boulevard, Lehigh Street and Tonopah Avenue, within the

limits and as particularly described in Resolution of Intention No. 114360, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

(A written report from the City Engineer states that the low bid is 15.0% below the estimate).

RESOLUTION OF AWARD NO. 115884, recorded on Microfilm Roll No. 74, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract for the paving and otherwise improving of Poe Street and Evergreen Street, within the limits and as particularly described in Resolution of Intention No. 114500, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

(A written report from the City Engineer states that the low bid is 16.8% below the estimate).

RESOLUTION OF AWARD NO. 115885, recorded on Microfilm Roll No. 74, 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 Rhode Island Street and Madison Avenue, within the limits and as particularly described in Resolution of Intention No. 114361, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

(A written report from the City Engineer states that the low bid is 18.6% below the estimate).

RESOLUTION ORDERING WORK NO. 115886, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of Georgia Street, within the limits and as particularly described in Resolution of Intention No. 115144, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 115887, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of Gloria Street, within the limits and as particularly described in Resolution of Intention No. 115145, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 115888, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of J Street and 43rd Street, within the limits and as particularly described in Resolution of Intention No. 115146, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 115889, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of Landis Street and the Alley in Block 82 City Heights, within the limits and as particularly described in Resolution of Intention No. 115147, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 115890, recorded on Microfilm Roll No. 74, 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, 1954 to and including January 29, 1955, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 115891, recorded on Microfilm Roll No. 74, for the closing of portion of Boston Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115892, recorded on Microfilm Roll No. 74, 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, 1954, to and including February 28, 1955, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115893, recorded on Microfilm Roll No. 74, 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, 1954, to and including February 28, 1955, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

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RESOLUTION NO. 115894, recorded on Microfilm Roll No. 74, 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. 3, for a period of one year from and including March 1, 1954 to and including February 28, 1955, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 115895, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of Ellison Place, 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. 115896, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of 54th Street, Blackton Drive, 55th Street, Balboa Vista Drive, 56th Street, Olive Street, Seifert Street, Biloxi Street, Laurel Street, Faulconer Street, The Alleys in Blocks A, B, C, D, F, G, H, J Balboa Vista, The Alley in Balboa Heights which lies easterly of and contiguous to Lots 4 to 12 inclusive of said Balboa Vista Heights, The Alley lying easterly of and contiguous to Lots 4 to 9 inclusive Block I Balboa Vista, Lolly Circle and the Alley in Lot 3 C. C. Seaman's Subdivision, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 115897, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of Santa Isabel Drive and Olvera Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115898, recorded on Microfilm Roll No. 74, stating that it is the intention to change the grade of Anna Avenue, as stated in said Resolution, to have a uniform ascent and descent, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115899, recorded on Microfilm Roll No. 74, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of lamps on mast arms in Mission Beach Lighting District No. 1, together with maintenance of mast arms, wires and lamps, for a period of one year from and including May 15, 1954, to and including May 14, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115900, recorded on Microfilm Roll No. 74, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Beaumont Avenue, within the limits and as particularly described in Resolution of Intention No. 113131 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 Wincote, adopted.

RESOLUTION NO. 115901, recorded on Microfilm Roll No. 74, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Monte Vista Avenue, within the limits and as particularly described in Resolution of Intention No. 111924 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 Wincote, adopted.

RESOLUTION NO. 115902, recorded on Microfilm Roll No. 74, 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 4 Washington Heights, within the limits and as particularly described in Resolution of Intention No. 113491 and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115903, recorded on Microfilm Roll No. 74, 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 58 Park Villas, Felton Street, and public right of way, within the limits and as particularly described in Resolution of Intention No. 113750 and to be assessed to pay the expenses thereof, was on

motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115904, recorded on Microfilm Roll No. 74, 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 Chamoune Avenue, within the limits and as particularly described in Resolution of Intention No. 113885 and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115905, recorded on Microfilm Roll No. 74, granting petition of Ralph G. Miller, Catherine M. Miller et al., and granting permission to pave and otherwise improve portion of the Alley in Block 36 Fairmount Addition, by private contract, under plans and specifications bearing Document No. 482104, in accordance with said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The next matter was continued to this meeting from the meeting of December 17, 1953.

RESOLUTION NO. 115906, recorded on Microfilm Roll No. 74, authorizing and empowering the Port Director to do all the work in connection with the construction of a boneyard and storage area adjacent to the Non-Scheduled Flight Area at Lindbergh Field, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, submitting form of lease with Solar Aircraft Company covering approximately 3,210 square feet on the Laurel Street side of Lindbergh Field, together with pipeline right-of-way under Laurel Street, was presented. It states that the lease is for a term of five years at a rental of \$25.00 per month, subject to review at the end of two and one-half years. It says, also, that premises are to be used for installation, maintenance and operation of a liquefied petroleum gas tank, pump and underground pipelines. Provisions conform to established policy, according to the communication.

RESOLUTION NO. 115907, recorded on Microfilm Roll No. 74, ratifying, confirming and approving lease, copy of which is on file in the office of the City Clerk as Document No. 482117 between the City of San Diego acting by and through the Harbor Commission, and Solar Aircraft Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115908, recorded on Microfilm Roll No. 74, determining and declaring that the public interest, convenience and necessity of the City of San Diego require the construction, operation and maintenance of storm drains and appurtenances thereto across portions of Lots 26 and 27 Treat Addition, and lots 40 to 52 inclusive Pacific View Homestead Lots; that the public interest, convenience and necessity demand acquisition of easements and rights of way through, over, under, upon, along and across said property, to be used by The City for construction of said storm drains and appurtenances thereto within the area aforesaid; and 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 of The City of San Diego to commence action in the Superior Court of The State of California, in and for the County of San Diego, for the purpose of condemning said property and acquiring said easements and rights of way, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115909, recorded on Microfilm Roll No. 74, authorizing and empowering the City Manager to execute, for and on behalf of The City, a Contract of Sale and Lease Agreement with L. R. Green, Georgia H. Green, Hildreth von KleinSmid, Helen G. Banister, and Green Mutual Water Company of San Diego, involving portions of Oak's Tract in Rancho San Bernardo in the County of San Diego, State of California, the more particular description of the property and terms and conditions are set forth in form of Contract of Sale and Lease Agreement filed in the office of the City Clerk under Document No. 482347, which said real property has a value of \$600,000.00 as determined by an appraisal made by a qualified real estate appraiser, and which sum is the purchase price of said property, to be paid to said owners, which property is being leased back to said sellers thereof as part of the consideration for the conveyance of said property to the City, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115910, recorded on Microfilm Roll No. 74, authorizing and directing the City Manager to execute on behalf of The City of San Diego utilities agreement No. 4949 dated November 24, 1953, with the Department of Public Works, Division of Highways, State of California, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said resolution states that a 4 inch C.I. water pipe at Engineer's Station 416+00 Left on Torrey Pines Truck Lane of the State Highway was installed on City of San

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Diego owned property; that said Division has agreed to pay to the City of San Diego \$461.35 for relocation to clear proposed Highway construction.

RESOLUTION NO. 115911, recorded on Microfilm Roll No. 74, authorizing and directing the City Manager, for and on behalf of The City of San Diego, to execute an Agreement by and between the City of San Diego and Frank Hynum, owner and operator of the Chula Vista Sanitary Service, Chula Vista, California, for collection, removal, and disposal of rubbish and garbage in a designated "Basic Area" under the terms and conditions as set forth in form of said Agreement on file in the Office of the City Clerk under Document No. 482348, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115912, recorded on Microfilm Roll No. 74, authorizing and empowering the City Manager to execute, for and on behalf of the City, a lease with Crown Air Charter, Inc., of portion of Montgomery Airfield more particularly shown on City of San Diego Finance Department Property Management Division Plat No. 147 dated December 1, 1953, for term of 5 years; as set forth in the form of lease filed in the office of the City Clerk under Document No. 482319; real property has value of \$5,000.00 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115913, recorded on Microfilm Roll No. 74, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, an agreement with Alice M. Doyle and Franklin Hall leasing portion of Crystal Pier to said parties, cancelling and terminating previous lease agreement, and accepting the sum of \$500.00 from said lessees as full payment of all rents due to the City from said lessees or their predecessors in interest; description of property and terms and conditions set forth in form of agreement filed in the office of the City Clerk under Document No. 482350, which property has a value of \$75,000.00 as disclosed by the report of the last appraisal made by the City Auditor and Comptroller, leased for the reason that the City will derive revenue not otherwise obtainable, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115914, recorded on Microfilm Roll No. 74, approving Change Order No. 1, dated September 8, 1953, heretofore filed with the City Clerk as Document No. 482293, issued in connection with contract between The City of San Diego and R. E. Hazard Contracting Co. for improvement of Laurel Street, between Harbor Drive and Pacific Highway, contract contained in Document No. 474953 on file in the office of the City Clerk, changes amounting to increase in the contract price of approximately \$1,227.60, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115915, recorded on Microfilm Roll No. 74, approving request of Nielsen Construction Company, dated December 7, 1953, contained in Change Order No. 4, for extension of 15 days to and including December 29, 1953, heretofore filed with the City Clerk as Document No. 482294, in which to complete contract for construction of Fire Station No. 25, contract contained in Document No. 473311 on file in the office of the City Clerk, extending time of completion to December 29, 1953, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115916, recorded on Microfilm Roll No. 74, authorizing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Leo Street, at Saranac Street;
Leo Street, North of Saranac Street;
Leo Street, at Roxy Lane;
Juniper Street, at Westland Avenue;

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

RESOLUTION NO. 115917, recorded on Microfilm Roll No. 74, granting permission to David A. Smith, 2004 Hornblend, San Diego, to install a 4-inch cast iron sewer line to run from a point on the easterly line of Lot 8 Block 294 Pacific Beach across Oliver Court a distance of 22 feet; thence southerly in a direct and parallel line to the easterly line of Oliver Court 70 feet more or less to a point in Oliver Avenue; thence easterly in a direct line along Oliver Avenue a distance of 77 feet more or less to point of intersection with existing public sewer line in the 20-foot alley east of said Block 294; to serve property at 4212, 4214, 4214-1/2 and 4216 Oliver Court; subject to approval of the City Engineer (sewer Division), and approval of the City Manager, and upon conditions set forth therein, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115918, recorded on Microfilm Roll No. 74, authorizing and directing the City Auditor and Comptroller to reimburse A. George Fish, Safety Officer, for the necessary expenses incurred by him in returning by way of New Orleans and attending the Governor's Safety Congress in Los Angeles, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Said Resolution states that the Council authorized attendance at the National Safety Congress in Chicago, October 19 to 23, 1953, that it was found that Mr. Fish could return by way of New Orleans and there attend the Congress of American Public Works Association October 26 to 29, 1953; that it further appears to be advantageous to the City for Mr. Fish to have stopped over in Los Angeles.

RESOLUTION NO. 115919, recorded on Microfilm Roll No. 74, denying claim of Consolidated-Vultee Aircraft Corporation in the amount of \$4,002.52, for property taxes paid under protest, filed with the City Auditor and Comptroller on November 27, 1953, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Kerrigan, the reading of the next ordinance was dispensed with - seconded by Councilman Wincote - by 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. 5893 (New Series), amending the San Diego Municipal Code by amending Sections 52.25 and 52.25.1 regulating uses of pedestrian tunnels - Loitering in Prohibited; Facilities for Locking - 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.

A proposed Ordinance appropriating the sum of \$100,000.00 from the Capital Outlay Fund for providing funds for acquisition of land for permanent public improvements, and providing that no purchase shall be made without first having been authorized by Resolution of the Council, was presented.

Councilman Wincote moved to continue the matter until the meeting of Thursday, December 24, 1953. He said that he had a question, that members of the Council know what it is, but that he hesitated to bring it up at this time.

The City Manager referred to the proposed ordinance as a "Fund Transaction", and pointed out as the ordinance that the Council would have to authorize purchase by Resolution.

On motion of Councilman Dail, seconded by Councilman Burgener, said proposed Ordinance was continued for consideration to the meeting of Thursday, December 24, 1953.

On motion of Councilman Dail, seconded by Councilman Godfrey, the next Ordinance was introduced.

The reading of said ordinance was dispensed with, on motion of Councilman Dail, seconded by Councilman Godfrey, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 5894 (New Series), recorded on Microfilm Roll No. 74, appropriating the sum of \$18,500.00 from the Traffic Safety Fund, for the purpose of providing funds for installation of Traffic Signals and Safety Lighting at the intersection of National Avenue and Imperial Avenue, was on motion of Councilman Dail, 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.

There was available for consideration of each member of the Council prior to the day of its passage a written or printed copy.

On motion of Councilman Godfrey, seconded by Councilman Dail, the next Ordinance was introduced.

The reading of said Ordinance was dispensed with, on motion of Councilman Godfrey, seconded by Councilman Dail, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 5895 (New Series), recorded on Microfilm Roll No. 74, appropriating the sum of \$1,850.00 from the Capital Outlay Fund of the City of San Diego, for the purpose of providing funds for construction of Storm Drain in Lots 24 and 25 Block 274 Pacific Beach, the Alley in said Block, and Reed Avenue, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

There was available for consideration of each member of the Council prior to the day of its passage a written or printed copy.

On motion of Councilman Burgener, seconded by Councilman Wincote, the next Ordinance was introduced.

The reading of said Ordinance was dispensed with, on motion of Councilman Burgener, 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. There was a available for consideration of each member of the Council prior to the day of its passage a written or printed copy.

ORDINANCE NO. 5896 (New Series), recorded on Microfilm Roll No. 74, appropriating the sum of \$600.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing additional funds to pay the City's share of the cost of construction of a main trunk sewer line for the transportation of sewage from the Lemon Grove Sanitation District to the City's Sewage Treatment Plant, was on motion of Councilman 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 Burgener, the ordinance amending Sections 102.02, 102.03 and 102.12 of the San Diego Municipal Code, relating to Subdivisions, 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 Wincote, seconded by Councilman Kerrigan, ordinance authorizing the leasing of Pueblo Lots 1351 and 1355 of the Pueblo Lands of San Diego, to O. D. Shaw, at a rental of \$100.00 annually, payable in advance, for a period of 5 years, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, ordinance authorizing the leasing of Pueblo Lot 1353 of the Pueblo Lands of San Diego, to C. C. McCarroll, at a rental of \$100.00 annually, payable in advance, for a period of 5 years, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, 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:

Said Resolution, numbered out of order, was shown earlier in these Minutes as a matter of convenience.

Said Resolution, having to do with temporary housing, was referred to by Councilman Dail as possibly authorizing houses to go to a foreign country, and said that he would "not go for it". It is a matter of discrimination, he declared.

Councilman Kerrigan asked why permit shacks for someone else, when the City will not permit them.

Councilman Wincote said that nevertheless it may mean the up-grading of standards elsewhere. He said that it is up to "them" regarding regulations.

Councilman Dail asked why someone else should be permitted to use them, when the buildings would have to be demolished elsewhere.

Councilman Schneider said that if Imperial Valley wants to use the buildings to house transients, or Tijuana wants to use them to improve their shacks, it is advisable.

Councilman Kerrigan stated that if the buildings are to be moved to Tijuana, they would be superior to the shacks which exist on its outskirts.

Councilman Dail said that it is a question relative to use or destruction.

Councilman Godfrey spoke about alternatives relative to the buildings being burned, sold as is, sold and revised, or sold as scrap lumber. Which would be the best, he asked. There are two choices left, according to Councilman Godfrey: sell them outside, or sell them as scrap here.

The City Manager said that the Council should clarify the City's position first. The buildings are to be sold by the United States, which owns them, he pointed out. He added that the Government will be guided by the City's wishes. He spoke of not wanting determination for other areas.

Councilman Godfrey said that if they were our (The City of San Diego's) buildings it would be one thing, but this is another inasmuch as they belong to the Federal Government.

Councilman Godfrey moved adoption of the proposed Resolution.

Councilman Schneider then moved adoption of the same Resolution.

Councilman Godfrey said that there was a possibility that the buildings could be found on the edge of the City.

The City Manager reviewed the Resolution which provides for no use in the County, if sold.

Councilman Dail wanted to eliminate the matter of the buildings being lived in. If they are substandard, why palm them off on somebody else, he inquired.

Councilman Wincote seconded the motion to adopt the ordinance which the City Manager had presented.

The City Manager presented the Resolution to the Mayor, from which the Mayor read a portion.

Councilman Godfrey said that the Resolution is suggesting what Councilman Dail proposes, as first choice.

The roll was called, resulting in:

RESOLUTION NO. 115880, recorded on Microfilm Roll No. 74, determining that the City Council is of the opinion that it would be in the best interests of the

115880 (numbered out of order)

5896 N.S.

Ords introduced

81

people of The City of San Diego, if in disposing of those certain housing projects more particularly described as

CAL-4461 (Part	248 Units
4782	1600 "
4797	600 "
4798	300 "
4738	200 "
4996N	172 "
4040N	96 "
4997N	80 "

the said Housing and Home Finance Agency demolish all of the structures and buildings now located on said projects to the extent that said structures will no longer be capable of providing housing accommodations for people, or as an alternative to such demolition the said Housing and Home Finance Agency dispose of such structures by removing the same from the real property they now occupy to a county other than San Diego County, or to any foreign country, with the understanding that such structures will be satisfactory and meet with the approval of the authorities of such other county or counties or such foreign country, and that evidence of such approval be furnished to The City of San Diego before such transfers are made, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution states that the City Manager has been advised that certain housing projects within The City of San Diego are to be discontinued, and that if the City Council will advise the Administration that it is in the interests of the people of The City of San Diego to dispose of the dwelling structures on said housing units by destroying the same because of the character of the structures, that the Public Housing Administration may adopt such recommendation and demolish all such structures before transferring or disposing of the real properties involved; and that the Council is of the opinion that the character of structures described are such that it would not be in the interests of the City to have them transferred and continued to be used for public housing in this City, or its vicinity, and that the best interests of the City would be served by demolishing such structures before said Federal Home and Finance Agency discontinues said housing projects.

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

RESOLUTION NO. 115920, recorded on Microfilm Roll No. 74, approving in principle the annexation to The City of San Diego of all of the unincorporated area of the Bay of San Diego, and herein and hereby directs the City Manager and City Attorney to institute the necessary proceedings which will result in the incorporation of said unincorporated area of the bay as a part of The City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Said Resolution states that the Council is advised that a petition has been presented to the City Clerk for consideration by the Council, signed by property owners residing in the South Bay area of this County, requesting initiation of proceedings for annexation to The City of San Diego of all the area of the Bay of San Diego presently situated outside of the territorial boundaries of the Cities of Chula Vista, National City and Coronado; and that the Council is advised by representatives of the State Legislature Interim Committee recently appointed for the purpose of recommending plans for development of the Harbor of San Diego that it would be in the interests of such development and would facilitate the probabilities of the Legislature assisting in the development of said harbor by having the San Diego Bay tidelands annexed to The City of San Diego so that there would be no problem in the development of said bay involving territory outside of the corporate boundaries of the four cities now interested in the development of the harbor; that the Council is of the opinion that it would be in the interests of the City to follow said recommendation and institute proceedings for the annexation to The City of San Diego of all of the unincorporated territory situated within the Bay of San Diego.

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

Application of H. Bruggeman, owner, for license to operate cabaret at 6179 University Avenue, was presented, together with communication addressed to the City Manager, stating that the Fire Marshal, Building Inspector, Chief of Police and the Director of Social Service have all given oral approval pending completion of investigations.

The City Manager told the Council that the applicant wishes to have the license for Christmas.

RESOLUTION NO. 115921, recorded on Microfilm Roll No. 74, granting permission to Herbert Bruggeman to conduct a cabaret with paid entertainment at 6179 University Avenue, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at the hour of 10:36 o'clock A.M.

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

12/24/53

REGULAR MEETING

Chamber of the Council of The City of San Diego, Calif-
ornia, Thursday, December 24,
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 10:03 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, being the time to which hearing was continued from previous meetings, the appeal of Mrs. W. H. Comley from the decision of the Zoning Committee in denying permission to construct a garden shelter with a zero setback on Lot 7 and 30 feet of Lot 6 Block H Resubdivision of Villa Tract of La Jolla Park, at 7644 Pepita Way, in Zone R-1, the appeal was presented but there was no testimony for or against the variance.

RESOLUTION NO. 115922, recorded on Microfilm Roll No. 74, sustaining the appeal of W. H. Comley from the action of the Zoning Committee in denying by its Resolution No. 7885 permission to construct a garden shelter with zero setback on Lot 7 and 30 feet of Lot 6 Block H Resub. of Villa Tract of La Jolla Park, 7644 Pepita Way, in Zone R-1; overruling and denying said decision, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, being the time to which hearing was continued from previous meetings, the appeal of Mrs. W. H. Comley from the decision of the Zoning Committee in denying permission to construct a garden shelter with zero side yard on Lot 7 and 30 feet of Lot 6 Block H Resubdivision of Villa Tract of La Jolla Park, at 7644 Pepita Way, in Zone R-1; the appeal was presented but there was no testimony for or against the variance.

RESOLUTION NO. 115923, recorded on Microfilm Roll No. 74, sustaining the appeal of W. H. Comley from the action of the Zoning Committee in denying by its Resolution No. 7886 permission to construct a garden shelter with zero side yard on Lot 7 and 30 feet of Lot 6 Block H Resub. of Villa Tract of La Jolla Park, 7644 Pepita Way, in Zone R-1; overruling and denying said decision, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Petition of Paul C. Loeber, American Rent-A-Car, for permission to erect a single-face horizontal pole display approximately 8'0" x 5'10" reading "LA JOLLA AMBULANCE AND AMERICAN RENT-A-CAR" in Neon tubing, at 1125 Wall Street, La Jolla, was presented. It states that the location is in a commercial zone, and the display will be 2'0" in back of the property line and that it meets with all legal requirements of the San Diego Sign Ordinance. Architectural approval was denied by the Planning Commission for no apparent valid reason, according to the petition.

Councilman Wincote stated that the new architectural control ordinance goes into effect tomorrow.

Asked about the matter, Douglas D. Deaper, Deputy City Attorney, replied that it "is legal".

The Mayor stated that the architectural approval issue involved was without basis.

Councilman Burgener told the Council he has been informed that neighbors want to appear in opposition as a persuasive issue.

Paul Loeber, the petitioner, said that La Jolla Town Council members who have signs which are non-confirming, have retained them when although "regulations" had been made.

Councilman Wincote observed that Councilmen Burgener had mentioned "persuasion" by the Council.

Mr. Loeber said that it is an emergency service which is proposed.

Councilman Schneider stated that he questioned many of the La Jolla Town Council decisions, which are often made by small groups.

Mr. Loeber showed to members of the Council photographs of signs which are in existence in La Jolla.

Kenneth Mitchell, representing a sign company, was heard in favor of the sign.

Councilman Wincote advised the petitioner that he can go ahead.

Mr. Deaper said that the Council should grant the petition, or instruct the Planning Commission to grant approval of the sign. He said that the Building Department needs a permit before it can issue the necessary papers.

RESOLUTION NO. 115924, recorded on Microfilm Roll No. 74, granting permission to Paul C. Loeber to erect a single-face horizontal pole display approximately 8'0" x 5'10" reading "LA JOLLA AMBULANCE AND AMERICAN RENT-A-CAR" in Neon tubing at 1125 Wall Street, La Jolla, 2'0" in back of the property line; as petitioned for under Document No. 482341, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

At this point, Councilman Kerrigan stated that action taken by the Council constitutes a useless gesture.

(This item appears again, later in this meeting).

115922 + 115924

Petition of F. L. McMechen and Union Title Insurance and Trust Company, requesting that petition for closing portion of Maple Street and portion of 29th Street, Document No. 481537, be amended, as set forth therein, was presented.

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

RESOLUTION NO. 115925, recorded on Microfilm Roll No. 74, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and installing about 4995 feet of 8", and 10,600 feet of 6" asbestos cement water mains in various locations, under Group 10, filed in the office of the City Clerk on the 23rd day of December, 1953, bearing official Document No. 482399; 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 Schneider, seconded by Councilman Burgener, adopted.

Two communications from the Planning Commission submitting Resolutions for adoption of the final map of Delta Heights Annex No. 2 and accepting public streets and unnamed easements shown thereon, was continued to an indefinite date, upon request of the Planning Commission, on motion of Councilman Burgener, seconded by Councilman Schneider.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the final map of Fairmount Gardens (approved as View Heights Manor, Sept. 18, 1952; Resolution 108386, as amended by Resolution 111161, March 19, 1953) subject to posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 115926, recorded on Microfilm Roll No. 74, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego, a contract with Fairmount Gardens, a corporation, for installation and completion of unfinished improvements and setting of monuments required; directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 115927, recorded on Microfilm Roll No. 74, adopting Map of Fairmount Gardens and accepting Beach Street and 47th Street, and unnamed easements; declaring them to be public streets and unnamed easements and dedicated to the public use; authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council, that said streets and unnamed easements are accepted on behalf of the public; directing the City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of Gregory Heights - in substantial compliance with Tentative Map, excepting that one lot is omitted - subject to installation of required improvements or posting of adequate bond to insure installation, was presented.

RESOLUTION NO. 115928, recorded on Microfilm Roll No. 74, adopting Map of Gregory Heights and accepting portion of Hill Street, portion of an alley, and unnamed easements; declaring them to be portion of street and alley, 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 they are accepted on behalf of the public, and directing him to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Wincote, seconded by Councilman Burgener, 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 Delta Heights Annex No. 1, was presented.

RESOLUTION NO. 115929, recorded on Microfilm Roll No. 74, suspending Sections 102.16.8, 102.18, 102.12-8, 102.17-c of the San Diego Municipal Code in connection with the Tentative Map of Delta Heights Annex No. 1, subdivision of portions of Lots 19, 20, 21 Wadsworth's Olive Grove, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending reapproval of the Tentative Map of Delta Heights Annex No. 1, originally approved by Resolution No. 109846 on December 12, 1952, under the name of O. D. Arnold Heights Unit No. 2, was presented. It recommends that conditions set forth in said Resolution be the same, except that Item 9 is amended.

RESOLUTION NO. 115930, recorded on Microfilm Roll No. 74, approving the Tentative Map of Delta Heights Annex No. 1, a subdivision of portions of Lots 19, 20, 21 Wadsworth's Olive Grove, subject to 10 conditions, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Councilman Dail was excused from the meeting at this time.

12/24/53

In connection with the "La Jolla Ambulance and American Rent-A-Car" sign matter, listed under communications on the agenda - which appears on page 82 of these Minutes, the Mayor spoke to members of the La Jolla Town Council, who had arrived at this point.

Councilman Godfrey spoke of the power under the new ordinance in connection with architectural control, and said that it will be "persuasive".

Councilman Burgener said that it would make no difference if the architectural feature had the approval or disapproval of the Planning Commission, inasmuch as that is not effective.

Bailey Gallison, Manager of the La Jolla Town Council, said that he appreciated the courtesy of the Council in granting a hearing after the matter had been determined. He said that he would file for the record two letters. The letters filed by him were from Allison-McCloskey Escrow Company, 7463 La Jolla Blvd., signed by J. M. Allison and from La Jolla Real Estate Brokers Assoc., signed by Richard Johnson, President. Both communications referred to not using large signs in La Jolla to detract from its appearance.

Councilman Wincote spoke about the ordinance relative to the architectural control, to go into effect tomorrow, which will make the matter persuasive only.

Mr. Gallison asked if there is no law.

Councilman Wincote replied that is right.

Councilman Schneider added that if the sign is on the owners property and is legal, the terms of the ordinance would make the control persuasive only.

There was no action beyond that taken earlier by Resolution No. 115924.

Communication from Eli H. Levenson, for Levenson, Levenson & Block, was presented. It refers to the denial on December 8, 1953 of petition for closing Stone Street. Also presented was a communication from Casa Manor Motel on the same subject. Both recite a history of the effort to secure closing, and collapse of Morey Levinson, attorney, which prevented his appearance on the matter.

Addressing Mr. Stafford, signer of the Casa Manor Motel letter, Councilman Wincote said that rather than reopen the case, it would be left as of the action taken, since property owners have to subdivide the property and provide access.

There was no action taken beyond the Resolution of Denial - Resolution No. 115608 adopted December 8, 1953.

Councilman Dail returned to the meeting at this time.

Communications from Ray and Edith Damron and from Mrs. Daugherty objecting to a Dog and Cat Hospital near 4193 Van Dyke Avenue, were presented.

Councilman Kerrigan said that the matter is before the Planning Commission.

Councilman Godfrey said that the protests are premature, and that they should be referred to the Zoning Committee.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, both communications were referred to the Zoning Committee.

Copy of communication from Yale Kahn, president of Top's, was presented. The original was addressed to Fire Chief George Courser, commending the Fire Department for what was considered as a fine example of civic service as could be performed in connection with fire which occurred at the 101 Chuck Wagon, the evening of December 15.

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

Communication from Kenneth MacLeod, 1682 Los Altos Road, San Diego 9, dated December 18, 1953, was presented. It states that the Planning Commission held a hearing and adopted a community plan for Soledad Terrace. In accordance with the accepted plan, it offers to "dedicate a 30' strip of land along the east side of the westerly portion of Lot 23 so that the alley (at present undedicated) may be turned north to Los Altos Road. It makes other suggestions and requests.

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

Communication from Ninth District, Inc., California Congress of Parents and Teachers, dated December 16, 1953, signed by Mrs. Harold R. Hartley, president, was presented. It states that it is understood that there is no state law or City Ordinance which prohibits minors from purchasing ammunition for firearms, or pellets for air propelled arms. The communication states that because of many inquiries, the executive board voted to write to the Council urging that an amendment to the Code be passed providing that it be unlawful for any person to sell said items to minors without consent of the parents or a statement from a reliable source that the minor has taken a prescribed course in Small Arms Safety.

Councilman Godfrey said that the sale to minors is not good. He added that things are afoot to improve the condition. He said that the matter should be referred to Council Conference.

RESOLUTION NO. 115931, recorded on Microfilm Roll No. 74, referring communication from Ninth District, Inc., California Congress of Parents and Teachers, re sale of and indiscriminate use of firearms in the hands of minors, to Council Conference,

115931

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

Communication from C. A. Phelps, 2146 Garnet Street, dated December 18, 1953, relative to need for widening of Garnet Street between Pendleton and Morrell Streets, and request for paving at City expense, was presented.

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

Communication from E. H. Prescott, dated Dec. 15, objecting to new transit water line work in the alley between Chamouné Avenue and 46th Street, excess pile of dirt, etc., was presented.

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

Communication from the Harbor Department, signed by John Bate, dated 17 December 1953, was presented. It attached for approval a form of Assignment of the Crofton Diesel Engine Co., Inc. lease to the General Truck & Engine Co. The communication states that the Assignment has been approved by the Harbor Commission on the basis that both companies are lessees of the Harbor Department and the ownership, corporate officers and management are identical in both corporations.

RESOLUTION NO. 115932, recorded on Microfilm Roll No. 74, confirming and approving Agreement for Assignment of lease entered into with Crofton Diesel Engine Company, Inc., assignment to General Truck & Engine Co., on file in the office of the City Clerk as Document No. 482362 (the Crofton Co. is both Assignor and Assignee, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Harbor Department, signed by John Bate, dated 18 December 1953, was presented. It attached form of lease with Edward T. Molitor covering approximately 28,000 feet on Lindbergh Field near the intersection of Wake Boulevard and Harbor Drive. It states that the lease is for 5 years with 1 option to renew for an additional 5-year term, rental established at 3¢ per square foot per year subject to review every 2-1/2 years of the lease and its option period. Premises are to be used for chartering, maintenance, sales and storage of aircraft.

RESOLUTION NO. 115933, recorded on Microfilm Roll No. 74, ratifying, confirming and approving lease, a copy of which is on file in the Office of the City Clerk as Document No. 482365, between the City of San Diego acting by and through the Harbor Commission as Lessor, and Edward T. Molitor as Lessee, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115934, recorded on Microfilm Roll No. 74, authorizing and empowering the City Manager to enter into contract for and on behalf of The City of San Diego, with John Bayer and Julia Bayer, husband and wife, Vista Park Homes No. 1, a corporation, Vista Park Homes No. 2, a corporation, Vista Park Homes No. 3, a corporation, Vista Park Homes No. 4, a corporation, C. S. Chapman and Alice Ellen Chapman, husband and wife and Irwin Chapman and Zelda Chapman, husband and wife, hereinafter called Subdivider, subdividers of Vista Park Unit No. 1, providing for installation of water mains and appurtenances larger than necessary for subdivision but required by the City, upon execution and delivery to the City of a quitclaim deed conveying all of the right, title and interest of the subdividers in and to the water distribution system in Vista Park Unit No. 1, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115935, recorded on Microfilm Roll No. 74, granting permission to Harry Epstein, owner of El Rey Traylor Court, 303 - 47th Avenue, to discharge wash water from laundry trays to a common drain without trapping each tray in community laundry, for the reason that it is desired to install laundry trays alternately with automatic washing machines; subject to approval of the Chief Plumbing Inspector and City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Winco te, adopted.

RESOLUTION NO. 115936, recorded on Microfilm Roll No. 74, granting permission to Wilbur A. Thomas, c/o R. C. Ek, 1636 National Avenue, San Diego 13, to remove 20 feet of curb on the east side of India Street between Spruce and Sassafrass Streets, contiguous with existing driveway, so as to provide a 38-foot driveway, measured at top of the full-height curb, adjacent to Lot 4 and north 10 feet of Lot 5 Block 129 Middletown, subject to installation of driveway including necessary curb breaking to be in accord with all rules, regulations and ordinances of The City of San Diego; and that if at any time area to be served by said driveways is not used for parking of motor vehicles, the permit shall be null and void, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

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RESOLUTION NO. 115937, recorded on Microfilm Roll No. 74, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of and as the act and deed of the City, subordination agreement subordinating conditions and restrictions to any mortgages or trust deeds made for value as to that portion of Pueblo Lot 1297 conveyed by deed recorded April 15, 1952 in Book 1335 page 31 official records, or as to any part thereof, upon such other terms and conditions as are contained in form of subordination agreement filed in the office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Said Resolution states that heretofore The City conveyed portion of Pueblo Lot 1297 to Richard Gill and Arthur A. Selligson, that the City imposed conditions and restrictions limiting use of the property to residential uses and providing for right of reversion to the City in event that conditions and restrictions were not followed, but not making any provision for subordination of conditions and restrictions to any subsequent mortgage or trust deed; that portion of said Pueblo Lot has since been subdivided as La Jolla Shores Terrace according to Map No. 2996 filed in the office of the County Recorder of San Diego County 29, 1953. It states that as a result of failure to provide such subordination provision, owners are unable to obtain mortgages and trust deeds to finance construction of residences, and that amendment should be made, and that the City Manager has recommended the same.

RESOLUTION NO. 115938, recorded on Microfilm Roll No. 74, approving Quitclaim Deed executed on the 14th day of December, 1953, by O.D. Arnold & Sons, co-partnership, 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 known as O. D. Arnold Heights Unit No. 1; 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 Burgener, adopted.

RESOLUTION NO. 115939, recorded on Microfilm Roll No. 74, accepting Quitclaim Deed executed on the 25th day of May, 1953, by John Bayer and Julia Bayer, husband and wife, C. S. Chapman and Alice Ellen Chapman, husband and wife, Irwin Chapman and Zelda Chapman, husband and wife, Vista Park Homes No. 1, a corporation, Vista Park Homes No. 2, a corporation, Vista Park Homes No. 3, a corporation, and Vista Park Homes No. 4, a corporation, quitclaiming to The City of San Diego, all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without the subdivision known as Vista Park Unit No. 1, being a subdivision of a portion of Pueblo Lot 1214; authorizing and directing the City Clerk to file said deed together with certified copy of said Resolution in the office of the County Recorder, was on motion of Councilman Burgener, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115940, recorded on Microfilm Roll No. 74, accepting Quitclaim Deed executed on the 15th of December, 1953, by Dennstedt Investment Co., a co-partnership, 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 Dennstedt Point Unit No. 3, being subdivision of portion of Lot 67 Rancho Mission of San Diego; authorizing and directing the City Clerk to file said deed together with certified copy of said Resolution for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115941, recorded on Microfilm Roll No. 74, accepting subordination agreement, executed by Nettie J. Coggeshall and Helen V. Pallister, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date December 8, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 6 Block 6 Sunny Slope Addition, 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115942, recorded on Microfilm Roll No. 74, accepting subordination agreement, executed by Edwin E. Hudson and Mae Page Hudson, beneficiaries, and Southern Title & Trust Company, trustee, bearing date December 16, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 9 Block 30 Lexington 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115943, recorded on Microfilm Roll No. 74, accepting subordination agreement, executed by La Jolla Federal Savings and Loan Association, beneficiary,

and Security Trust and Savings Bank of San Diego, trustee, bearing date November 4, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 4 Block 4 Center Addition to La Jolla Park, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said deed 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 Burgener, adopted.

RESOLUTION NO. 115944, recorded on Microfilm Roll No. 74, accepting subordination agreement, executed by Frank F. Lynes and Lottie L. Lynes, beneficiaries, and Land Title Insurance Company, trustee, bearing date December 10, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 11 Block 12 Lexington Park, 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 Burgener, adopted.

RESOLUTION NO. 115945, recorded on Microfilm Roll No. 74, accepting subordination agreement, executed by Arthur J. Movius and J. Marion Movius, beneficiaries, and The First National Trust and Savings Bank of San Diego, trustee, bearing date December 3, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 4 Block 4 Center Addition to La Jolla Park, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said deed 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 Burgener, adopted.

RESOLUTION NO. 115946, recorded on Microfilm Roll No. 74, accepting Deed of Herbert C. Ballard, and Phoebe B. Scrivner, bearing date December 8, 1953, conveying the East Half of the Northeast Quarter of Section 32 Township 12 South, Range 1 West, S.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 Burgener, adopted.

RESOLUTION NO. 115947, recorded on Microfilm Roll No. 74, accepting Deed of Charlotte J. Creelman and Joe Arthur Ricks, bearing date December 14, 1953, conveying portion of Lots 19 and 20 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 file said deed 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 Burgener, adopted.

RESOLUTION NO. 115948, recorded on Microfilm Roll No. 74, accepting deed of Robert R. Rachmanov and Edith Rachmanov, bearing date October 29, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 4 Block 4 Center Addition to La Jolla 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 Schneider, seconded by Councilman Burgener, adopted.

Councilman Wincote mentioned to the Council that one of the properties affected for a special driveway permit granted at this meeting is one on which the "fire bug" had been active. He suggested to the City Manager that he alert the Civilian Defense in an effort to provide a trap to catch the "fire bug".

RESOLUTION NO. 115949, recorded on Microfilm Roll No. 74, suggesting to the City Manager the possibility of alerting the Civilian Defense with a view to setting a trap to catch the fire bug who has been active in San Diego, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

On motion of Councilman Burgener, seconded by Councilman Schneider, the reading of the next Ordinance in full 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 passage a written or printed copy of said Ordinance.

ORDINANCE NO. 5897 (New Series), recorded on Microfilm Roll No. 74, amending The San Diego Municipal Code by amending Sections 101.0409 and 101.0411, relating to Zoning: RC Zone and C Zone, was on motion of Councilman Burgener, 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--Councilman None.

The Mayor asked Mr. Deaper about the Ordinance, and its purpose.

Mr. Deaper reviewed the Ordinance, and told of its purpose.

(Attached to the Ordinance was a note stating that it affects "similar" uses in RC and C Zone, and gives the City Council the right to decide and overrule the Planning Commission).

The reading of the next Ordinance in full 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 passage a written or printed copy.

ORDINANCE NO. 5898 (New Series), recorded on Microfilm Roll No. 74, amending Sections 41.01.4, 41.03, 41.07, 41.15, 42.0101 of Chapter 4 of the San Diego Municipal Code, and adding to said Chapter, Sections 41.01.17, 41.07.1, 41.07.2 and 42.0101.1, all of which said sections concern the regulations and fees pertaining to Food Handling Establishments including Vehicles and Vending Machines, 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--Councilmen None.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of the next ordinance 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 passage a written or printed copy.

ORDINANCE NO. 5899 (New Series), recorded on Microfilm Roll No. 74, adding Section 41.07.3 of Chapter 4 of the San Diego Municipal Code, which Section establishes a health permit fee for Apartment Houses and Hotels - also revocation and reinstatement of permits - 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.

The next Ordinance was continued to this meeting from the Meeting of December 22, 1953.

The ordinance was, on motion of Councilman Burgener, seconded by Councilman Wincote, introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of the next ordinance 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 passage a written or printed copy.

ORDINANCE NO. 5900 (New Series), recorded on Microfilm Roll No. 74, appropriating the sum of \$100,000.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for acquisition of land for permanent public improvements, and providing that no purchase shall be made without first having been authorized by Resolution of the Council, 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 Wincote, seconded by Councilman Burgener, the next Ordinance was introduced.

The reading of said ordinance was dispensed with by a vote of not less than four members of the Council, on motion of Councilman Wincote, seconded by Councilman Burgener. 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. 5901 (New Series), recorded on Microfilm Roll No. 74, appropriating the sum of \$25,000.00 out of the Capital Outlay Fund, for the purpose of providing funds to pay the City's share of the cost of the improvement of Bannock and Genesee Streets - improvement to be done in connection with purchase of Lot 213 Clairemont Manor #2 to be used for recreation purposes - 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 Wincote, the next Ordinance was introduced.

The reading of said ordinance was dispensed with by a vote of not less than four members of the Council, on motion of Councilman Burgener, 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. 5902 (New Series), recorded on Microfilm Roll No. 74, appropriating the sum of \$1,925.00 from the Capital Outlay Fund, for the purpose of providing funds to pay the cost of street improvements on Roosevelt Avenue and Haines 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 Burgener, seconded by Councilman Wincote, the next Ordinance was introduced.

The reading of such Ordinance was dispensed with by a vote of not less than four members of the Council, on motion of Councilman Burgener, 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. 5903 (New Series), recorded on Microfilm Roll No. 74, appropriating the sum of \$1,270.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds to pay the City's share of Street Assessments for the improvement of Conde, Congress and Mason Streets, 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.

Councilman Dail requested, and was granted, unanimous consent to present the next matter, not listed on the Agenda. He said that the matter has to do with bus service in connection with the No. 11 line. He introduced Mr. C. O. Wordley, 865 Gwen Street, who presented to the Council a petition.

The petition reads "We the undersigned wish to have the No. 11 bus which stops on Logan and 46th St. extended on out to Valencia Park for night, holiday, Saturday and Sunday services, as we do not have this service on the No. 11 Valencia Park bus".

Councilman Dail said that the Council cannot force the transit company to install the service.

RESOLUTION NO. 115950, recorded on Microfilm Roll No. 74, referring petition, filed in the office of the City Clerk under Document No. 482456, to have the No. 11 bus line extended on out to Valencia Park for night, holiday, Saturday and Sunday service, to the City Manager for action, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

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

RESOLUTION NO. 115951, recorded on Microfilm Roll No. 74, urging the Honorable Robert Hendrickson and his United States Senate subcommittee, most strongly, to conduct hearings in San Diego in the course of their valuable investigation into the problems of juvenile delinquency and narcotic usage; directing Mayor John D. Butler to supplement said request by communicating directly with Senator Henderson, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Said Resolution states that the Council is deeply interested in determining the extent of juvenile delinquency and narcotics usage in this area and consequent thereon effectuating such solutions as may be indicated and feasible to mitigate said evils. It says that the United States Senate subcommittee headed by Senator Hendrickson is in the process of conducting hearings; that the Council feels that if the said subcommittee were to conduct hearings in this area, it would be promotive of its objectives and most helpful to this community in its efforts to understand and evaluate these problems and to obviate the tragic social results connected therewith.

The Mayor requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda. It submitted the name of Mrs. Mildred Perry Waite (Mrs. Neville E. Waite) for appointment to the Civil Service Commission, to fill vacancy created by resignation of Judge Madge Bradley. It requests approval.

RESOLUTION NO. 115952, recorded on Microfilm Roll No. 74, approving and confirming appointment by the Mayor of Mildred Perry Waite as a member of the Civil Service Commission of The City of San Diego to fill the vacancy caused by resignation of Madge Bradley, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The matter of the sign for American Rent-A-Car at 1125 Wall Street, which will be found on Pages 82 and 83, was brought up again.

Communication from La Jolla Town Council, Inc., dated December 24, 1953, signed by Roger R. Revelle, Chairman of the Board of Trustees, was presented. The communication states that the La Jolla Town Council, representing some 250 La Jolla business firms and over 1200 families resident in La Jolla considers erection of the sign to be highly detrimental to the best interest of the La Jolla community and requests that the City Council uphold the decision of the Planning Commission (in denying architectural approval). It makes recommendations, based on a policy in La Jolla, in connection with signs. The communication urges careful consideration of the matter, not only in the particular case but also the general problem, and request advice as to what steps might be taken on a long range basis to preserve the values of the communication, which are of great economic importance to all citizens of San Diego.

Dr. R. R. Revelle, who signed the communication, was heard, in support of the views expressed in writing.

Councilman Godfrey reported no legal action by the Planning Commission.

Councilman Wincote asked Dr. Revelle what would be done if he were on the Planning Commission, and knew what the law is.

Before the question was answered, Councilman Godfrey pointed out that the petitioner could have demanded a permit.

Dr. Revelle asked what can be done regarding making a legal basis for the sign proposal.

Councilman Godfrey said that the architectural matter has been tested in court, and that the City Attorney had explained regarding the legal basis of the request.

Dr. Revelle expressed belief that there could be a new zone in relation to erection of signs - perhaps on a City-wide zone, rather than for La Jolla alone.

Douglas D. Deaper, Deputy City Attorney, stated that police power cannot

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be based on aesthetics. The City can have a sign ordinance, City-wide, he stated. Overriding the zone regarding the sign would have to be based on a reasonable classification, Mr. Deaper said. He told the Council that it would be running into a difficult problem.

Dr. Revelle said that maybe there could be a "C Suburban" Zone.

Councilman Dail was excused from the meeting at this time.

Councilman Godfrey stated that he felt it would be valuable to investigate. Councilman Kerrigan pointed out that property values are worthy of consideration.

Councilman Godfrey said that the City Attorney has brought to the Council cases on record regarding court actions.

There was discussion between several members of the Council regarding the existing signs, etc.

Councilman Kerrigan declared that the sign ordinance has to do with signs over public property, only.

Councilman Godfrey, answering Councilman Kerrigan, said that bases for housing the signs are set out in the law.

Dr. Revelle said that the situation merits serious attention.

Councilman Burgener said the matter ought to be referred to Conference.

Councilman Kerrigan and Mayor Butler stated that the Council cannot deprive property owners from using their property, except for reasons specified.

The City Manager spoke of zoning being apparently recent. He said that courts will not recognize some findings.

Councilman Godfrey said that he was not prepared to give a dissertation on all the zoning features.

Discussion between Councilmen Godfrey and Kerrigan followed, regarding variances.

Councilman Wincote and Dr. Revelle entered into discussion.

Councilman Godfrey stated that he can't give an answer. It should be referred to Conference to see if there is a possibility of a zone between C and RC, with the City Attorney furnishing a brief for study.

Councilman Godfrey made his suggestion into a motion, which was seconded by Councilman Wincote.

Next, Clarence H. Rasmussen, of La Jolla, was heard. He stated that he is not a businessman, but that he has contributed \$150,000.00 to La Jolla, and has taken nothing out. There is a zone factor involved, even if it is thought not legal to deny the sign. The business of ambulances is probably legal, he stated, but that the sign will be objectionable.

There was discussion between Mr. Rasmussen and Councilman Wincote.

Mr. Rasmussen said he is not stupid; he understands that the petitioner has legal rights, and do others.

The roll was called, resulting in

RESOLUTION NO. 115953, recorded on Microfilm Roll No. 74, referring to Council Conference for study, verbal suggestion in connection with the possibility of creating a zone between C and RC (relative to signs); requesting the City Attorney to furnish a brief in connection therewith for study by the Council, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

There being no further business to come before the Council at this time, the Council was adjourned, on motion of Councilman Schneider, seconded by Councilman Godfrey, at the hour of 10:55 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, December
29, 1953

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

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

The Minutes of the Regular Meetings of Tuesday, December 22, 1953, and of Thursday, December 24, 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 Mayor.

Councilman Godfrey entered the meeting at this time.

The Mayor requested, and was granted, unanimous consent to present the next 4 Resolutions not listed on the Council's agenda - all of which have to do with the Aztec Housing:

RESOLUTION NO. 115954, recorded on Microfilm Roll No. 74, accepting deed of the United States of America, acting by and through the Housing and Home Finance Agency, Public Housing Administration, bearing date December 23, 1953, conveying easement and right of way for street purposes in portion of Pueblo Lot 307; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115955, recorded on Microfilm Roll No. 74, accepting deed of the Housing and Home Finance Administrator, bearing date December 23, 1953, relinquishing contractual rights of the City in all of Aztec Housing; authorizing and directing the City Clerk to file said deed 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 Wincote, adopted.

RESOLUTION NO. 115956, recorded on Microfilm Roll No. 74, accepting deed of the United States of America, acting through the Housing and Home Finance Agency, Public Housing Administration, bearing date December 23, 1953, conveying portions of Pueblo Lots 278, 279, 307; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115957, recorded on Microfilm Roll No. 74, authorizing and empowering the City Manager to execute, for and on behalf of the City, an agreement terminating the leases with the United States dated July 23, 1946 and October 23, 1946, respectively, which leases are designated HA(V-4568)mph-2 and HA(V-4568)mph-3 respectively, temporary housing Project CAL-V-4568 (AZTEC HOUSING), the more particular description and terms and conditions are set forth in the form of agreement filed in the office of the City Clerk as Document No. 482644, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for Froude Street 12" Pipe Line - Specification No. 86 - the Clerk reported that 9 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 E. A. Irish, Contractor, 2944 Glenden St., Los Angeles, accompanied by Bond written by Pacific Indemnity Company in the sum of ~~ten percent of the total amount~~ of ten percent of the total amount of the attached proposal; which bid was given Document No. 482635;

The bid of Royal Pipeline Construction Co., Inc., 1540 N. 47th Street, San Diego, accompanied by bond written The Home Indemnity Company in the sum of 10% percent of bid, which bid was given Document No. 482636;

The bid of L. B. Butterfield, 1211 So. 32nd St., San Diego, accompanied by Bond written by Maryland Casualty Company in the sum of 10% of Amount of Bid, which bid was given Document No. 482637;

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. 482638; (5575 University Ave., San Diego)

The bid of Dan E. Pace dba Pace Construction Company, 2041 Cleveland Avenue, San Diego, which bid was given Document No. 482639;

W. V. Hutchison, 1624 Torrey Pines Road, La Jolla, accompanied by bond written by Fireman's Fund Indemnity Company, which bid was given Document No. 482640;

The bid of Walter H. Barber, 7309 El Cajon Boulevard, La Mesa, 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. 482641;

The bid of V. R. Dennis Construction Co. (V. R. Dennis, an individual doing business as), 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. 482642

The bid of Cameron Bros. Constr. Co., R#1, Box 173, Santee, accompanied by bond written by Glens Falls Indemnity Company in the sum of 10% of the amount of the bid, which bid was given Document No. 482643.

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 improvement of La Jolla Boulevard between Colima Street and Camino de La Costa, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

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

Said bids were as follows:

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of 10% of the aggregate sum of the bid, which bid was given Document No. 482627;

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. 482628;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity in the sum of \$7,000.00, which bid was given Document No. 482629;

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. 482630;

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 the Alley in Block A First Addition to Ocean Front, within the limits and as particularly described in Resolution of Intention No. 114742, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

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

Said bids were as follows:

The bid of Gilman Grading Company, accompanied by bond written by Continental Casualty Company in the sum of \$500.00, which bid was given Document No. 482631;

The bid of Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$500.00, which bid was given Document No. 482632;

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 \$500.00, which bid was given Document No. 482633;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$500.00, which bid was given Document No. 482634.

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.

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, 1954, to and including December 31, 1954, the Clerk reported that one bid had been received, which bids 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. 482645;

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

Bids

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 Eighth Avenue Lighting District No. 1, for a period of one year from and including January 1, 1954, to and including December 31, 1954, the Clerk reported that one bid had been received, which bid was publicly opened and 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 No. 482646.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the period of one year 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, 1954 to and including January 14, 1955, the Clerk reported that one bid had been received, which bid was presented to the Council.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check written by San Diego Trust & Savings Bank in the sum of \$184.50, which bid was given Document No. 482627.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

A majority of the members of the Council executed undertakings for street lighting, with San Diego Gas & Electric Company, as follows:

- University Avenue Lighting District No. 3;
- San Diego Lighting District No. 4;
- University Avenue Lighting District No. 1;
- Five Points Lighting District No. 1;
- El Cajon Boulevard Lighting District No. 1;
- Pacific Highway Lighting District No. 1;
- Logan Avenue Lighting District No. 1;
- Pacific Beach Lighting District No. 1;
- Roseville Lighting District No. 1;
- Montemar Lighting District No. 1;
- Adams Avenue Lighting District No. 1;
- Midway Drive Lighting District No. 1.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received December 22, 1953, for furnishing the City's requirements of Regular grade and Ethyl Gasoline for a period of one year beginning January 1, 1954, from 13 bidders, was presented.

The communication recommends award to Cabrillo Land Company of San Diego for furnishing Hercules Ethyl and Hercules Regular Gasoline. It states that prices quoted were maximum prices and not subject to raise in price during the contract period or any extension thereof, but are subject to reduction in accordance with any decline in the "posted" price of major gasoline companies in the area. The report gives a detailed explanation of the various costs, that in addition the bidder has agreed to give the City an option to extend the contract for an additional period of 6 months or 12 months should the City so desire.

RESOLUTION NO. 115958, recorded on Microfilm Roll No. 74, accepting bid of Cabrillo Land Company for the furnishing to The City of San Diego its requirements of Gasoline for a period of one year beginning January 1, 1954, at prices shown on the schedule attached to said Resolution, and awarding contract - to include provision giving the City an option to extend the contract should the City so desire - 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 Wincote, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing approximately 300 tons of Liquid Sodium Silicate for a period of 6 months beginning January 1, 1954, received December 23, 1953, from 6 bidders, was presented. It recommends award to McKesson & Robbins, Incorporated, at \$1.28 per cwt., terms 1% - 30 days, plus State Sales Tax.

RESOLUTION NO. 115959, recorded on Microfilm Roll No. 74, accepting bid of McKesson & Robbins, Incorporated, for furnishing approximately 300 tons of Liquid Silicate for a period of 6 months beginning January 1, 1954, at \$1.28 per cwt., terms 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 a contract pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

115958 - 115959
Bids
Lighting Contracts

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for rental of Heavy Duty Tractor Bulldozer to be used at sanitary fills - rental to be intermittent and occur when the City-owned equipment is in the shop for repairs.

It states the Purchasing Agent has contacted all known local sources for rental without operator, and with one exception no owner of said expensive equipment will agree to rent the same unless equipment is manned by the company's operator. Said exception is Shaw Sales & Service Company who have rented to the City in the past, and are willing to furnish a Model HD-19 Allis Chalmers, without operator, at \$50.00 per day. The report says the price is considered most reasonable in view of the initial cost of the machine, approximately \$25,000.00. In addition to recommending award, it states that such machine repairs would be made by the contractor without cost to the City.

RESOLUTION NO. 115960, recorded on Microfilm Roll No. 74, authorizing and directing the Purchasing Agent to rent a heavy duty tractor bulldozer from the Shaw Sales & Service Company as required during the period January 1, 1954 to June 30, 1954, at the rate of \$50.00 per day, without operator, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, stating that the Superintendent of the Sewage Treatment Plant has requested 19 items of repair parts for Enterprise engines used at the Sewage Treatment Plant, as listed. It states that parts are available only from the manufacturer, the Enterprise Engine & Machinery Company of San Diego, and no competition can be secured in connection with their purchase. It recommends that authorization to purchase the parts as per list attached at a total price of \$1,528.40, f.o.b. San Francisco, terms net plus State Sales Tax.

RESOLUTION NO. 115961, recorded on Microfilm Roll No. 74, authorizing and directing the Purchasing Agent to purchase from the Enterprise Engine & Machinery Company required parts for Enterprise engines as per list attached, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of 4 section of the Municipal Code in connection with the Tentative Map of Feller Heights, was presented.

RESOLUTION NO. 115962, recorded on Microfilm Roll No. 74, suspending Sections 102.07-2, 102.05, 102.18, 102.17-c of the Municipal Code, insofar as the Tentative and Final Maps of Feller Heights, a 4-lot subdivision of portion of P.L. 172 are concerned, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Feller Heights, subject to 10 conditions, was presented. It states that in the consideration of the subdivision, the City Engineer and the Planning Department have noted that a 30' closing should be made adjacent to Lots 1 and 2 conforming to the present and proposed alignment of Gage Drive.

RESOLUTION NO. 115963, recorded on Microfilm Roll No. 74, approving Tentative Map of Feller Heights, a 4-lot subdivision of portion of P.L. 172, located southerly of Charles Street, between Bangor Street and Gage Drive, subject to the conditions set forth therein, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 4 Sections of the Municipal Code in connection with the Tentative Map of Missouri Court, was presented.

RESOLUTION NO. 115964, recorded on Microfilm Roll No. 74, suspending Sections 102.05, 102.11-2, 102.18, 102.17-c of the Municipal Code, in connection with the Tentative Map of Missouri Court, an 8-lot subdivision of portion of Acre Lots 50 and 51 Pacific Beach, 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 of Missouri Court, located easterly of termination of Missouri Street, approximately 500 feet west of Noyes Street, was presented.

RESOLUTION NO. 115965, recorded on Microfilm Roll No. 74, approving the Tentative Map of Missouri Street, subject to 8 conditions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that Resolution No. 111801 directing the City Engineer to furnish an Assessment Diagram for Kearney Mesa Improvement District be modified so that the Assessment Diagram be signed and submitted by the Engineer of Work (J. R. Lester Boyle), was presented.

RESOLUTION NO. 115966, recorded on Microfilm Roll No. 74, adopting recommendation of the City Engineer, filed in the office of the City Clerk under Document No.

482476, to modify Resolution No. 111801, directing the City Engineer to furnish the Council with an Assessment Diagram for the Kearny Mesa Improvement District, so that the Assessment Diagram be signed and submitted by the Engineer of Work (J. R. Lester Boyle), was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, returning petition requesting closing of "that public way lying Easterly of the Easterly line of Whitefield Place" as shown cross-hatched on the plat attached to said petition, was presented. It refers to (portion of E-W'ly Alley in Block 69 Villa Tract La Jolla Park, Map 976). In addition to making a detailed report, it states that the proposed closing would not affect the Major Street Plan of the City. It states that the Easterly portion of said alley is not required for future use, and it is recommended that the portion of the E-W'ly Alley as dedicated in Villa Tract, La Jolla Park (Map 976) be closed easterly from the prolongation of the Easterly line Whitefield Place, as requested.

RESOLUTION NO. 115967, recorded on Microfilm Roll No. 74, granting petition for closing portion of the Easterly-Westerly Alley as dedicated in Block 69 Villa Tract, La Jolla Park (Map 976) easterly from the prolongation of the Easterly line of Whitefield Place, contained in Document No. 478167, 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 Schneider, adopted.

Communication from San Diego Public Safety Committee, signed by Ronald T. Strong, Secretary, was presented. Said communication, dated December 17, 1953, urges in the interest of safety that most careful attention be given to the requirements for sidewalks and standard (not rolled) curbs in all new subdivisions and that planning include adequate right of way to care for future growth and development.

Councilman Schneider moved to refer the Communication to Conference. There was no second.

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

RESOLUTION NO. 115968, recorded on Microfilm Roll No. 74, directing notice of Filing of Assessment and of the time and place of hearing thereof, 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 115969, recorded on Microfilm Roll No. 74, 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, 1954, to and including December 31, 1954, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115970, recorded on Microfilm Roll No. 74, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Logan Avenue and Florence Street; approving Plat No. 2533 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 Schneider, adopted.

RESOLUTION NO. 115971, recorded on Microfilm Roll No. 74, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Olney Street and Felspar Street; approving Plat No. 2541 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 NO. 115972, recorded on Microfilm Roll No. 74, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Wunderlin Avenue and 60th Street; approving Plat No. 2514 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. 115973, recorded on Microfilm Roll No. 74, 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, 1954, to and including January 29, 1955, in accordance with the Engineer's Report and Assessment filed November 6, 1953, in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 115974, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of Logan Avenue and Florence Street, 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. 115975, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of Olney Street and Felspar Street, 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. 115976, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of Wunderlin Avenue and 60th Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115977, recorded on Microfilm Roll No. 74, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 3 Normal Heights, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115978, recorded on Microfilm Roll No. 74, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 50 Ocean Beach, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 115979, recorded on Microfilm Roll No. 74, ascertaining and declaring the wage scale for the paving and otherwise improving of Del Rey Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115980, recorded on Microfilm Roll No. 74, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 109 Central Park, within the limits and as particularly described in Resolution of Intention No. 111921, and to be assessed to pay the expenses thereof, which diagram has been made by the City Engineer; directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets of said City, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115981, recorded on Microfilm Roll No. 74, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 55 City Heights, within the limits and as particularly described in Resolution of Intention No. 112503, and to be assessed to pay the expenses thereof, which diagram has been made by the City Engineer; directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets of said City, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115982, recorded on Microfilm Roll No. 74, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 80 City Heights, and Dwight Street, within the limits and as particularly described in Resolution of Intention No. 111922, and to be assessed to pay the expenses thereof, which diagram has been made by the City Engineer; directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets of said City, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115983, recorded on Microfilm Roll No. 74, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 58 H. M. Higgins' Addition, within the limits and as particularly described in Resolution of Intention No. 112022, and to be assessed to pay the expenses thereof, which diagram has been made by the City Engineer; directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets of said City, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115984, recorded on Microfilm Roll No. 74, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 52 Park Villa, within the limits and as particularly described in Resolution of Intention No. 112244, and to be assessed to pay the expenses thereof, which diagram has been made by the City Engineer; directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115985, recorded on Microfilm Roll No. 74, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 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, and to be assessed to pay the expenses thereof, which diagram has been made by the City Engineer; directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115986, recorded on Microfilm Roll No. 74, approving diagram of the property affected or benefited by the work of improvement to be done on the installation of an ornamental lighting system in Kingsley Street, James Street, Oleander Drive, Pointsettia Drive, et al., within the limits and as particularly described in Resolution of Intention No. 109911, and to be assessed to pay the expenses thereof, which diagram has been made by the City Engineer; directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115987, recorded on Microfilm Roll No. 74, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Roslyn Lane and Ivanhoe Avenue, within the limits and as particularly described in Resolution of Intention No. 113265, and to be assessed to pay the expenses thereof, which diagram has been made by the City Engineer; directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115988, recorded on Microfilm Roll No. 74, 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 Curtis Street (portion) and Poinsettia Drive, between Elliott Street and Alcott Street, within the limits and as particularly described in Resolution of Intention No. 113751, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115989, recorded on Microfilm Roll No. 74, 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 40th Street, between Redwood Street and Dwight Street; and Thorn Street, between 40th Street and Central Avenue, within the limits and as particularly described in Resolution of Intention No. 113752, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115990, recorded on Microfilm Roll No. 74, 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 Martin Avenue, between Wabash Boulevard and 35th Street, within the limits and as particularly described in Resolution of Intention No. 113494, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115991, recorded on Microfilm Roll No. 74, 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 Sapphire Street, between Mission Boulevard and Bayard Street, within the limits and as particularly described in Resolution of Intention No. 113753, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115992, recorded on Microfilm Roll No. 74, granting permission to San Diego Gas & Electric Company to grade and pave 9th Avenue southerly from Imperial Avenue, 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. 482060, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115993, recorded on Microfilm Roll No. 74, authorizing and directing the Harbor Commission to execute for and on behalf of The City of San Diego an Agreement for professional services in connection with the planning of the remodeling of the wiring and lighting of the Head House and Shed No. 1 "B" Street Pier, between the City and Willis L. Lipscomb, Consulting Engineer, under form of agreement on file in the Office of the City Clerk as Document No. 482652, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Accompanying said Resolution was communication from the Harbor Department, signed by John Bate, Port Director, stating that the agreement provides that said Engineer shall be paid a sum equal to 6% of the contract cost, and that the Agreement conforms to the usual type of document covering said type of service.

RESOLUTION NO. 115994, recorded on Microfilm Roll No. 74, requesting the City Planning Commission to require sidewalks on both sides of all streets in new subdivisions, except as hereafter provided:

Sidewalk requirements may be omitted, in or whole or part -

1. In large lot subdivisions where all of the following conditions are met:

(a) Lots have a minimum frontage of 90 feet, or approved equivalent frontage on turnarounds.

(b) The entire area of the subdivision is zoned R-1A, R-1B, or R-1C

(c) Rights of Way are not less than approved minimum widths, including ten (10) foot sidewalk area

(d) Streets are local in character - (no feeder or major streets exist.) A feeder street is defined as a street ultimately providing primary service to 200 lots or more and/or a continuous street, ultimately 3500 feet or more in length.

2. On short dead-end streets, providing access to eight (8) lots or less;

Repealing Resolution No. 81581, adopted October 2, 1945, insofar as it conflicts, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 115995, recorded on Microfilm Roll No. 74, declaring that the public improvements required by The City of San Diego to be completed in the streets, alleys and public easements in Bayview Hills (Wherry) Housing Project and the procedure required by the City for inspection of construction, monumenting and checking of tract boundaries, street, alley and easement alignments, shall be as follows:

1. All streets and alleys, including the access road (Munda Road) leading to Paradise Valley Road and Alleghany Street between Sea Breeze Drive and Munda Road shall be graded full width to grades to be approved by the City Engineer.

2. Where utility poles are required adjacent to alleys, a 5-foot easement adjacent to the alley shall be granted to provide a 20-foot clear width of roadway in all alleys.

3. Sewers, sewer laterals adequate to serve the project, as required by the Health Department, and a gravity outfall sewer, shall be installed. Easements shall be granted to the City for all portions of the public sewer system not located in streets or alleys.

4. A water system adequate to serve the project including water services, fire hydrants, meter boxes, appurtenances, a pumping station at the Otay Pipeline with two 16" connections thereto, and a 750,000 gallon storage tank, as required by the Water Department. See Water Department communication on file in the office of the City Clerk as Document No. 482149.

5. That site grading shall be such as to prevent the accumulation of surface water; that sewer and water lateral connections shall be provided prior to the occupancy of the property.

6. Type "G" Portland cement concrete curbs (City Engineer Drawing 9-S-B) shall be installed on both sides of all streets except as follows:

(a) On Alleghany Street between Sea Breeze Drive and Munda Road, said curb shall be required only on the north side.

(b) On the portion of Ranger Road adjacent to the tract boundary (1/4 sec. 103, Rancho de la Nacion) said curb shall be required only on the south side.

(c) No curbs will be required on the access portion of Munda Road between Paradise Valley Road and Ranger Road.

Curbs shall be set 10 feet from the property line to give 40-foot, 36-foot and 30-foot curb to curb widths, respectively, on 60-foot, 56-foot and 50-foot streets.

7. Portland cement concrete sidewalks (City Engineering Drawing 4-S-b) 4 inches thick by 4 feet wide, shall be installed integral with the curbs, or set in positions to be approved by the City Engineer in locations shown and marked in green on the record of survey map on file in the office of the City Clerk as Document No. 482150.

8. The roadways on all streets and alleys shall be paved full width between curbs except as shown in said Resolution. Pavement shall be as provided in Schedule A, Sept. 1, 1951.

9. Suitable provisions, as required by the City Engineer, shall be provided for adequate storm drainage system.

10. Plans for sewer, water mains, streets and other public improvements, shall be drawn upon City Engineering Department standard sheets, etc.

11. On the Record Map to be used as a basis for dedicating streets, alleys and easements, shall be included the items listed in the Resolution.

12. All dimensions, both lineal and angular, shall be shown on the Record Map where necessary for locating street and alley lines, etc.

13. The owner or contractor shall at all times keep a deposit in a Trust Fund of the City Treasurer of a sufficient sum to reimburse the City for all engineering costs (including plan checking, construction, inspection, materials furnished and other incidental expenses) incurred by the City, etc.

14. Temporary street signs shall be installed as set forth in Municipal Code Section 102.08.1.

15. Street alignment and dedications, street design, corner cut-offs and easements shall be provided as shown on the map on file in the office of the City Clerk, Document No. 482150.

It states, further, that upon completion of improvements in Bayview Hills (Wherry) Housing Project in accordance with the designated requirements, The City of San Diego will accept an offer of dedication of said streets, alleys, easements, water and sewer systems as shown on Record of Survey Map (as corrected and modified) on file in the office of the City Clerk as Documents No. 482150, and will dedicate them to the public use and will thereafter maintain them, as set forth in the Resolution.

The Resolution provides that The City of San Diego shall furnish to said Housing Project all normal city services which are furnished to other areas of the City in the same manner, provided access to properties served be furnished without cost to the City.

Further, The City Manager is authorized and directed to execute for and on behalf of The City of San Diego, a contract with Bayview Village, Inc., No. 1, a corporation, and Bayview Village, Inc., No. 2, a corporation, incorporating provisions set forth, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115996, recorded on Microfilm Roll No. 74, authorizing and empowering the City Manager to execute, for and on behalf of the City, the agreement with the State of California Department of Natural Resources for easement to construct a 300-foot wide firebreak across the Marron Reservoir Site in Section 26 Township 18 South, Range 2 East, S.B.B.&M., subject to use of the land by The City of San Diego for municipal reservoir purposes; all according to the terms and conditions set forth in the Agreement on file in the office of the City Clerk under Document No. 482700, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115997, recorded on Microfilm Roll No. 74, authorizing and empowering the City Manager to execute, for and on behalf of the City, the agreement with the State of California, Department of Natural Resources, for easement or right of way to construct a 300-foot wide firebreak across Sections 35 and 26 Township 18 South, Range 2 East, S.B.B.&M., in the County of San Diego; subject to use of the land by The City of San Diego for municipal reservoir purposes, in accordance with terms and conditions set forth in Agreement; copy of which is on file in the office of the City Clerk under Document No. 482710, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 115998, recorded on Microfilm Roll No. 74, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against portion of Lot 5 Ex-Mission Lands of San Diego (commonly known as Horton's Purchase), 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 the Property Supervisor to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 115999, recorded on Microfilm Roll No. 74, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, requesting that all taxes against portions of Lots 1 & 2 Block 5 Golden Park, 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 the Property Supervisor to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116000, recorded on Microfilm Roll No. 74, approving request of Sim J. Harris, dated December 15, 1953, contained in Change Order No. 1, for extension of 15 days, to and including December 24, 1953, heretofore filed with the City Clerk as Document No. 482504, in which to complete contract for improvement of Grosby Street, which contract is contained in Document No. 480216 on file in the office of the City Clerk; extending time of completion to December 24, 1953, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116001, recorded on Microfilm Roll No. 74, approving request of Pacific Electric Company, dated December 7, 1953, contained in Change Order No. 1, for extension of 45 days to and including April 12, 1954, heretofore filed with the City Clerk as Document No. 479684, in which to complete contract for installation of traffic lights on Pershing Drive at Florida and 18th Streets, contract contained in Document No. 479684 on file in the office of the City Clerk; extending time of completion to April 12, 1954, was on Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116002, recorded on Microfilm Roll No. 74, approving request of Pacific Electric Company, dated December 7, 1953, contained in Change Order No. 1, for extension of 45 days to and including April 3, 1954, heretofore filed with the City Clerk, as Document No. 482508, in which to complete contract for installation of traffic lights and safety signals on Rosecrans Street, at Naval Training Center Gates 3 and 6, contract contained in Document No. 478835 on file in the office of the City Clerk; extending time of completion to April 3, 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116003, recorded on Microfilm Roll No. 74, approving Change Order No. 4, dated December 8, 1953, heretofore filed with the City Clerk as Document No. 482510, 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. 157158; changes amounting to increase in the contract price of approximately \$1315.00; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116004, recorded on Microfilm Roll No. 74, accepting Deed of Green Mutual Water Company of San Diego County, L. R. Green and Georgia H. Green, his wife, Hildreth von KleinSmid and Helen G. Banister, bearing date December 14, 1953, conveying portions of Rancho San Bernardo, in the vicinity of Escondido; authorizing and directing the City Clerk to file said deed 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. 116005, recorded on Microfilm Roll No. 74, accepting Deed of Hildreth von KleinSmid and Helen G. Banister, bearing date December 17, 1953, conveying portion of Oak's Tract, Rancho San Bernardo; authorizing and directing the City Clerk to file said deed 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. 116006, recorded on Microfilm Roll No. 74, accepting Deed of Green Mutual Water Company of San Diego County, bearing date December 26, 1953, conveying portions of Oak's Tract, Rancho San Bernardo, according to the Map thereof No. 1415, filed in the office of The Recorder of San Diego County February 8, 1912 of Longview Acres Subdivision, according to Map thereof No. 2438, filed in the office of the Recorder of San Diego County November 28, 1947 and of Longview Acres Unit No. 2, according to the Map

thereof No. 2582, filed in the office of the Recorder of San Diego County August 15, 1949, all in the County 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. 116007, recorded on Microfilm Roll No. 74, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, a Contract of Sale and Lease Agreement with L. R. Green, Georgia H. Green, Hildreth von Klein-Smid, Helen G. Banister, and Green Mutual Water Company of San Diego County, involving portions of the Oak's Tract in Rancho San Bernardo in the County of San Diego, State of California, the more particular description of the property and terms and conditions are set forth in the form of Contract of Sale and Lease Agreement filed in the office of the City Clerk under Document No. 482708, which said real property has a value of Six Hundred Thousand Dollars (\$600,000.00) as determined by an appraisal made by a qualified real estate appraiser, and which is the purchase price of said property, to be paid to the above mentioned owners, which property is being leased back to said sellers thereof as part of the consideration for conveyance of said property to the City; rescinding Resolution No. 115909 passed and adopted Tuesday, December 22, 1953, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Ordinance amending Sections 102.02, 102.03 and 102.12 of the San Diego Municipal Code, relating to Subdivisions, was presented. Said ordinance lists "Section 102.02, Tentative and Final Subdivision Maps Required - Selling Regulated - Definitions; Section 102.03, Major Street Plan; Section 102.12 Lots".

It was suggested that the matter be continued 2 weeks.

The Mayor mentioned the Jack Thompson letter relative to suggestion to refer the matter to the Planning Commission. The Clerk was requested to notify Mr. Thompson of a 2-week delay.

On motion of Councilman Schneider, seconded by Councilman Wincote, the proposed Ordinance was continued for 2 weeks - to January 12, 1954 - and a hearing set for that date.

The Clerk was requested to list on the agenda more detail than shown in the heading.

ORDINANCE NO. 5904 (New Series), recorded on Microfilm Roll No. 74, authorizing the leasing of Pueblo Lots 1351 and 1355 of the Pueblo Lands of The City of San Diego; directing the City Manager to enter into lease with O. D. Shaw, at an annual rental of One Hundred Dollars, payable annually in advance for a period of 5 years, commencing on the first day of January 1954, 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. 482711, the reading was dispensed with, on motion of Councilman Burgener, seconded by Councilman Wincote, by not less than 4 votes. There was available for consideration of each member of the Council prior to the day of its passage a written or printed copy.

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

The reading of the next ordinance was dispensed with, on motion of Councilman Wincote, seconded by Councilman Godfrey, ~~dispensed with~~, by a vote of not less than 4 votes. 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. 5905 (New Series), recorded on Microfilm Roll No. 74, authorizing and empowering the City Manager to execute, for and on behalf of the City, a lease with C. C. McCarroll of Pueblo Lot 1353 for a term of 5 years commencing on the 1st day of December, 1953, at a rental of \$100.00 per year payable annually in advance, more particular 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. 482716, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

On motion of Councilman Schneider, seconded by Councilman Wincote, the next ordinance was introduced.

The reading of said ordinance was dispensed with, on motion of Councilman Schneider, seconded by Councilman Wincote, by a vote of not less than 4 votes. 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. 5906 (New Series), recorded on Microfilm Roll No. 74, establishing the grade of the Alley in Block 65 Morena, between the northerly line of Milton Street and the southerly line of Lister Street, was adopted, on motion of Councilman Schneider, seconded by Councilman Wincote, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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On motion of Councilman Schneider, seconded by Councilman Wincote, the next Ordinance was introduced.

The reading of said Ordinance was dispensed with by a vote of 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.

ORDINANCE NO. 5907 (New Series), recorded on Microfilm Roll No. 74, establishing the grade of Arbor Drive: between a line parallel to and distant 170.00 feet westerly from the westerly line of Jackdaw Street and a line parallel to and distant 176.00 westerly from the westerly line of Jackdaw Street; and between a line parallel to and distant 130.00 feet easterly from the easterly line of Jackdaw Street and a line parallel to and distant 135.00 feet easterly from the easterly line of Jackdaw Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Dail.

On motion of Councilman Schneider, seconded by Councilman Wincote, the next Ordinance was introduced.

The reading of said Ordinance was dispensed with by a vote of 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.

ORDINANCE NO. 5908 (New Series), recorded on Microfilm Roll No. 74, establishing the grade of Flicker Street, between the north line of Jamacha Road and the north line of Lisbon Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

On motion of Councilman Schneider, seconded by Councilman Wincote, the next Ordinance was introduced.

The reading of said Ordinance was dispensed with by a vote of 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.

ORDINANCE NO. 5909 (New Series), recorded on Microfilm Roll No. 74, establishing the grade of Ogden Street, between a line drawn southeasterly at right angles to the northwesterly line of Ogden Street from the intersection of the northwesterly line of Ogden Street with the southerly line of Wightman Street, and the southerly line of Wightman Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

On motion of Councilman Schneider, seconded by Councilman Wincote, the next Ordinance was introduced.

The reading of said Ordinance 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.

ORDINANCE NO. 5910 (New Series), recorded on Microfilm Roll No. 74, establishing the grade of Wightman Street, between a line drawn parallel to and distant 17.60 feet easterly from the southerly prolongation of the west line of Lot 36 Block 4 Berkeley Heights, and a line parallel to and distant 216.94 feet easterly from said parallel line, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the next Ordinance - changing the name of portion of Baltic Street to Armstrong Street - was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

The Mayor requested, and was granted unanimous consent to present the next Ordinance.

The Mayor said that it has to do with terms of members of the Psychology Commission. He said that at present no terms are provided for, that the present members would draw lots for their lengths of office.

Councilman Wincote said that the Psychology Commission is difficult to fill. He mentioned the request made for establishing definite terms.

The Mayor told the Council that the ordinance had come from Mona Andreen, Deputy City Attorney, who works with the Commission.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, ordinance amending Sections 33.2103 and 33.2112 of the San Diego Municipal Code, creating the Psychology and Social Work Commissions, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

5907 N.S. - 5910 N.S.
Ords introduced

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 10:30 o'clock A.M.

Upon leaving the Council Chambers, the Mayor announced that the Council would go into conference.

Also, the Mayor stated that no meeting would be held Thursday, December 31, 1953, but that the meeting is to be adjourned to the hour of 8:30 o'clock A.M., the following Tuesday - January 5, 1954.

ATTEST:

FRED W. SICK, City Clerk

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, December 31, 1953

Present--Councilman Burgener

Absent---Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler

Clerk----Fred W. Sick

Councilman Burgener arrived in the Council Chamber at the hour of 10:00 o'clock A.M. He announced that no meeting was to be held, and adjourned the meeting to the hour of 8:30 o'clock A.M., Tuesday, January 5, 1954.

ATTEST:

FRED W. SICK, City Clerk

Mayor of The City of San Diego, California

By

August M. Hadstrom
Deputy

ADJOURNED REGULAR MEETING

Chamber of the Council of The City of San Diego, California, Tuesday, January 5, 1954 - adjourned to this date from December 31, 1953

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

A Regular Meeting was held this date - adjourned from December 31, 1953 - and was called to order by the Mayor at the hour of 10:04 o'clock A.M.

In connection with the next Resolution, Douglas D. Deaper, Deputy City Attorney, in answer to a question put by the Mayor, said that the Boundary Commission has approved the description.

RESOLUTION NO. 116008, recorded on Microfilm Roll No. 74, giving notice of proposed annexation to The City of San Diego of certain portions of the Tidelands of San Diego Bay, to be known and designated as "San Diego Harbor Tidelands", providing for publication of the notice, and for things to be done by the City Clerk as set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said adjourned Regular Meeting was adjourned immediately upon adoption of said Resolution.

ATTEST:

FRED W. SICK, City Clerk

By August M. Keadstrom Deputy
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California, Tuesday, January 5, 1954

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

A Regular Meeting was held this date, and was called to order by the Mayor at the hour of 10:06 o'clock A.M.

The Minutes of the Regular Meeting of Tuesday, December 29, 1953, and of Thursday, December 31, 1953 (not held), 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.

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 February 15, 1954, to and including February 14, 1955, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion made and seconded, said bid was publicly opened and 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 \$58.50, which bid was given Document No. 482966.

On motion of Councilman Schneider, seconded by Councilman Burgener, 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, for a period of one year from and including February 1, 1954, to and including January 31, 1955, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion made and seconded, said was publicly opened and 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 \$40.50, which bid was given Document No. 482967.

On motion of Councilman Burgener, 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. 115259, for the paving and otherwise improving of the Alleys in Block 55 Normal Heights, the Clerk reported that no written protests had been received.

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

Julia W. Mathews told the Council that the paving would do her no good.

A conference over maps was held by the City Engineer and Mrs. Mathews.

The City Engineer, answering a question from the Council said that there were signatures of 72.0% on the original petition. Continuing, he said that, as Mrs. Mathews had intimated that the paving would do her no good, that she has access to her garage from Hawley Boulevard.

The Mayor pointed out that the proposed improvement comes about on petition of a majority of the affected property owners.

RESOLUTION NO. 116009, recorded on Microfilm Roll No. 74, overruling and denying the verbal protest of Julia W. Mathews against the proposed paving and otherwise improving of the East and West and the North and South Alleys in Block 55 Normal Heights, as provided for in Resolution of Intention No. 115259; overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115260 for the paving and otherwise improving of the Alleys lying easterly and northerly of and contiguous to Block 1 Palm Heights, the Clerk reported that written protests had been received, which protests were presented to the Council.

The City Engineer reported, verbally, a 70% protest.

Councilman Burgener moved to abandon the proceedings.

H. H. Horton protested, verbally, and said that the large group of individuals who accompanied him to the microphone also protest.

Councilman Schneider seconded the motion to abandon the proceedings.

H. L. Henke spoke relative to the improvement, and said that 5" cement concrete is called for, but that he believed less elaborate improvement is needed.

Mayor Butler said that the Council, as a matter of policy, insists on 5" cement concrete.

Councilman Kerrigan stated that it has been found that the price for the 5" cement concrete is about the same as for the asphalt.

Mr. Horton contended that there is a great difference in price. He asked why the City cannot "finish" the alley.

The City Engineer told the Council that disintegrated granite was placed in the alley - in 1929 - but no surfacing.

Mr. Horton stated that "granite surface" referred to was ordinary dirt. He said that property owners put in the only granite that is there.

Disagreement arose between Mr. Horton and the Mayor, after which Mr. Horton said that property owners were assessed. He produced what appeared to be a bill, which he showed to some members of the Council.

Councilman Godfrey said that the City and property owners would not consider permanent basis the improvement which had been done.

Mr. Horton emphasized the point that the improvement was assessed to property owners.

The Mayor said that it had been done on an "informal process".

Mr. Horton said that the improvement was \$50.00 per property owner, for 50 feet.

Councilman Wincote declared that Mr. Horton wants the improvement, too, but of 4" asphalt.

The Mayor declared that the improvement which had been made was as the result of an agreement by the City administration at that time. He declared that it did

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not obligate the City to maintain the alley. He said that the improvement has to be by property owners, and re-iterated that the City insists on concrete.

Mr. Horton spoke of concrete - 4" thick - which is all cracked up. He told of asphalt being used all over town.

The City Engineer, at the request of the Mayor, spoke regarding concrete, which has been used in alley improvements for 3 or 4 years.

Councilman Wincote said that prices are quite close together.

Mr. Horton stated that the City should go ahead "with decomposed granite".

Councilman Burgener asked if the Council has approved substandard pavement, with no maintenance by the City.

The City Manager replied that it would create a problem to do as Mr. Horton suggests, and that property owners would demand maintenance.

Councilman Wincote said again that he thinks even Mr. Horton wants some improvement.

The Mayor declared that the Council can't go back 24 years relative to a contract as of that time. If the City were to do as has been requested, in this alley, the City would be required to do the same in every alley, and that the City could not afford it.

The City Engineer said that there was no petition to institute the proceedings in this instance, but that the matter had been instituted by the Public Works - as a result of continued complaints.

Graham Gregory, who owns 150 feet on the alley, was heard. He said that he realized that it was not possible to go back 24 years. However, he said, that he wants granite and oil, and pointed out that a dead-end alley is involved.

The Mayor said that the property owners can get a permit from the Public Works to do their own improving.

There was discussion between the Mayor and Councilman Wincote on that point.

Councilman Godfrey said that a buyer would think that he would be getting regular surfacing in that alley, if improved substandard, but that he would not. He said that Mr. Horton could have had the alley paved 24 years ago. If there is a 70% protest, the Council will throw out the job, he declared. The improvement is not going in free, but it would not be as great as Mr. Horton thinks, he declared. He suggested that the hearing be continued one week.

Councilman Kerrigan pointed out that the recourse would be in court.

Mrs. Colby, who did not give her first name or initials, asked if she would be assessed, if not in the block.

Identifying Mrs. Colby's property, the City Engineer said that she would be assessed on an area basis. He declared that there would be only a small cost.

The Mayor and Councilman Wincote said that the assessment would be on a 80% - 20% basis.

Mr. Fort, who did not give his first name or initials, told the Council that he has 155 feet on the Alley. He declared that concrete would be expensive. Asked by the Mayor if he is protesting, he stated that he is.

The Mayor stated that it would be valuable to continue the matter one week.

Mr. Fort said that it would improve the value of the property, but that concrete is too high.

Councilman Wincote told Mr. Fort that the Engineer can give an estimate.

Mr. Fort identified his property as being Lots 1 and 2.

The City Engineer spoke of assessment as being about \$240.00 for 50 feet.

RESOLUTION NO. 116010, recorded on Micro film Roll No. 74, continuing hearing on the proposed improvement of the Alleys lying easterly and northerly of and contiguous to Block 1 Palm Heights, under Resolution of Intention No. 115260, to the hour of 10:00 o'clock A.M., Tuesday, January 12, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115261 for the paving and otherwise improving of the Alley in Block 119 University Heights, the Clerk reported that no written protests had been received.

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

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

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115262, for the paving and otherwise improving of Keating Street, the Clerk reported that written protest had been received from Union Title Insurance and Trust Company, et al, Mary K. Dougherty, Philip and Oldelina Garbacorte, M. E. Haulman and others, Katharine Ross, which protests were presented to the Council.

The City Engineer reported verbally a 40.8% protest. He pointed out, when asked about the matter, that the original petition for the improvement and the protests are figured on different bases.

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

M. E. Haulman made a verbal protest, but he said that it not against the work but on the plan. He said that it has been kicking around 25 or 30 years. He said that he does not want to stop the job, but asked that it go ahead on another system. He asked that the street not be "moved over", or that provision be made for the drain.

Councilman Kerrigan said that the proceedings could be abandoned, then started under new plans.

The City Engineer showed the Council, from the plans regarding a high bank. He spoke of the improvement being proposed to be moved over to get away from the retaining wall. He said that it is an old timer, and that the proceedings are now up for the third time. Each time he has been trying to reduce the cost, the Engineer stated. He told the Council that the wall would add several thousand dollars to the cost.

Mrs. Phyllis McCaffrey asked regarding "the hump". She said that it would be necessary to put fill on her property, and as a result she would not have access to the street.

The City Engineer said that the City is not shutting Mrs. McCaffrey off. Mrs. McCaffrey said that she wants the improvement, but not through the driveway.

The City Engineer showed Mrs. McCaffrey the cross-sections for the improvement. He said that he has gone into the thing thoroughly, that he thinks that it is right as proposed. If not, it should be abandoned, he added. The Engineer said that Mrs. McCaffrey would have an improved access. It would cost more for the wall. He spoke of cutting down the hump some 3 or 4 feet. The Engineer said that he is trying to "cheaper up" the cost of what would be a very expensive project.

Councilman Godfrey asked if Mrs. McCaffrey continues to object.

Mrs. McCaffrey restated her desire for the improvement, but said that she does not want encroachment.

Mr. Haulman said that property owners had been told that there would be an improved condition. He stated that if by his protest he would jeopardize the job, he would withdraw the protest. He does not want to stop the job, but he said that he thinks it is "not a fair swing".

Councilman Godfrey moved to overrule the protests, which motion was seconded by Councilman Burgener.

Before the roll was called, Mr. Garbacorta, spoke. He told the Council that he does not object to the improvement, but to leaving Linwood Street as a sore spot. Why not do all the work together, he asked. There is a lot of dust, he stated.

The Mayor pointed out that the property owners may bring in a new petition to cover the additional improvement, as mentioned by Mr. Garbacorta.

RESOLUTION NO. 116011, recorded on Microfilm Roll No. 74, overruling and denying the protests of Mary K. Dougherty, Philip and Oldelina Garbacorta, other property owners, Miss Katharine Ross, Union Title Insurance and Trust Company, against the paving and otherwise improving of Keating Street and Linwood Street, within the limits and as particularly described in Resolution of Intention No. 115262; overruling and denying all other protests thereon, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115263, for the paving and otherwise improving of Mason Street, within the limits and as particularly set forth in said Resolution, the Clerk reported that no written protests had been received.

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

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

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 the furnishing of electric current for the lighting of the ornamental street lights located 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. 116012, recorded on Microfilm Roll No. 74, confirming and adopting as a whole the Engineer's Report and Assessment for El Cajon Boulevard Lighting District No. 2, filed in the office of the City Clerk November 6, 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 furnishing of electric current for the lighting of the ornamental street lights located in University Avenue 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.

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RESOLUTION NO. 116013, recorded on Microfilm Roll No. 74, confirming and adopting as a whole the Engineer's Report and Assessment for University Avenue Lighting District No. 2, filed in the office of the City Clerk November 6, 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 furnishing of electric current for the lighting of the ornamental street lights located in Hermosa 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. 116014, recorded on Microfilm Roll No. 74, confirming and adopting as a whole the Engineer's Report and Assessment for Hermosa Lighting District No. 1, filed in the office of the City Clerk November 25, 1953, 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 furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 4, 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. 116015, recorded on Microfilm Roll No. 74, confirming and adopting as a whole the Engineer's Report and Assessment for Talmadge Park Lighting District No. 4, 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 Resolution No. 115396 of Preliminary Determination for the paving and otherwise improving of the Alley in Block 25 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. 116016, recorded on Microfilm Roll No. 74, determining that the proposed improvement of the Alley in Block 25 Ocean Beach, within the limits and as particularly described in Resolution No. 115396 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 Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of the Alley in Block 76 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions of Acre Lots 16, 37, 45, 46 and Blocks 150 and 151 of 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. 116017, recorded on Microfilm Roll No. 74, determining that the improvement of the Alley in Block 76 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions of Acre Lots 16, 37, 45, 46 and Blocks 150 and 151 of Pacific Beach, within the limits and as particularly described in Resolution No. 115397 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed improvement, 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 Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 115398 of Preliminary Determination for the improvement of the Alley in Block 176 University Heights, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

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

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

116013 - 116017
Hearings

RESOLUTION NO. 116018, recorded on Microfilm Roll No. 74, determining that the proposed improvement of the Alley in Block 176 University Heights, within the limits and as particularly described in Resolution No. 115398 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 the Street Superintendent's Assessment No. 2187 made to cover the costs and expenses of the work of paving and otherwise improving of Gresham Street and Oliver Avenue, 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.

Charles T. Ufen told the Council that he can't understand why he is being assessed for work 3 blocks away.

The City Engineer replied that the names of all streets in a project are listed on the assessment notice. He said that Mr. Ufen's property is within a 1/2 block of Gresham, and that he is paying on Gresham only. Nothing is being assessed on Oliver, he stated. The Engineer told of the assessment being 30% on an area cost for grading, paving and intersection. Also, he said that Mr. Ufen will have a frontage assessment when Grand Avenue is improved.

There was discussion between the City Manager, members of the Council, and Mr. Ufen.

A woman, whose name was not understood, or not given, asked about payments.

The Mayor explained the procedure to her about the assessment payment.

The speaker said she does not see how she can meet the payments in 30 days.

It was pointed out to her that the assessment can go to bond, that she does not need to make the cash payment within the 30 days.

RESOLUTION NO. 116019, recorded on Microfilm Roll No. 74, overruling and denying the appeal of Charles T. Ufen from the Street Superintendent's Assessment No. 2187 made to cover the costs of the paving and otherwise improving of Gresham Street and Oliver Avenue, within the limits and as particularly described in Resolution of Intention No. 107936; overruling and denying all other appeals thereon; confirming and approving the Street Superintendent's Assessment No. 2187; 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. 2188 made to cover the cost and expenses of the paving and otherwise improving of Tulip Street, 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. 116020, recorded on Microfilm Roll No. 74, confirming and approving the Street Superintendent's Assessment No. 2188 made to cover the cost and expenses of the paving and otherwise improving of Tulip Street, within the limits and as particularly described in Resolution of Intention No. 110074; 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. 2189 made to cover the cost and expenses of the paving and otherwise improving of the Alleys in Blocks 156, 157 and 158 Pacific Beach, within the limits and as particularly described in Resolution of Intention No. 107588, 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. 116021, recorded on Microfilm Roll No. 74, confirming and approving the Street Superintendent's Assessment No. 2189 made to cover the cost and expenses of the paving and otherwise improving of the Alleys in Blocks 156, 157 and 158 Pacific Beach, within the limits and as particularly described in Resolution of Intention No. 107588; 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 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. 2190 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 75 Ocean Beach, within the limits

and as particularly described in Resolution of Intention No. 107161, the Clerk reported that written appeal had been received from Albert J. and Neva G. Ehlen, which appeal was presented to the Council.

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

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

RESOLUTION NO. 116022, recorded on Microfilm Roll No. 74, overruling and denying the appeal of Albert J. Ehlen and Neva G. Ehlen, from the Street Superintendent's Assessment No. 2190 made to cover the costs and expenses of the work of paving and otherwise improving of the Alley in Block 75 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 10716; 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 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. 2191 for the paving and otherwise improving of Frankfort Street, Erie Street and Denver Street, within the limits and as particularly described in Resolution of Intention No. 106324, the Clerk reported that written appeals were received from Mrs. A. Abramowitz, Eileen M. Plummer, Mrs. N. E. Jackson, Mr. & Mrs. Logan E. Douglas, which appeals were presented to the Council.

The City Engineer, reporting verbally on the project, told the Council that the improvement had been put in to the grade shown on the plans. He said that it is a difficult side location.

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

Mrs. Abramowitz said she is the one who is hurt worst, as a result of the improvement. She said that she has no access, and would need a step ladder to reach the street.

Councilman Burgener said that the property owners had asked for the improvement on the bank, also that question was raised if the City could contribute to the cost, and that it had been learned that the City could not.

Marie Douglas told the Council that she can't even get a permit to build steps to reach the street, and that the City would not contribute to the cost. She emphasized that she had been turned down for request for steps on City property, in the Permits Department.

Councilman Burgener expressed the belief that the improvement had not been cut enough.

Mrs. Douglas said that the City Engineer had stated that the improvement was made to "accommodate the people on the other side", but that she wants to be able to use it.

Mrs. N. E. Jackson stated that she can't even get material down to her property.

Douglas D. Deaper, Deputy City Attorney, advised the Council that the City can't do the work (provide for steps, etc.) at City expense. He said that he had looked into the situation. He said that the Council could not spend City money on the project now. It might be that property owners could construct steps and driveways at their own expense, he declared.

Asked about the matter, Mrs. Douglas replied that property owners had protested - after the contract had been entered into.

The Mayor pointed out that the hearing being held had to do only with the equitable assessment. He expressed the belief that the matter should be turned over to the City Manager to check to see if there can be access.

Councilman Schneider wondered if perhaps the City has an obligation.

Councilman Godfrey stated that the street is in; it has to be paid for. He said that the matter should be referred to Council Conference to be held on the next Thursday.

Motion was made by Councilman Godfrey, seconded by Councilman Wincote, to confirm the assessment.

It was suggested by Councilman Godfrey that the matter be referred to the City Manager to try to find relief, for report to Conference on Thursday.

Mrs. Plummer re-iterated that she was not permitted to put in steps, which would be on City property.

Councilman Wincote stated that members of the Council should look at it.

Mr. Plummer agreed. He added that no one can come to, or use the street, from the front.

The proposed action to confirm the assessment (which had been voted on, but not numbered in view of this action) - since the appeals had not been overruled.

RESOLUTION NO. 116023, recorded on Microfilm Roll No. 74, overruling and denying the appeals of Mrs. A. Abramowitz, Eileen M. Plummer, other property owners, from the Street Superintendent's Assessment No. 2191 made to cover the costs and expenses of the work of grading, paving and otherwise improving of Frankfort Street, Erie Street and Denver Street, within the limits and as particularly described in Resolution of Intention No. 106324; overruling and denying all other protests 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116024, recorded on Microfilm Roll No. 74, referring to the City Manager for study, and to the City Attorney for report, the matter of providing access to the improvement in connection with the paving and otherwise improving of Frankfort Street, Erie Street and Denver Street, within the limits and as particularly set out in Resolution No. 106324 and the Street Superintendent's Assessment No. 2191 - which was confirmed and appeals overruled by Resolution No. 116023 adopted January 5, 1954 - for presentation to Council Conference on Thursday, January 7, 1954, was on motion of

Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

After the Resolution had been adopted, C. E. Plummer told the Council that there must have been some confusion, inasmuch as he already had water, which had been put in again.

The City Engineer said that Mr. Plummer should put in a claim for the additional water main. There is no reason, he stated, why the property owners can't put in the sidewalk and steps.

There was much additional discussion on the subject, which had been completed, but was not recorded.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing in the matter of rezoning portion of Lot 78 Rancho Mission of San Diego (Tentative Map of Kearney Terrace; requested by Victor Selton), the Mayor announced that Council had determined to table the matter.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the hearing was "tabled", pending rezoning of the property, but no hearing date was set.

(Accompanying the file was communication from Victor Selton, dated October 29, 1953; and communication from B. P. Manion, President, Master Mechanic & Foreman Association, Naval Shore Establishments, San Diego area).

~~Petition of property owners requesting the widening of Garnet Street~~ from property owners requesting the widening of Garnet Street from the east side of Morrell Street to Pendleton Street, to correspond with Garnet Street, west of Morrell Street, was presented. The petition asks that the work be done at the expense of the City of San Diego and with no assessment against the property or property owners.

Said petition was read to the Council.

Councilman Kerrigan asked if the City has contributed.

The City Engineer advised that he knew of no policy. He said that 4 or 5 years ago a portion was widened at property owners' expense. The City Engineer said that the Council has the option of doing the work at City expense, or under a 1911 Act proceeding.

A man, whose name was understood to be Ryan, spoke. He said that he owns no property in the area, he was representing signers on the petition. Traffic is heavy; paving had been paid for by the property owners; parking has been taken away; the street is a bus route, he stated.

Councilman referred to the requested improvement covering a 3-block section. He said that \$20,000.00 had been spent to the east, in connection with Balboa Avenue. He pointed out that parking privileges had been taken away from the front of the residences.

Mr. Ryan said that curbs are in, that there is a parking on each side of the street, and that it would be necessary to move curbs. Traffic is terrific, he stated.

The Mayor said that the petition should be referred to the City Manager and to the City Attorney.

Councilman Kerrigan moved to refer the petition to the City Manager, which motion was seconded by Councilman Godfrey.

Vernon Taylor, Chairman of the traffic committee of the Pacific Beach Town Council, said that portion of the street had been widened under a 1911 Act proceeding, about 3 years ago. He said that there are 2 situations involved: residential and commercial. He spoke of a "toll way" zone, in connection with restricted parking in front of the houses. The widening would be for the benefit of the whole area. He told of the street being dedicated at a width of 80 feet. There is no need to acquire property, and the property owners don't want to set up standards for the widening, which should be done at City expense.

The roll was called on the motion, and the petition, as a result, was referred to the City Manager.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the improvement of portions of Florence Street and Wabash Boulevard, was presented. It recommends award to Al E. Riley, Inc., low bidder - at \$1,787.01 - 4 bidders, and states that bid is \$387.01 above the Engineer's estimate.

RESOLUTION NO. 116025, recorded on Microfilm Roll No. 74, accepting bid of Al E. Riley, Inc., for improvement of portions of Florence Street and Wabash Boulevard (removal of existing curb and sidewalks and retaining wall; and construction of curbs, sidewalks and retaining walls); awarding contract, authorizing and instructing the City Manager to enter into and execute a contract pursuant to specifications on file in the office of the Purchasing Agent, 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 rebuilding inlets and culverts at 40th Street, recommending award to Griffith Company, low bidder - at \$3,140.00 - 8 bidders, and that the bid is 3.4% below the estimate, was presented.

RESOLUTION NO. 116026, recorded on Microfilm Roll No. 74, accepting bid of Griffith Company for rebuilding inlets and culverts at 40th and Thorn Streets; 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 Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for improvement of portion of Harbor Drive at Scott Street, was presented. It recommended award to R. E. Hazard Contracting Company, low bidder, in the amount of \$1694.00 - 6 bidders - 24.7% below the estimate.

RESOLUTION NO. 116027, recorded on Microfilm Roll No. 74, accepting bid of R. E. Hazard Contracting Company for improvement of portion of Harbor Drive at Scott Street (including construction of concrete pipe storm drain, concrete encasement, cleanout structure and grading and paving with asphalt concrete); 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 Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing portable and skid-mounted Air Compressors for the Public Works Department, was presented. It states that there were 6 bidders, and recommends award to Worthington Corporation of Los Angeles, low bidder for portion of the material, and that award be delayed pending further study of compressors on Items 2-A and 2-B (2 Skid Mounted, 85 cubic foot Air Compressors, and 2 Portable, 85 cubic foot Air Compressors). The communication gives a detail on the recommendation.

RESOLUTION NO. 116028, recorded on Microfilm Roll No. 74, accepting bid of Worthington Corporation for furnishing Item 1, 8 - Skid Mounted 105 cu. ft. Air Compressors @ \$2,313.00 each; Item 1-A, 2 - Portable 105 cu. ft. Air Compressors @ \$2,654.00 each; and Item 2, 1 - Portable 160 cu. ft. Air Compressor @ \$3,436.00; all terms net, plus State Sales Tax; 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 Burgener, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bid received for Catalina Pumping Plant remote control equipment, from The Bristol Company, in the amount of \$853.00, plus sales tax, was presented. It recommends award, and states that The Housing & Home Finance Agency, Region V, and the Director, Water Department, concur in the recommendation.

RESOLUTION NO. 116029, recorded on Microfilm Roll No. 74, accepting bid of The Bristol Company for furnishing remote control equipment for Catalina Pumping Plant; 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 Burgener, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, giving a detailed report on bids received for furnishing the City's requirements of Passenger Car and Truck Tires and Tubes for 3 months beginning January 1, 1954. It recommends award to Fogarty Oil Company, low bidder meeting specifications (but not the low bidder - 13 bidders).

RESOLUTION NO. 116030, recorded on Microfilm Roll No. 74, accepting bid of Fogarty Oil Company for furnishing requirements of passenger car and truck tires and tubes for a period of 3 months beginning January 1, 1954 @ \$42.93 for truck tires and tubes; \$11.95 for passenger tires and tubes (State List) less 1% plus State Sales Tax; awarding contract, authorizing and instructing the City Manager to enter into and execute contract therefor, pursuant to specifications on file in the office of the Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received December 28, 1953, for furnishing Steel Book Supports for the Public Library from 3 bidders, was presented. It recommends award to Gaylord Bros., Inc., low bidder.

RESOLUTION NO. 116031, recorded on Microfilm Roll No. 74, accepting bid of Gaylord Bros., Inc., for furnishing 10,000 Standard Size Steel Book Supports @ \$18.50 per C; and 500 Large Size Steel Book Supports @ \$0.47 each, all plus State Sales Tax, awarding contract, authorizing and instructing the City Manager to enter into and execute contract therefor, pursuant to specifications on file in the office of the Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent recommending purchase of Scrap Rail from Atchison, Topeka & Santa Fe Railway Company (in accordance with letter of November 30, 1953 from the Assistant General Freight Agent), was presented. It recommends that the company furnish from time to time, for the Harbor Department, 90-pound or 110-pound scrap rail used by the Harbor Department for small boat docks and other Harbor development and repair work; price quoted would range from \$33.00 to \$40.00 per ton depending on current Pacific Coast price of such rail. In addition, the communication states that the offer has been discussed with an official of another rail line, and has been advised that they are difficult to secure that the price established by said other railroad company is currently \$46.00 per ton.

RESOLUTION NO. 116032, recorded on Microfilm Roll No. 74, authorizing and directing the Purchasing Agent to purchase for The City of San Diego 90 to 110 pound scrap rail from the Atchison, Topeka & Santa Fe Railway Company at a price ranging from \$33.00 to \$40.00 per net ton of 2,000 pounds - quantities not to exceed 25 tons during any one month for period ending June 30, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116033, recorded on Microfilm Roll No. 74, authorizing the Purchasing Agent to advertise for sale and sell various items of automotive equipment, belonging to the Department of Public Works - listed in detail in said Resolution - no longer desirable for use or retention, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116034, recorded on Microfilm Roll No. 74, authorizing and directing the Purchasing Agent to advertise for sale and sell the Airport Manager's house located at 2775 Pacific Highway, no longer desirable for use or retention by the City, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116035, recorded on Microfilm Roll No. 74, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for reroofing Hangar No. 2 Lindbergh Field Municipal Airport, bearing Document No. 482843; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

In connection with Resolution approving plans and specifications for furnishing labor, etc., and calling for bids for installation of acoustical material to the ceiling and walls of the Fire Alarm Station, 8th Avenue Drive in Balboa Park, Document No. 482844, Councilman Schneider asked the City Manager about the proposal.

The only information the City Manager had, he stated, was that the Chief (of the Fire Department) asked for it. He suggested that the matter be continued to the meeting of Thursday, January 7, 1954.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the proposed Resolution was continued to Thursday, January 7, 1954.

RESOLUTION NO. 116036, recorded on Microfilm Roll No. 74, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Catalina Street Pumping Plant located on Point Loma, bearing Document No. 482842; directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116037, recorded on Microfilm Roll No. 74, 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 systems at the intersections of Laurel and India Streets, University Avenue at 35th Street, Fifth Avenue at Robinson Avenue, bearing Document No. 482840; directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116038, recorded on Microfilm Roll No. 74, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for removal of Limestone Sludge (Alvarado Filtration Plant), bearing Document No. 482841; 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.

The next two items were continued to this meeting from the meeting of December 24, 1953, at the request of the Planning Department's office:

Communication from the Planning Commission, signed by H. C. Haelsig, recommending approval of the Final Map of Delta Heights Annex No. 2, subject to filing of adequate bond to assure installation of required improvements, was presented.

RESOLUTION NO. 116039, recorded on Microfilm Roll No. 74, 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 Annex 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 Wincote, adopted.

RESOLUTION NO. 116040, recorded on Microfilm Roll No. 74, adopting Map of Delta Heights Annex No. 2, being portions of Lots 23 and 24 Wadsworth's Olive Grove, together with portions of westerly one-half of Baily Street (formerly Summit Avenue) and the northerly one-half of Laurel Street (formerly Indiana Avenue) vacated and closed to the public use on October 3, 1952 by decree quieting title rendered in the Superior Court of the State of California in and for the County of San Diego (Case No. 176171); accepting on behalf of the public Ridgeview Drive, Baily Avenue and Laurel Street, and unnamed easements for public purposes, and declaring them to be dedicated to the public use; direct-

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ing 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 Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of Lorenz Avenue Tract, subject to posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 116041, recorded on Microfilm Roll No. 74, authorizing the City Manager to execute for and on behalf of The City of San Diego a contract with Charles M. Beall and Theresa M. Beall, husband and wife, for installation and completion of the unfinished improvements and setting of the monuments required for Lorenz Avenue Tract; 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. 116042, recorded on Microfilm Roll No. 74, adopting Map of Lorenz Avenue Tract, being subdivision of all of Lot 142 National Vista; accepting on behalf of the public the unnamed alley; the unnamed easements, and portion of Lorenz Street, 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 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 Wincote, adopted.

Application of Pat & Bomp, Inc., 6205 El Cajon Blvd., for a cabaret license at "Algiers", was presented, together with recommendations City departments for granting.

RESOLUTION NO. 116043, recorded on Microfilm Roll No. 74, granting permission to Pat and Bomp, Inc. to conduct a cabaret with paid entertainment at "Algiers", 6205 El Cajon Boulevard, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition for closing Marilou Road in the southwest quarter of Lot 14 Ex-Mission Lands of San Diego (Horton's Purchase), was presented. It states San Diego Unified School District is purchasing property for elementary School site. The report recommends closing as shown on Drawing 5188-B.

RESOLUTION NO. 116044, recorded on Microfilm Roll No. 74, granting petition for closing Marilou Road in the southwest quarter of Lot 14 Ex-Mission Lands of San Diego (Horton's Purchase), 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 Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Personnel Director, requesting approval by the Mayor and Council for establishment of a new classified position: "Senior Radio Technician", Standard Rate of Pay No. 22, \$378 to \$460 per month, was presented. Among other things, the communication states that necessity for the class has been established by the Civil Service Commission, and authority for the request is to be found in the Rules of the Civil Service Commission. It says that if it be the pleasure of the Mayor and members of the Council, he will be present to furnish any necessary background information at the time the request appears on the Council agenda. On motion of Councilman Schneider, seconded by Councilman Burgener, the matter was approved, and communication filed. (The Civil Service advised, as of 1/6/54 that Attorney's Office had sent ordinance to Budget Dept., and that it will be filed with the Clerk for the agenda).

Communication from the County of San Diego Chief Administrative Officer relative to adoption of Ordinance requiring Food Handlers to take Medical Examinations, was presented.

A question was about about it, whereupon the City Manager recommended that the communication be referred to Conference.

RESOLUTION NO. 116045, recorded on Microfilm Roll No. 74, referring to Council Conference communication from M. D. Tarshe, Assistant Chief Administrative Officer relating to Proposed Ordinance Requiring Food Handlers to take Medical Examinations, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from John P. Cooper, dated Dec. 30, 1953, agreeing to a degree with the disposal method by sanitary fills, but opposing conditions at the fill in the northeast corner of Balboa Park, was presented.

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

Communication from Robert I. Minson, 1817 Dale Street, San Diego 2, California, dated December 27, 1953, was presented. Said communication refers to his previous letters favoring adoption of an ordinance prohibiting use and sale of backyard incinerators as an aid to reducing smog. Also, letter mentions having had no reply to his other letters on the subject.

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

Communication from Ryan Aeronautical Company, Lindbergh Field, San Diego 12, dated December 29, 1953, signed by Dale H. Ockerman, Assistant Secretary, was presented. The communication exercises option for lease renewal - on the lease dated April 7, 1939, subsequently amended.

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

Communication from J. E. Padgett, President, San Diego City Planning Commission, dated Dec. 26, 1953, was presented. It thanks the Council for creating the Board of Zoning Appeals and an Architectural Review Board, and it offers assistance in connection with long-range planning, or City-wide planning.

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

A large group of communications - being from individuals and groups - all expressing opposition to sale of liquor in Balboa Park (as reportedly requested by lessees at the Cafe Del Rey Moro), especially in view of presence of young people in the park, were presented.

All of said communications were ordered filed, on motion of Councilman Schneider, seconded by Councilman Wincote.

RESOLUTION OF AWARD NO. 116046, recorded on Microfilm Roll No. 74, accepting bid of John B. Henry, and awarding contract, for the paving and otherwise improving of the Alley in Block A First Addition to Ocean Front, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The City Engineer reported in writing that the bid is 12.6% below the estimate.

RESOLUTION OF AWARD NO. 116047, recorded on Microfilm Roll No. 74, 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, 1954, to and including December 31, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 116048, recorded on Microfilm Roll No. 74, 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, 1954, to and including December 31, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 116049, recorded on Microfilm Roll No. 74, 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, 1954, to and including January 14, 1955, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116050, recorded on Microfilm Roll No. 74, approving plans and plat No. 2537 showing the exterior of the district to be included in the assessment for the work and improvement upon the paving and otherwise improving of the Alleys in Blocks 199 and 220 Pacific Beach, within the limits as particularly described in said Resolution; 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 Kerrigan, adopted.

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RESOLUTION NO. 116051, recorded on Microfilm Roll No. 74, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Congress Street and Hortensia Street; approving Plat No. 2531 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116052, recorded on Microfilm Roll No. 74, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Wells Street; approving Plat No. 2499 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 116053, recorded on Microfilm Roll No. 74, for the closing of portion of 29th Street, as described in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 116054, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of the Alley in Block 3 Normal Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 116055, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of the Alley in Block 50 Ocean Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 116056, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of Del Rey Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

In connection with the next Resolution, Councilman Schneider asked the City Manager for a report.

The City Manager, answering Councilman Schneider, asked the City Engineer to speak.

The City Engineer told Councilman Schneider that the matter had come about at the request of the Planning Commission.

Glenn A. Rick, City Planning Director, cleared up the situation, by explaining that property owners (State of California) are giving a new right of way, instead of the right of way on which there is equipment stored.

RESOLUTION OF INTENTION NO. 116057, recorded on Microfilm Roll No. 74, for the closing of Murray Canyon Road, within the limits and as particularly described in said Resolution - determining that it is not necessary that any land be taken therefor - setting out the exterior boundaries of the district of lands to be affected by the improvement and to be assessed therefor, electing to proceed in making the closing under provisions of the "Street Opening Act of 1889", was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 116058, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of the Alleys in Blocks 199 and 220 Pacific Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 116059, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of Congress Street and Hortensia Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 116060, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of Wells Street, within the limits

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and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116061, recorded on Microfilm Roll No. 74, adopting recommendation of the City Engineer filed in the office of the City Clerk on December 29, 1953, under Document No. 482654; authorizing the City Engineer to amend the proceedings for the improvement of a portion of Birch Street, in accordance with said recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116062, recorded on Microfilm Roll No. 74, granting petition contained in Document No. 482418 for installation of sidewalks on the north side of Thorn Street between 41st Street and Marlborough Avenue; 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, including gutters as required; directing the City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 113400 for the improvement of portion of Thorn Street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116063, recorded on Microfilm Roll No. 74, granting petition contained in Document No. 482190 for installation of sidewalks on the south side of Ogden Street, and a portion of Wightman 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 grading, paving and installation of curbs, cross-gutters, drainage slab, wire link guard fences, concrete encasement, sewer laterals and water services and installation of sidewalks on the southerly side of Ogden; and portion of Wightman Street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116064, recorded on Microfilm Roll No. 74, declaring the bid of Royal Pipeline Const. Co., Inc. for installation of Catalina Street Pipe Line (Specification No. 70, Housing and Home Finance Agency Project Calif. 4-CF-27) to be the lowest bid received, and declaring said company to be the lowest, responsible and reliable bidder; rejecting all bids received for said work except said bid, and awarding contract therefor and thereto, at unit prices set forth in its bid which unit prices amount to a total estimated sum of \$34,988.00; authorizing and empowering the City Manager to execute for and on behalf of the City a contract, upon execution, delivery, filing and approval of bonds required thereunder, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116065, recorded on Microfilm Roll No. 74, declaring the bid of E. A. Irish for installation of Harbor Drive Pipe Line (Specification No. 71, Housing and Home Finance Agency Project Calif. 4-CF-27), to be the lowest bid received, and declaring said E. A. Irish to be the lowest, responsible and reliable bidder; rejecting all bids received for said work except said bid, and awarding contract therefor and thereto, at unit prices set forth in his bid which unit prices amount to a total estimated sum of \$83,864.10; authorizing and empowering the City Manager to execute for and on behalf of the City a contract, upon execution, delivery, filing and approval of bonds required thereunder, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116066, recorded on Microfilm Roll No. 74, 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:

Both sides of Fourth Avenue, between Upas Street and Walnut Avenue; establishing a parking meter zone upon said street; directing the City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of the necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

A proposed Resolution prohibiting the parking or standing of motor vehicles at any time on both sides of Fifth Avenue and on Broadway, between the limits set out; providing that passenger vehicles may stop for actual time necessary to load or unload merchandise, was presented to the Council.

Mayor Butler said that people are here to speak on the proposal. He invited Anderson Borthwick, president of the First National Trust and Savings Bank of San Diego, who had a communication on the subject, to be heard. Prior to Mr. Borthwick's speaking, the Mayor said that James Reading, Traffic Engineer, had been requested to make a survey. As a result, Mr. Reading had reported more in favor of the parking ban than were against it, but that they were willing "to go along".

Councilman Schneider said that information had been given by the Bus Co. (San Diego Transit System), that it could speed up transportation on account of the parking ban.

Mr. Borthwick said that he could not understand how such action would benefit the City to remove the parking, as proposed. He said that it would be a breach of faith

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inasmuch as the City had announced that the ban, which had been in effect for a short time, would be for the holidays. He reported that he has checked the area frequently, since the headquarters for the bank is located at 5th and Broadway, and has found cars parking in spite of the ban.

Councilman Wincote said that the City had received a request from the Downtown Association for a 60-day continuance of the prohibition. He said that he had seen some parking, but that it had been isolated.

Mr. Borthwick told the Council that 5th Avenue was as fully parked as if meters allowing them were in. He stated that he had not been consulted by the Downtown Association, in connection with the reported recommendation to continue the parking ban.

Councilman Wincote said he had gone down, especially to check. He said he thought he had not been fooled.

Mr. Borthwick stated that he had looked at the area at different times, since his business is located right there.

James Reading, Traffic Director, asked by the Council for a report, said that the experiment had been successful. There had been some parking, he admitted, but drivers of the cars parked for waiting for passengers. Where there had been double parking before there has been none under the ban. He asked for continuance of the prohibition of the parking. He spoke of free movement of traffic as a result of the trial. There were no back-ups. Mr. Reading stated that people had said that traffic had been driven away from the downtown area, but that he had made a check. As a result of the check, he said that he can refute the statement that traffic has been driven away from 5th Avenue. There was a lot of traffic, although the street looked empty on account of no parking.

Councilman Burgener referred to there having been no hearing. He said that the parking should be restored, then have a hearing to see if it should be prohibited.

Councilman Wincote asked for proving of the situation by not putting the meter heads back on, for a period of 60 days.

Mr. Borthwick wondered who had been talked to. He told about stores doing 60 days' business in December. It is ridiculous to compare the situation in March, for instance, with that of December.

James C. Haugh, of the San Diego Transit System, said that 5th Avenue carries 7 routes of buses, and that it is a heavily-travelled area. It is the biggest problem, he added. Mr. Haugh said that buses carry most of the people to the downtown area, and as a result of the ban the System has speeded up traffic. The buses saved 6 to 12 minutes time for the month preceding Christmas. He asked to have the ban continued, to speed up the movement of people. Passengers have expressed their appreciation, and they want to go faster, Mr. Haugh told the Council.

Councilman Schneider stated that literature from the American Municipal Association, and others, have written about speeding up traffic.

Mr. Haugh said, again, that people have said they appreciate the speed-up. Later a permanent no-parking may be asked for, he added.

Mr. Borthwick, answering Councilman Wincote, said he can see no purpose in prohibiting parking after 6 P.M., and told the Council that at times you could shoot a cannon down the street and hit no one.

Councilman Schneider stated that the City could keep the area clear during the heavy period, and permit parking after 6 P.M.

Mr. Borthwick asked why the highest tax property in the City should be penalized. He spoke of messengers and attorneys originating at 5th and Broadway, but that there is not through-traffic. Congestion is nothing here, he emphasized, compared to many other cities which he has seen.

Councilman Godfrey asked Mr. Haugh relative to bus movement, in regard to area between B and E Streets (on 5th) being significant.

Mr. Haugh spoke about it being important, and said that it would "hamper 2 blocks."

Mr. Borthwick, referring to the ban, asked why stop at E Street.

Mr. Haugh answered that he would prefer to have the ban go "through".

Councilman Godfrey asked about the number of parking spaces.

Mr. Borthwick answered that the ban would take away 10 or 12 in block. There are in existence many no parking zones. He told of 17 in the block this morning, including trucks.

Councilman Godfrey stated that many are asking for the no parking. Tenants (in Borthwick's First National Bank Building) may be losing few spaces, he stated.

Mr. Borthwick spoke of that amounting to 500 cars in a day, and of the filling up of the close-in parking lots.

Councilman Schneider expressed the belief that if buses were to run oftener, passengers could get faster service.

Mr. Haugh repeated that the buses did save 6 to 12 minutes. In normal times it would be 3 to 6 minutes.

Mr. Borthwick told the Council that presence of police officers would have a big influence in the movement of traffic.

Councilman Wincote stated that he wants to find out if the experiment works.

Mr. Borthwick told the Council that the entire merchants group had not been polled in connection with expressing opinions. He said, again, that he had not been asked.

Councilman Wincote admitted that the City had broken faith by not returning the meter heads, at the end of the experimental ban, as agreed.

Mr. Borthwick pointed out the need for the voice of the people.

Councilman Burgener repeated his statement that a hearing is needed.

Councilman Godfrey said that he, too, had looked at the area in a car and on foot. He said that the ban helps correct the double-parking situation. The biggest advantage is getting away from double parking. He said that he does not like to toy with investments. Apparently people want a trial, Councilman Godfrey said. He does not feel like a liar on account of the meter heads not having been put back.

The Mayor said that a trial should be made and a hearing had, or a hearing first.

Councilman Kerrigan said that the matter had come about as a result of the Traffic Engineer's recommendation. It is either good or bad - and if it is good it should be tried in the "whole area", he stated.

Parking ban

Councilman Godfrey said that the bulk of the people in the downtown area come by buses. The only way to find out is to try it, Councilman Godfrey stated.

Councilman Godfrey moved to continue the ban for 60 days from next Monday, which motion was seconded by Councilman Schneider.

The Mayor asked why motorists could not park after 6:00 P.M.

Mr. Reading replied that there is an enforcement problem involved.

Mr. Borthwick said that the entire matter has to be considered in relation to taxes. The tax payment will be contested if the parking is removed, Mr. Borthwick stated.

Councilman Godfrey moved to permit parking between 6 P.M. and 7 A.M.

Councilman Schneider moved to adopt the proposed Resolution, including the permitted parking between the hours of 6 P.M. and 7 A.M., which motion was seconded by Councilman Kerrigan.

There was no disposition made of the letter from Anderson Borthwick.

The Resolution was re-written, resulting in

RESOLUTION NO. 116067, recorded on Microfilm Roll No. 74, reading as follows:....."That beginning with 12:00 o'clock midnight on the 11th day of January, 1954, and ending at 12:00 o'clock midnight on the 7th day of March, 1954, on each of said days, Sundays and holidays excepted, parking or standing of motor vehicles is prohibited on both sides of the following streets, to-wit: Fifth Avenue between "A" and "E" Streets and Broadway between 11th and 12th Avenues between the hours of 7:00 A.M. and 6:00 P.M.; provided however, that passenger vehicles may stop for the actual time necessary to load or unload merchandise, and provided further that the prohibition or regulations herein contained are in addition to, and do not vitiate from, any other prohibition or regulation contained in other Resolutions or ordinances of this Council." It also authorizes and directs the City Manager to forthwith install the proper traffic signs on said streets.

As Mr. Borthwick left, Councilman Wincote suggested that he not leave as a poor loser.

RESOLUTION NO. 116068, recorded on Microfilm Roll No. 74, prohibiting the parking of automobiles between the hours of 4:00 p.m. and 6:00 p.m., Sundays and holidays excepted:

South side of Market Street between the east line of 28th Street and the west line of 33rd Street;

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 Kerrigan, adopted.

RESOLUTION NO. 116069, recorded on Microfilm Roll No. 74, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, an agreement with the State of California, acting by and through its Department of Public Works, Division of Highways (Utilities Agreement No. 4938), providing for relocation of water and sewer facilities of The City of San Diego on Highway Project XI-SD-2-SD, from 1 Mile South of Balboa Avenue to 0.7 Mile North of Balboa Avenue; together with Joint Use Agreement defining the common area with the new highway and giving to The City of San Diego the same rights in the new location that it had in the original location, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116070, recorded on Microfilm Roll No. 74, approving request of W. A. Robertson & Co., dated December 17, 1953, contained in Change Order No. 1, for extension of 60 days to and including February 15, 1954, heretofore filed with the City Clerk as Document No. 482822, in which to complete contract for installation of Small Water Main Replacements, Group VII, contract contained in Document No. 473265 on file in the office of the City Clerk; extending completion time to February 15, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116071, recorded on Microfilm Roll No. 74, approving request of Royal Pipeline Construction Co., Inc., dated November 13, 1953, contained in Change Order No. 1, for extension of 15 days to and including December 1, 1953, heretofore filed with the City Clerk as Document No. 482823, in which to complete contract for installation of Small Water Main Replacements, Group No. VI, contract contained in Document No. 4711489 on file in the office of the City Clerk, extending completion time to December 1, 1953, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116072, recorded on Microfilm Roll No. 74, approving Change Order No. 52 dated December 21, 1953, heretofore filed with the City Clerk as Document No. 482825, issued in connection with contract between The City and F. E. Young Construction Co. for construction of the San Diego Public Library, which contract is contained in Document No. 451108 on file in the office of the City Clerk; changes amounting to increase in contract price of \$52.27, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116073, recorded on Microfilm Roll No. 74, authorizing and directing the City Manager to execute, on behalf of The City of San Diego, a cancellation of lease agreement with Otay Agricultural Corporation, which lease involved portion of Rancho Janal and by which said cancellation agreement the City agrees to return to said Corporation \$25.00 as unused portion of prepaid rental heretofore paid by said Corporation,

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and which cancellation of lease agreement is filed in the office of the City Clerk as Document No. 482872, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116074, recorded on Microfilm Roll No. 74, authorizing and empowering the City Manager to execute, for and on behalf of The City, a lease with Daley Corporation of portion of Lower Otay Reservoir within Rancho Janal and within Sections 4, 5, 6, 7, 8, T 18 S R 1 E S.B.B. & M. as shown on City of San Diego Engineering Department Plat 2086 1/2 B Revised February 1945, for a term of 10 years at a yearly rental of \$450.00; more particularly described in form of lease filed in the office of the City Clerk under Document No. 482828; property has a value of \$25,000.00 as disclosed by report of the last appraisal made by the Auditor and Comptroller, which is leased for the reason that the City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116075, recorded on Microfilm Roll No. 74, 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 tax-deeded lands in Pueblo Lot 1256, described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116076, recorded on Microfilm Roll No. 74, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead light at each of the following locations:

50th and Collier Streets;
51st Street at Collier Street;
51st Street at Altadena Street,

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

RESOLUTION NO. 116077, recorded on Microfilm Roll No. 74, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of, and as the act and deed of, The City of San Diego, a quitclaim deed quitclaiming to Robert E. Hill, an unmarried man, all its right, title and interest in and to the easement and right of way for storm drain or drains and appurtenances thereto, heretofore conveyed to The City of San Diego by Robert E. Hill, an unmarried man, by deed recorded August 21, 1953, in Book 4962 at page 490 Official Records of San Diego County - being a strip of land in Block L Resubdivision of portion of Villa Tract La Jolla Park - authorizing and directing the City Clerk to deliver said quitclaim deed to the Property Supervisor with instructions that the same be delivered to the Grantee when he shall have received a deed to the easement as required by The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116078, recorded on Microfilm Roll No. 74, accepting subordination agreement, executed by Max E. Brewer and Edith A. Brewer, beneficiaries, and Pacific Coast Title Insurance Company, trustee, bearing date December 15, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 21 Block 26 Lexington Park, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego in portion of said property; authorizing and directing the City Clerk to file said deed 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 Burgener, adopted.

RESOLUTION NO. 116079, recorded on Microfilm Roll No. 74, accepting subordination agreement, executed by J. C. Fisher, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date December 16, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 41, 42, 43 and 44 Block 142 City Heights, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said deed 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 Burgener, adopted.

RESOLUTION NO. 116080, recorded on Microfilm Roll No. 74, accepting Deed of Eva O. Callahan, bearing date December 18, 1953, conveying portions of Lots 31 and 32 Block 9 Drucker'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 Schneider, seconded by Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116081, recorded on Microfilm Roll No. 74, accepting deed of Renald Salmina, bearing date December 16, 1953, conveying easement and right of way for street purposes in portion of Lot 1 Block 26 Lexington 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116082, recorded on Microfilm Roll No. 74, accepting deed of Astor Basmajian and Esther Basmajian, bearing date December 22, 1953, conveying easement and right of way for street purposes in portion of Lot 16 Cave and McHatton Subdivision of Lot 14 and portion of Lot 16 Ex-Mission Partition; setting aside and dedicating the same to the public use as and for a public street, and naming the same 58th 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 Burgener, adopted.

RESOLUTION NO. 116083, recorded on Microfilm Roll No. 74, accepting deed of Astor Basmajian and Esther Basmajian, bearing date December 22, 1953, conveying easement and right of way for street purposes in portion of Lot 13 Cave and McHatton Subdivision of Lot 14 and portion of Lot 16 Ex-Mission Partition; setting aside and dedicating the same to the public use as and for a public street, and naming the same 58th 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 Burgener, adopted.

RESOLUTION NO. 116084, recorded on Microfilm Roll No. 74, accepting deed of Earle Peterson and Doris Peterson, bearing date December 15, 1953, conveying all of Lots 28, 29, 30 Block 10 Tres Lomas; setting aside and dedicating the same to the public use as and for a public street, and naming the same Potomac Street; authorizing and directing the City Clerk to 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 Burgener, adopted.

RESOLUTION NO. 116085, recorded on Microfilm Roll No. 74, accepting deed of Earle Peterson and Doris Peterson, bearing date December 15, 1953, conveying easement and right of way for street purposes in portion of Lots 22, 23, 24, 25, 32, 34, 36, 37, 38 Block 10 Tres Lomas; setting aside and dedicating the same to the public use as and for a public street, and naming the same Potomac Street; authorizing and directing the City Clerk to file said deed 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 Burgener, adopted.

RESOLUTION NO. 116086, recorded on Microfilm Roll No. 74, accepting deed of Earle Peterson and Doris Peterson, bearing date December 15, 1953, conveying easement and right of way for street purposes in portion of Lots 12, 13, 14, 15, 17 Block 2 Tres Lomas; setting aside and dedicating the same to the public use as and for a public street and naming the same Potomac Street; authorizing and directing the City Clerk to file said deed 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 Burgener, adopted.

RESOLUTION NO. 116087, recorded on Microfilm Roll No. 74, accepting deed of Earle Peterson and Doris Peterson, bearing date December 15, 1953, conveying easement and right of way for street purposes in portion of Lots 11, 12, 13, 14, 15 Block 9 Tres Lomas; setting aside and dedicating the same to the public use as and for a public street, and naming the same Potomac Street; authorizing and directing the City Clerk to file said deed 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 Burgener, adopted.

RESOLUTION NO. 116088, recorded on Microfilm Roll No. 74, accepting deed of Johnnie Lee Caldwell and Carrie Lee Caldwell, bearing date October 27, 1953, conveying easement and right of way for sewer purposes in portion of Lots 41, 42, 43, 44 Block 142 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116089, recorded on Microfilm Roll No. 74, accepting deed of Jackson & Scott, Inc., bearing date July 29, 1953, conveying easement and right of way

for sewer purposes in portion of Lot 12 Horton's Purchase, Ex-Mission Lands; authorizing and directing the City Clerk to file said deed 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 Burgener, adopted.

RESOLUTION NO. 116090, recorded on Microfilm Roll No. 74, accepting deed of W. E. Starke and Cecilia G. Starke, bearing date October 28, 1953, conveying easement and right of way for sewer purposes in portion of Lots 1 and 2 Block 145 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116091, recorded on Microfilm Roll No. 74, accepting deed of Patrick C. Murphy, bearing date August 3, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 29 Rancho Ex-Mission, Horton's Purchase, 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 Burgener, adopted.

On motion of Councilman Schneider, 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 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. 5911 (New Series), recorded on Microfilm Roll No. 74, changing the name of portion of Baltic Street to Armstrong Street; repealing all ordinances or parts of ordinances in conflict therewith, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilman Dail.

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 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. 5912 (New Series), recorded on Microfilm Roll No. 74, amending Sections 33.2103 and 33.2112 of the San Diego Municipal Code, creating Psychology and Social Work Commissions (having to do with establishing of definite terms of the members of said commissions), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

On motion of Councilman Schneider, seconded by Councilman Wincote, the next ordinance was introduced. ORDINANCE NO. 5913 (New Series), recorded on Microfilm Roll No. 74, appropriating the sum of \$3,500.00 from the Capital Outlay Fund, for the purpose of providing funds for rebuilding inlets and culverts at 40th and Thom Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilman Dail.

The reading of such Ordinance in full prior to its final reading was dispensed with 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 final passage a written or printed copy.

On motion of Councilman Wincote, seconded by Councilman Burgener, the next ordinance was introduced.

The reading of such Ordinance in full prior to its final reading was dispensed with, on motion of Councilman Wincote, seconded by Councilman Burgener. 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. 5914 (New Series), recorded on Microfilm Roll No. 74, appropriating the sum of \$2000.00 out of the Capital Outlay Fund, for the purpose of providing funds for improvement of portions of Florence Street and Wabash Boulevard, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

On motion of Councilman Godfrey, seconded by Councilman Burgener, the next ordinance was introduced.

The reading of such Ordinance in full prior to its passage was dispensed with, on motion of Councilman Godfrey, seconded by Councilman Burgener. 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. 5915 (New Series), recorded on Microfilm Roll No. 74, appropriating the sum of \$1,900.00 from the Capital Outlay Fund, for the purpose of providing funds for improvement of portion of Harbor Drive and Scott Street, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the next ordinance was introduced.

The reading of such Ordinance in full prior to its final passage was dispensed with, on motion of Councilman Godfrey, seconded by Councilman Wincote. 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. 5916 (New Series), recorded on Microfilm Roll No. 74, appropriating the sum of \$1,200.00 from the Unappropriated Balance Fund, and transferring the same to Equipment Outlay Account, Treasury Division, Department of Finance Fund, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

Mayor Butler left the meeting at this time, and Councilman Burgener took over the duties of Chairman.

An ordinance amending the San Diego Municipal Code having to do with private Patrol Service, Private Street Patrolmen, was presented.

George Rodgers, of the Rodgers Police Patrol and Detective Agency, asked permission to be heard.

Mr. Rodgers asked for continuance for 2 or 3 weeks, and have Police Chief Jansen present in connection with the change over. He said that he thought that the Chief would be agreeable to time allowance in connection with new uniforms.

The City Manager spoke about the change of color, instead of change of style. He said that there has been confusion on account of similarity of uniforms between private patrol and Police officers.

Mr. Rodgers, answering a question put by the Council, said that uniforms will not dye, and that there would be expense involved. He said that a 6 months period would be needed. Shirts are unusable for any other purpose than patrol duty, he told the Council.

Douglas D. Deaper, Deputy City Attorney, said that the Ordinance does not regulate the uniform. Rules and regulations are not before the Council at this time, he declared. He added that the uniform designation would be covered by the regulations.

There was discussion between Councilman Godfrey and Mr. Rodgers.

Speaking to the Council as a whole, Mr. Rodgers said that he was upset over the original draft, which he thought to be dictatorial. He spoke of having met with the Chief of Police who was cooperative.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance amending The San Diego Municipal Code by adding thereto new Sections to be known and numbered Sections 33.0206, 33.0207, and 33.2901 through 33.2906, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance dedicating certain public lands as and for portions of public highway in Lot 78 Rancho Mission of San Diego, in Lots 22, 28, 29 and 30, The Highlands, and naming the same Kearny Mesa Road; dedicating certain Pueblo Lands as and for portions of public highway in Lot 78 Rancho Mission of San Diego, Lots 9 and 10, The Highlands, and a portion of the Un-named Streets contiguous to the north line of said Lot 9, closed to Public Use, and Naming the same Kearny Interchange; dedicating certain public land as and for a portion of public highway in Lot 2 Block 1 Rosedale, and naming the same Clairemont Mesa Boulevard; dedicating certain public lands as and for portions of public highway in Lots 29, 30, 36 and 37, the Highlands, and naming the same Mesa Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, 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. 116092, recorded on Microfilm Roll No. 74, declaring it to be the opinion of the City Council that the proposal to condemn the property indicated - in said Resolution - being Plancor Condemnation Map No. 20, particularly between Witherby Street and Bandini Street, along Pacific Highway, should be abandoned, and that the Government explore the possibility of going over its own land adjoining said land to the west, for whatever purposes said land is being condemned, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

In addition to a lengthy preamble, said Resolution directs the City Clerk

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to send copies of said Resolution to The Honorable Attorney General of the United States, The Honorable Secretary of Defense, The Honorable Secretary for Air, the Chief of U.S. Army Engineers and General Joseph T. McNarney, President of Consolidated Vultee Aircraft Corporation, P.O. Box 1950, San Diego, California.

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

RESOLUTION NO. 116093, recorded on Microfilm Roll No. 74, appointing as members of a Board of Architectural Review: Paul C. Kelley and R. E. Hazard, Jr., to serve for one year; Paul Eklund and R. G. Wheeler to serve for two years, and Paul Borgerding to serve for three years - pursuant to provisions of Ordinance No. 5855 (New Series) adopted November 24, 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, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Kerrigan, at the hour of 12:37 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By August M. Kadtke
Deputy

John D. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, January 7, 1954

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

In the absence from the City of Mayor Butler, on City business, and of Vice Mayor Dail, Councilman George Kerrigan was selected by the Council to act as Chairman.

The Chairman called the meeting to order at the hour of 10:07 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Ordinance incorporating portion of Pueblo Lot 1239 into "R-2" Zone, and repealing Ordinance No. 13456 insofar as it conflicts, the Clerk reported that no protests had been received.

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

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

Glenn A. Rick, City Planning Director, told the Council that the zoning is for school purposes, and that no protests had been received by the Planning Commission.

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 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. 5917 (New Series), recorded on Microfilm Roll No. 74, incorporating portion of Pueblo Lot 1239 into "R-2" Zone, as defined by Section 101.0406 of the San Diego Municipal Code, and repealing Ordinance No. 13456, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Ordinance incorporating the southwest quarter of Lot 14 Ex-Mission Lands of San Diego (Horton's Purchase) 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

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Hearings

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

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

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

ORDINANCE NO. 5918 (New Series), recorded on Microfilm Roll No. 74, incorporating the southwest quarter of Lot 14, Ex-Mission Lands of San Diego (Horton's Purchase) 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 adopted, on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of said ordinance in full prior to its 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.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating Kensington Park into R-2, R-4, RC and C Zones, the Clerk reported that no written protests had been received.

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

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

Glenn A. Rick, City Planning Director, told the Council that no one was present at the Zoning hearing held by the Planning Commission. The area was annexed to the City, according to Mr. Rick, who added that there is no zoning there now. Asked if the zoning covers the entire area annexed, Mr. Rick replied that other zoning will be brought in on another 6 lots not covered under these proceedings.

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 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. 5919 (New Series), recorded on Microfilm Roll No. 74, incorporating Kensington Park in the City of San Diego, into R-2, R-4, RC and C Zones, as defined by Sections 101.0406, 101.0408, 101.0409 and 101.0411 respectively of the San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of A. G. Winn from the decision of the Zoning Committee in denying request of Mr. Warren, Edward J. and Meta B. Pickering to split Lot 36 Block 12 Tres Lomas, into 3 parcels and construct a single family residence on each parcel - on the northeasterly side of Calle Aguadulce, 125 feet south of Calle Tocon, in Zone R-1, Dalton D. Baker, was heard.

Mr. Baker, of National City, representing Mr. Winn, spoke. He showed to members of the Council a map, which he did not file. He told of need for a zone variance. The Planning Department was unable to show him why said zone variance is needed, Mr. Baker stated. When he had appeared before the Zoning Committee he had been told that a subdivision would be needed, but that there is no ordinance; only a Council policy. He stated that he had been given the "wrong steer" to start. Answering questions of the Council, Mr. Baker said that sewer and water are in, that the street is graded but not to the established grade.

Glenn A. Rick, City Planning Director, told the Council that he had no objection to Mr. Baker's statements. Mr. Winn, the appellant, did appear, and was told that he could not build without a variance. By the time the matter had been brought up, a different position had been taken by both the Zoning Committee and the City Council. On one side of the street there is a subdivision consisting of large lots; a subdivision by small lots is on the other side. He pointed out on a map regarding the various properties to which he had referred. He said that Mr. Winn might buy additional property, and subdivide that.

Councilman Wincote said that if Mr. Winn buys additional land, he might incorporate it in the subdivision.

Mr. Baker recognized that the idea is the getting away from metes and bounds. That is good, he agreed, but the appellant had proceeded along the approved lines. One of the proposed lot owners is ready to go ahead now, he stated. Mr. Baker told the Council that he thinks it is not fair to the property to require subdivision, but added that if others should join in they might share the expense involved.

Councilman Burgener expressed the opinion that the important thing is the size. He pointed out that the lots are large, while across the street the lots are small.

Answering a question about existing improvements, Mr. Baker said that there is a house across the street.

Mr. Rick stated that he had fought the granting. He said, however, that he is willing to "go along", but that there should not be a policy broken.

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Councilman Schneider moved to grant the appeal, and overrule the decision of the Zoning Committee.

Mr. Rick said that is a "wide open deal".

Councilman Schneider stated that he was making his motion because the matter has not been determined by Ordinance; it is only a policy now; and there is a present right involved.

Councilman Burgener spoke, too, of following the rules.

Answering another question, Mr. Baker agreed that the owner would subdivide, if the zoning appeal is turned down.

Councilman Wincote told Mr. Baker that it would be gratifying if the owner would subdivide.

Once again Mr. Baker stated that if the owner does subdivide he should not carry the entire expense.

Councilman Godfrey asked Mr. Rick about the time when the original request had been made for the variance. Before the question was answered, he stated that the subdivision could have been approved as of now, if it had been filed.

Mr. Baker re-iterated that the owner would subdivide - if others go along.

Councilman Kerrigan, acting as Chairman, pointed out to Mr. Baker that only 5 members of the Council were present, and that it would take 5 votes to overrule the decision of the Zoning Committee - inferring that there was a doubt that the necessary number of votes would be forthcoming at this time.

Councilman Godfrey spoke of unfairness, in view of the earlier application.

Councilman Wincote told the Council that it was not in a position to turn down the appeal.

Mr. Baker referred members of the Council to the map he had, again.

Mr. Rick said that is not the map, that the decision would be based upon the final map - as of now.

Councilman Kerrigan told Mr. Baker that it is better in the public interest to subdivide - rather than have a zone variance.

Mr. Baker stated that the matter had originally been tabled by the Zoning Committee. After that action, J. F. DuPaul, City Attorney, had told him that the Zoning Committee has no right to table such a request, according to Mr. Baker. Action should have been taken to grant or deny, he said. Mr. Baker said that there is a matter of principle of good government involved, and relative to that he questioned procedure and actions already taken.

Mr. Rick pointed out that the Council itself has used the term "table" to mean a continuance until such time as a matter was brought up again. What had occurred had been during the time that the policy on the subject was being discussed. The Committee corrected the tablish. He informed the Council that said Committee had every right to deny the application as a matter of discretion. He said that a subdivision has even been used as a detriment in connection with avoiding zoning.

Councilman Godfrey said that the Zoning Committee and the City Council could have used their discretion in denying the application. He said he certain feels free to use his discretion.

Councilman Burgener stated that he would oppose a metes and bounds description only if it affects easements and improvements. Even any policy can be varied, he pointed out.

Councilman Wincote referred to the matter as having been under the old policy. If the proposal is declined under the likelihood of a new policy it would be unfair, he stated.

Councilman Godfrey said that if there is no policy it would be disadvantageous. There might not be the same problems here, however, he stated.

Councilman Kerrigan declared that the Council has to determine if the request is reasonable.

Councilman Schneider pointed out that the property is not built up.

Councilman Burgener emphasized that there is no disagreement regarding the dividing of the property, but the method used to accompanish it.

Mr. Rick told the Council that division under variance by metes and bounds is bad, inasmuch as the owner does not then approach City departments for needed regulations. That is done only where there is a subdivision. He stated that the procedure had got the City into a lot of trouble.

Councilman Wincote said he could see no reason to hold up the request.

Councilman Schneider said that as a courtesy to Mr. Baker, it would be well to indicate if any member of the Council would oppose the variance, in which case the variance would be lost if only one present member of the Council opposes it.

Before that was done, Mr. Rick said that if this is granted, others will come in - and justifiably so - asking for the same thing. He agreed that it develops into a public relations matter.

Councilman Wincote said he could name 8 or 10 places on Point Loma where what is being asked had been granted, before the referred-to policy was discussed.

Councilman Schneider asked if the Council would object to an informal poll.

Chairman Kerrigan said he thought the request should not be granted; there were only 5 members of the Council present; that he would hesitate to oppose it because the situation would result in an increased problem.

Councilman Godfrey spoke of being free to judge the matter on the basis of a future policy.

Mr. Rick declared that it is a privilege only to divide the property under variance - not a right.

Chairman Kerrigan stated that if there were 7 members of the Council present he would vote against the appeal. Then he said he will vote "no".

Councilman Schneider moved to continue the hearing one week.

Hearing

Councilman Godfrey expressed need for a new policy to improve the existing situation.

Councilman Rick spoke of not being able to more than one house, inasmuch as there is an R-1 zone on the property, which requires not more than one house on one parcel.

Councilman Wincote declared that it is a matter of the law.

Councilman Godfrey said that the Zoning Committee can use its discretion, and that the property is now under the law.

Councilman Wincote spoke of finding loop holes in the policy

Mr. Baker read at length from the zoning requirements from the Municipal Code.

Councilman Schneider declared that if the Council deals with Mr. Winn on this basis, it should deal with all others in the same manner.

Councilman Godfrey declared that there are alternatives: the petitioner can wait for attendance of the full Council, or he can file a Tentative Map.

Mr. Baker said that he has a Tentative Map, which he felt the Planning Director would accept. He mentioned again that there is the matter of cost: some \$350.00. Mr. Baker agreed, in view of the Chairman's statement, to the continuance.

On motion of Councilman Schneider, seconded by Councilman Burgener, the hearing was continued one week - to the meeting of Thursday, January 14, 1954.

The hour of 10:00 o'clock A.M. having arrived, the time set for appeal of Albert W. Jenner from the Zoning Committee decision denying permission to Wm. A. Northridge estate, owner, and Al Jenner Tile Co., lessee, for use of portion of Lot 27 and 28 Block 103 University Heights, 2338 El Cajon Boulevard, for storage yard for approximately 1500 sacks of crushed marble and approximately 25 sacks of cement, and the parking of trucks and mixer - all in Zone C, was presented. The appeal has to do with the denial and the provisions that the material presently stored on the property be removed within 30 days from the date of the Zoning Committee's Resolution No. 7954, which was adopted December 23, 1953.

Glenn A. Rick, City Planning Director, told the Council that it is his understanding is mainly due to the requirement for removal of the material in 30 days. He stated that it will be used up in the completion of the Library. He said he would not object to 1 week.

D. E. South, from the Planning Department, was asked about the matter. He replied that the affected owners or applicant had not appealed to the Commission, or offered objection.

Mr. Jenner appeared, and asked the Council for a 90-day extension. He said that the marble in question is going into the new Library and into schools which are under construction, and that it is not contemplated that there be a permanent storage yard.

Mr. Rick said that protest has been received against the yard which is along the highway. It is not very attractive, and is a violation of the C Zoning, he pointed out.

Councilman Godfrey said that it is a case of trying to help the appellant of a problem, and that the nuisance will lessen as time goes on.

Mr. Jenner told the Council that there are more than 40 tons of marble, which would have to be moved twice if the appeal is denied.

RESOLUTION NO. 116094, recorded on Microfilm Roll No. 74, sustaining the appeal of Albert Jenner from the decision of the Zoning Committee in adoption of Resolution No. 7954 denying application of Wm. A. Northridge estate, owner, and Al Jenner Tile Co., lessee, to use portion of Lots 27 and 28 Block 103 University Heights, at 2338 El Cajon Boulevard, for storage yard of crushed marble and cement, and the parking of trucks and a mixer, in Zone C - all material stored to be removed within 30 days from the date of Resolution adopted December 23, 1953 - overruling and denying said decision, on condition that said material be removed from the property which is to be cleared in 90 days from this date and upon the further condition that a letter be filed with the City Clerk agreeing not to place any new material at said location and that the letter shall state that it will all be removed within 90 days, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Petition of Amos B. Root, with Fred B. Mitchell Co., 1401 Sixth Avenue, San Diego 1, California, dated January 4, 1954, setting for his qualifications as an accredited real estate appraiser for employment by the City on a fee basis, was presented.

Attached were statement from Fred B. Mitchell, M.A.I., and a statement of Mr. Root's qualifications, education and experience.

On motion of Councilman Wincote, seconded by Councilman Schneider, the petition and accompanying papers were referred to the City Manager.

Petition of Leonard B. West and Marie W. West, 1117 - 19th Street, on an appeal, requesting a hearing in connection with the Zoning Committee denial of request for permission to convert a Duplex at 1115 - 19th Street into a Triplex, was presented.

(A note on the agenda, for benefit of members of the Council, shows the appeal having been filed late, and that a number of holidays had been included within the 5-day appeal period provided).

Douglas D. Deaper, Deputy City Attorney, asked by members of the Council about the situation, stated that it is not an appeal, if filed late.

Councilman Godfrey questioned the matter, regarding the time involved.

Mr. Deaper stated that holidays are not counted.

Councilman Godfrey declared that it is a question of legality of appeal.

Mr. Deaper read to the Council from the Municipal Code relative to the appeal time.

Glenn A. Rick, City Planning Director, related for the Council's benefit, that the appeal had been filed December 31, 1953, whereas the Zoning Committee Resolution No. 7952 had been filed with the City Clerk December 24, 1953 (Resolution dated December 23, 1953).

Mr. West stated to the Council that he had been told by D. E. South, of the Planning Department Office, that holidays do not count in connection with the appeal period. He said that he could not file for 3 days, inasmuch as he was out of town.

Councilman Godfrey declared that the appeal has no legal basis.

The Clerk stated that the Civic Center Building was not open 3 days.

Asked about the matter, Mr. Deaper reported to the Council that there is no way of avoiding the fee required in connection with re-instituting a new request.

Mr. Rick told the Council that he does not want Mr. West to have to file another \$25.00.

Councilman Godfrey said that the matter should be referred to the Attorney for report to Conference next Tuesday.

Mr. Deaper said that there is only one way to do what is wanted: a variance and a fee paid for consideration. The requirement had been established by the Council, he pointed out, and is therefore law.

Councilman Godfrey asked to have the matter referred to Council Conference next Tuesday - January 12, 1954 - and that there be a report forthcoming from the City Attorney and from the Planning Director to see if Mr. West can be given relief.

Mr. West told of the 5-day appeal, and said that the holidays had come in. He said, again, that he was out of town at the time and could not get back. He stated that the request for variance has already been denied twice.

Councilman Godfrey moved to refer the appeal to Council Conference for Tuesday, January 12, 1954, at which time the City Attorney and the Planning Director are to give reports.

Councilman Kerrigan told Mr. West that the Clerk advises him that if the last day to appeal falls on a holiday an additional day is given.

Councilman Burgener seconded the motion, resulting in

RESOLUTION NO. 116095, recorded on Microfilm Roll No. 74 (shown above in the Godfrey motion, seconded by Burgener).

Communication from Richard S. Bell, 2650 Strandway, San Diego 8, California, relative to parking conditions in the 2600 block of Strandway, and calling attention to the Council of condition that exists in said block. It states, among other things, that it is the writer's idea that if the no parking signs were changed from the west side to the east side there would be more parking area.

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

Communication signed "The El Cajon Blvd. Civic Assn., by Carlyn S. Derry, Chairman of the Committee to Keep Highway 80 on El Cajon Blvd.", was presented. It was read to the Council as Mrs. Derry's request.

The letter begins by saying that "no one is paying much attention to this but San Diego is getting sold down the river by a little group of special interest people who think more of their own already fat pocket books than they think of San Diego". It says that San Diego always has been, and always should be a tourist mecca, and should not be by-passed by a slick scheme to route the tourists around the outlying districts, in the hopes that a greater percentage of them will take the access road - Cabrillo Freeway - directly into the heart of town, and it points out the frantic building on Ash Street. Also, it says that no one seems to realize that a lot of the visitors who would be free-wayd around San Diego, instead of through it, are going to just keep on going to Los Angeles. The long letter is written in the same manner, expressing the idea that an effort is being made to injure San Diego.

Mrs. Derry expressed the belief that the thing is being done too fast, and as a result, a lot of people don't know what is being done. The ultimate intent is to start on the other side of Alpine and come down to Cabrillo Freeway. He said that work is being started on the freeway to Fletcher Hills - which will go through, rather than to. In theory, freeways do seem good, she stated. She spoke of not moving highways through cities, and of Oceanside being by-passed with the new highway. Oceanside would not be suffering - as it is now, according to Mrs. Derry - if the highway went through that city. She declared that she is not against the freeway, but wants the highway where it is. Highway 80 should be as it is now, and a by-pass or an alternate provided, she said.

Councilman Kerrigan stated that it was agreed at a meeting that the "80" signs will remain on El Cajon Boulevard.

Mrs. Derry commentend that would be just a courtesy marking.

Chairman Kerrigan said that if properly marked, and if turned over to the City, the City can maintain the signs.

Councilman Burgener asked about the various types of signs.

Mrs. Derry said that tourists are afraid of freeways - they can get into wrong lanes, make improper turns and wind up where they did not intend.

Councilman Winote said that La Jollans "fought like steers" to have the highway retained through La Jolla, but now that it is gone they don't want it back.

Councilman Burgener pointed out that the State is to make the decision.

Mrs. Derry said that it is important; that if it is done, it cannot be undone. There is nothing wrong with the freeway, including the Highway to the South, she stated, but pleaded not to take away Highway 80. If one comes clear across the United States on 80 one stays with it to the bitter end, she said - inferring that tourists would continue on the highway at the expense of other routes, even if they might be better.

Councilman Kerrigan said that what Mrs. Derry wants is impossible. She should appear before the State's Highway Committee, and also try to have the State Legislators change the existing law, he stated. He said that all the freeways are not going to be highways, and that they don't send tourists around the cities.

Councilman Wincote pointed out that it is an awkward situation now. Mrs. Derry declared that tourists don't know what the situation is. Chairman Kerrigan spoke about the requirement for abandonment of the established highways.

Mrs. Derry asked why give away Highway 80. She said she had been told that it is the plan to continue moving the highway farther north.

Councilman Wincote said that more tourists would get into the City on 6th Avenue, than on El Cajon Boulevard.

Mrs. Derry, answering Councilman Wincote, told of being informed that the Council and the County Board of Supervisors can stop the situation.

Councilman Wincote pointed out that what is good for the City as a whole might hurt El Cajon Boulevard.

Mrs. Derry said that businesses built up should not be by-passed.

Councilman Wincote reported that he thinks that the proposal will not hurt the area, but that the business people along the boulevard will be happy about the situation.

Mrs. Derry agreed that tourists will get into San Diego - if they get into the right lane - otherwise they will go to Los Angeles. All are heading for Los Angeles, anyway, with only 1-day stops in San Diego, according to her.

Councilman Schneider wondered if the Council could request the Legislators to indicate an alternate route, but keep Highway 80 in. He said that there could be a divided Highway 80.

Councilman Godfrey commented that this is an interesting thing, but that the Council cannot hold a hearing on it; it is not the Council's prerogative, and only one side of the issue is present. This is not the first time such a thing as proposed has happened, he stated. There is going to have to be a division of traffic, he stated. With the proper designation, individuals can't help but get to the right places. There are many opinions, which is the reason that the State is holding a hearing, he declared. He said that he had been told by many El Cajon business people that they will not be unhappy over the proposal, if properly marked.

Councilman Wincote said "let's pull out the Resolution passed in Conference", and later came to the Clerk's table asking again for the Resolution, which had been handled in Conference rather than in official meeting - although he was shown two resolutions on the subject which the Council had adopted although they were not the ones to which he had made reference.

Chairman Kerrigan referred to terms of the Resolution regarding Highway 80 and the Freeway. Under the present rules, the matter has to be under the rules, he said.

Mrs. Derry wanted it not moved, she told the Council, again.

The Chairman recognized L. J. Braun, who spoke at this time. He showed to the Council a map, which was not filed. He asked if the freeway plan is favorable, and pleaded for not by-passing El Cajon. 1% to 2% of the traffic on El Cajon are tourists, he stated, and they should not be sent away. Mr. Braun said that he does not want to lose the income to the City from the tourists, but that it will be a detriment if the tourists do by-pass the City. He spoke of wanting to add to the system, without legislation, but said that there have been eliminated much mileage from the highway system on account of building freeways. He asked why the Highway Committee's can't put the lost mileage into the highway system.

Councilman Godfrey stated that it is a matter of a sign, rather than what kind of highways. He stated that he wants to assist to the ultimate degree. El Cajon Boulevard will be better off if there is proper marking, he declared.

Mr. Braun spoke for wanting tourists to continue to come into the City.

Mrs. Derry pleaded for the marking of "Freeway" or "By-pass", but not the moving of the highway.

Councilman Godfrey expressed the belief that it is possible to have the proper designation.

Mr. Braun said that San Diego is at the end of the line, the terminus of Highway 80.

Councilman Wincote spoke of various areas which would be happy to have re-routings, and being just as logical to have signs directing motorists, to North Park, Mission Hills, or Hillcrest, as what some of the El Cajon Boulevard people are asking.

Many know where they are going, Mrs. Derry pointed out, but visitors are innocent of San Diego.

Councilman Burgener felt the matter could be referred to Conference.

Councilman Kerrigan expressed the belief that the Council should agree or disagree, and that there should be a hearing. The matter is one for the Legislature, he pointed out, and added that the Council can't resolve it today.

Mr. Braun referred to no work to be done....but was interrupted by the Chairman.

Chairman Kerrigan said that it is to advantage to acquire rights of way. He told of telegram regarding the matter of holding a hearing.

Councilman Godfrey stated, again, that the Council can't hold a hearing here. Many people in San Diego are in favor of what is being proposed, and that it is not necessary, in Councilman Godfrey's opinion to refer the subject to Conference.

Councilman Wincote said that they (Mrs. Derry and Mr. Braun - also others who are interested) should go to the Council Conference secretary to hear word for word what had been said on the matter.

Mrs. Derry said "This is important".

Mr. Braun added that it is important to the whole City.

There was discussion between Councilman Wincote and Mr. Braun, not recorded.

Mr. Braun said that they "won't follow a business route".

Chairman Kerrigan spoke regarding law to require the marking of highway, abandoned, or marking otherwise.

Mr. Braun said that James Reading, Traffic Engineer, had reported as much as 35,000 cars per day on El Cajon. When the highway is taken away it will become a City street, and expense for its maintenance will fall on the City, he declared.

Chairman Kerrigan stated that the Council can accept the maintenance of the signs.

Councilman Godfrey said that, going back to the sign matter, the highway can by-pass many cities, but that when he took a recent extensive trip he went through many cities as a tourist instead of going around them, because he wanted to see the cities.

Mrs. Derry said it would be "piece meal", that drivers wouldn't read the signs, but would go right by.

Councilman Kerrigan spoke about there being no City responsibility.

Councilman Godfrey said that it would be necessary to start way back, and that the City has signs hundreds of miles out.

Councilman Wincote repeated that he thinks that the El Cajon Boulevard people are not going to be hurt.

Councilman Kerrigan told the two speakers that the proper place is through the Legislature.

Councilman Wincote reported that the State Highway Commission people are pretty well set. He spoke again about the possibility of having signs "to see" various places, as referred to earlier.

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

Communication from Frank Luckel, member of the Assembly, transmitting communication addressed to him by Frances Comb, 1140 - 21st Street. The Comb letter objects to the presence of pigeons in San Diego, and asks if there is a law to prohibit the nuisance.

On motion of Councilman Godfrey, seconded by Councilman Wincote, both letters were referred to the City Manager.

Postal card from "Jolly Jack" advocating a movement to "cheerup" Mrs. Kathryn Niehouse (member of the State Assembly from San Diego), and suggesting that Ralph Edwards have "This is Your Life Kathryn".

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

Communication from Mrs. Dana Perry, 3700 - 17th Avenue, Sacramento 20, California, dated January 2, 1954, protesting the fluoridation of water, was presented.

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

The next matter was not on the agenda, but had been before the Council under hearings for the Assessment on the improvement of Frankfort Street, Erie Street and Denver Street - assessment confirmed - and various phases referred to Conference that date to permit members of the Council to look at the work, was presented.

Councilman Schneider said that he had gone out and looked at the job.

An unidentified woman, whose name was not given or asked - but who spoke at the hearing - told the Council of the unsatisfactory proposed Resolution, which had been handed to her with the information that the Council proposed to adopt it. If the City can't do anything, the affected property owners should have a different assessment, she stated.

Councilman Wincote said that 5 members of the Council had gone out and looked at the project, and had later discussed it in Conference. He said that he opposed the proposed Resolution. It should be continued in Conference, inasmuch as the Council is not through with the discussion.

No action was taken this date, beyond -

RESOLUTION NO. 116096, recorded on Microfilm Roll No. 74, continuing in Conference the matter which had been referred to it heretofore in connection with the Street Superintendent's Assessment for the improvement of Frankfort Street, Erie Street and Denver Street, heard by the Council on January 5, 1954 and confirmed that date, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Harbor Department, signed by the Port Director, requesting adoption of Resolution authorizing the grading and import of material in the Camp Consair Area, to be done by appropriate City forces - at an estimated cost of \$3,000.00, was presented.

RESOLUTION NO. 116097, recorded on Microfilm Roll No. 74, authorizing and empowering the Port Director to do all the work in connection with the grading and import of material in the Camp Consair Area, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Burgener, 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 Harbor Department, signed by the Port Director, requesting that the Council adopt a Resolution authorizing grading of the Non-Scheduled Flight Area at Lindbergh Field by appropriate City forces - at an estimated cost of \$1600.00 - was presented.

RESOLUTION NO. 116098, recorded on Microfilm Roll No. 74, authorizing and empowering the Port Director to do all the work in connection with grading of the Non-scheduled Flight Area at Lindbergh Field, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Said Resolution recites that the Harbor Department has recommended said work, and 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.

Communication from the Harbor Department, signed by the Port Director, requesting that the Council adopt the necessary Resolution authorizing grading and filling of the seawall along Harbor Drive between the Institute of Aeronautical Sciences and the U.S. Naval Training Center Lagoon - at an estimated \$2000.00 - was presented.

RESOLUTION NO. 116090, recorded on Microfilm Roll No. 74, authorizing and empowering the Port Director to do all the work in connection with the grading and filling of the Seawall along Harbor Drive between the Institute of Aeronautical Sciences and the U. S. Naval Training Center Lagoon, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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

The next matter had been continued from the meeting of January 5, 1954, to this date:

RESOLUTION NO. 116100, recorded on Microfilm Roll No. 74, approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the installation of acoutical material to the ceiling and walls of the Fire Alarm Station on 8th Avenue Drive in Balboa Park, bearing Document No. 482844; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116101, recorded on Microfilm Roll No. 74, determining and declaring that the public interest, convenience and necessity of the City of San Diego require the construction, operation and maintenance of a public freeway, i.e., a limited access highway, across portions of Parcel "00" of Lot 19 Rancho Mission of San Diego; that the public interest, convenience and necessity demand acquisition of the properties to be used by said City for construction of said freeway within the area aforesaid; declaring the intention of The City of San Diego to acquire said properties under Eminent Domain Proceedings; directing the City Attorney of The City of San Diego to commence action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning said properties, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116102, recorded on Microfilm Roll No. 74, authorizing Fire Marshal S. M. Franklin to go to the State Prison at Tracy, California, for the purpose of interviewing one William Hickman, an inmate, in connection with an arson case occurring in San Diego on October 20, 1951, and also to visit the office of Mr. Rudy Stange, National Board of Fire Underwriters, in San Francisco, California; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Schneider, seconded by Councilman Winote, adopted.

RESOLUTION NO. 116103, recorded on Microfilm Roll No. 74, authorizing the City Manager to employ V. R. Dennis Construction Company to replace 25 feet of standard curb on the westerly side of 37th Street, northerly of Logan Avenue, as shown on Engineer Drawing 10448-L, at and for the price of \$50.00, which sum shall be payable from the funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Winote, adopted.

Said Resolution states that The City has entered into contract with Dennis for grading, paving and otherwise improving of 37th Street, between Ocean View Boulevard and Logan Avenue, and portions of T Street, under a 1911 Street Improvement Act proceeding; that drawings show 25 feet of standard curb on the westerly side of 37th Street, northerly of Logan Avenue, to be constructed by The City of San Diego, and that said Dennis Company has offered to do the work for \$50.00, and the City Manager has recommended that the offer be accepted.

RESOLUTION NO. 116104, recorded on Microfilm Roll No. 74, authorizing the City Manager to do all the work in connection with connecting and sterilizing of existing mains necessary to installation and rearrangement of water mains in Adams Avenue, from Hawley Boulevard to 30th Street, and in Mansfield Street, from the alley south of Collier

Avenue to North Mountain View Drive, 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 the work due to installation of water mains and rearrangement of water mains in Adams Avenue, from Hawley Boulevard to 30th Street, and in Mansfield Street, from the Alley south of Collier Avenue to North Mountain Wier Drive; 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. 116105, recorded on Microfilm Roll No. 74, authorizing and empowering the City Manager to do all the work in connection with the connecting and sterilizing of existing mains necessary due to replacement of small water mains, Group II, 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 the connecting, etc., due to replacement of said small 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. 116106, recorded on Microfilm Roll No. 74, authorizing the City Manager to execute an agreement to December 16, 1952 Master Agreement providing for teletypewriter service among the various cities in the County, and the County of San Diego, by adding to the contracting parties the City of Carlsbad, and adjusting the percentage of costs to be borne by each City accordingly, which amendment calls for The City of San Diego to pay 34% thereof, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116107, recorded on Microfilm Roll No. 74, authorizing and 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 Lots 398, 399, 400, 401, 402, 403, 404, 405 and 406; the southerly 62.5 feet of Lots 410 and 411, all in Sunshine Gardens, requesting that all taxes against the property 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; and that he take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116108, recorded on Microfilm Roll No. 74, authorizing and 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 the northerly 10.0 feet of the easterly 1/2 of Lot D Encanto, more particularly described in said Resolution, requesting that all taxes against the property 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; and that he take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116109, recorded on Microfilm Roll No. 74, granting permission to Elden H. Allen, 2846 Lytton Street (Rand-Powell Constr. Co., 3830 West Camino del Rio, San Diego, California, contractor) to install a 3-inch sewer line to serve as a sewage disposal medium for a 4-unit apartment building now under construction at 3733-35-37-39 Curtis Street (Lots 9 through 15, Block 33 Western Addition) - to run 1-foot off the south line of Curtis Street, easterly on Curtis Street, 300 feet to connect with the City sewer, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Said Resolution states that the area cannot in the foreseeable future be served by City sewer at the property - hence pumping system is planned and approved for sewage disposal; all street paving, curbs, sidewalks which have been cut, shall be replaced to as near original condition as possible; subject to approval of the sewer section, Engineering Department and the City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116110, recorded on Microfilm Roll No. 74, approving request of F. E. Young Construction Co., dated December 31, 1953, contained in Change Order No. 53, for extension of 53 days to and including February 28, 1954, heretofore filed with the City Clerk as Document No. 483004, in which to complete contract for construction of San Diego Public Library, contract contained in Document No. 451108 on file in the office of the City Clerk; extending time of completion to February 28, 1954, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116111, recorded on Microfilm Roll No. 74, allowing the bill of San Diego City and County Convention Bureau, bearing date of January 4, 1954, in the sum of \$495.61 for expenses incurred; authorizing requisition to be drawn on the Advertising and Publicity Fund of The City of San Diego for the fiscal year 1953-1954 for said sum, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116112, recorded on Microfilm Roll No. 74, accepting subordination agreement, executed by Tessa Adair, beneficiary, and Bank of America National Trust and Savings Association, trustee, bearing date December 18, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 12 La Mesa Colony, 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116113, recorded on Microfilm Roll No. 74, accepting subordination agreement, executed by Home Federal Savings and Loan Association, beneficiary, and Security Title Insurance Company, trustee, bearing date December 17, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 6 Wadsworth's Olive Grove, 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116114, recorded on Microfilm Roll No. 74, accepting Deed of Esfeara Fasher, bearing date December 16, 1953, conveying easement and right of way for street purposes in portion of Lot 12 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 Schneider, adopted.

RESOLUTION NO. 116115, recorded on Microfilm Roll No. 74, accepting Deed of Lucy A. King, bearing date December 16, 1953, conveying easement and right of way for street purposes in portion of Lot 12 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 Schneider, adopted.

RESOLUTION NO. 116116, recorded on Microfilm Roll No. 74, accepting Deed of B. M. Krafft and Janet M. Krafft, bearing date December 7, 1953, conveying easement and right of way for street purposes in portion of Lot 6 Wadsworth Olive Grove; authorizing and directing the City Clerk to file said deed 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. 116117, recorded on Microfilm Roll No. 74, accepting deed of Constance M. Myers, bearing date December 23, 1953, conveying easement and right of way for street purposes in portion of Lot 12 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 Schneider, adopted.

RESOLUTION NO. 116118, recorded on Microfilm Roll No. 74, accepting Deed of Archie Wooten and Maudell Wooten, bearing date November 2, 1953, conveying portions of Lots 41 and 42 Block 1 Hunter's Addition; setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabash Boulevard; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116119, recorded on Microfilm Roll No. 74, accepting Deed of Florence Scripps Kellogg, bearing date December 12, 1953, conveying easement and right of way for storm drain purposes in portion of Pueblo Lots 1281 and 1287, also portion of Lots 11 and 12 Block 19 La Jolla Shores Unit No. 1; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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RESOLUTION NO. 116120, recorded on Microfilm Roll No. 74, accepting deed of Edwin E. Peabody and Mary O. Peabody, executed in favor of The City and bearing date December 23, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 14 Block 26 Lexington 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 Schneider, adopted.

RESOLUTION NO. 116121, recorded on Microfilm Roll No. 74, accepting deed of Allen E. Rose and Lavina R. Rose, bearing date December 23, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 19 Block 35 Lexington 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 Schneider, adopted.

RESOLUTION NO. 116122, recorded on Microfilm Roll No. 74, accepting deed of Rose Leali Sharp, bearing date December 14, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 2 Block 3 Edgemont; authorizing and directing the City Clerk to file said deed 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. 116123, recorded on Microfilm Roll No. 74, accepting deed of Union Title Insurance and Trust Company, bearing date December 21, 1953, conveying easement and right of way for storm drain purposes in portion of Lots 14 and 15 La Jolla Shore's Terrace; authorizing and directing the City Clerk to file said deed 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 Burgener, seconded by Councilman Godfrey, the next ordinance was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

The reading of said ordinance was dispensed with, on motion of Councilman Burgener, seconded by Councilman Godfrey, 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. 5920 (New Series), recorded on Microfilm Roll No. 74, establishing the grade of La Jolla Hermosa Avenue, between the northeasterly prolongation of the southeasterly line of Lot 7 Block 18 La Jolla Hermosa and the easterly prolongation of the northerly boundary line of said La Jolla Hermosa, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

On motion of Councilman Schneider, seconded by Councilman Godfrey, Ordinance adding recently annexed territories to The City of San Diego, to various Councilmanic Districts, pursuant to the provisions of Section 5 Article II of the Charter, was on motion introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

(The areas included were and are designated as "Highlands-New Riverside Tract", described in Ordinance No. 5517 (New Series), added to Councilmanic District No. 1; "Kathol-Beale Tract", described in Ordinance No. 5519 (New Series), added to Councilmanic District No. 5; "Lot 47, Rancho Mission Tract", described in Ordinance No. 5599 (New Series), added to Councilmanic District No. 4; "Kensington Park", described in Ordinance No. 5794 (New Series), added to Councilmanic District No. 4; "Krasnow Tract", described in Ordinance No. 5795 (New Series), added to Councilmanic District No. 4; "Waring No. 2 Tract", described in Ordinance No. 5866 (New Series), added to Councilmanic District No. 4).

On motion of Councilman Schneider, seconded by Councilman Godfrey, Ordinance dedicating public land being portions of a Resubdivision of Florence (First Subdivision) and of adjacent Paradise Road, closed to Public Use, for a portion of a public highway and naming the same Lorenz Street, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

At this time Chairman Kerrigan told the Council, under Unanimous Consent, of the Natural History Society meeting to be held Monday, January 11, 1954 at 7:45 o'clock P.M., relative to smog.

116120 - 116123
5920 N.S.
Ords introduced
Comment re Natural History Smog meeting

The following matters, which had been previously referred by the Council to Conference, were returned to the Clerk by the Council secretary for filing - as follows:

California Highway Commission communication announcing hearing re location of State Highway Route 12, between Cabrillo Freeway (Route 77) and El Cajon Boulevard in La Mesa;

Shoreline Planning Association of California communication re revenues from State Tideland Oil Drilling;

C. S. Morgan, chairman of Pacific Beach Recreational Committee, etc....re P.B. Recreation & Community Center;

Planning Director communication submitting form of Resolution re New Sub-division Maps;

Cale Watson communication protesting raising parking meter fees.

There being no further business to come before the Council at this time, the meeting was adjourned, by Chairman George 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, January 12, 1954

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

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

The Minutes of the Regular Meetings of Tuesday, January 5, 1954, and of Thursday, January 7, 1954, 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 Mayor Butler presented service awards to each of the following City employees honoring their long-time service with the City of San Diego:

Frank Cimmino, Building Inspector, Inspection Department - 20 years;
Clark M. Foote, Jr., Assistant City Clerk, City Clerk's Office -

30 years;

Newell J. Jones, Painter, Electric Division - 20 years;
Peter Malavenda, Lieutenant, Fire Department - 25 years;
Robert H. Reinert, Machinist, Central Garage - 25 years;

Conference items filed
Service awards

Charles A. Neely, Fire Battalion Chief, Fire Department - 25 years;
 Charles E. Newman, Construction and Maintenance Foreman II,
 Street Division - 25 years;
 Frank L. Demars, Power Shovel Operator, Street Division - 25 years;
 George S. Hall, Motor Sweeper Operator, Street Division - 25 years.

Mayor Butler welcomed to the meeting visitors from the Lincoln Junior-Senior High School, supervised by Marion E. McAnear, teacher. At his request, the students arose, and were greeted with a round of applause.

The Mayor made a brief explanation of the procedure, and told the class members that they were free to make inquiries from members of the Council or from administrative officers. In addition, Mayor Butler invited them to his office.

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. 10, 1953-54 - Specification No. 57, the Clerk reported that 8 bids had been received, which bids were presented to the Council.

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

Said bids were as follows:

The bid of Cameron Bros. Construction Co., accompanied by bond written by Glens Falls Indemnity Company in the sum of Ten Percent of the amount bid, which bid was given Document No. 483278;

The bid of E. A. Irish, accompanied by bond written by Pacific Indemnity Company, which bid was given Document No. 483279;

The bid of Dan E. Pace dba Pace Construction Company, accompanied by bond written by American Surety Company of New York, which bid was given Document No. 483280;

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, which bid was given Document No. 483281;

The bid of Walter H. Barber, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of ten percentum of the amount of the accompanying bid, which bid was given Document No. 483282;

The bid of W. V. Hutchison, accompanied by bond written by Fireman's Fund Indemnity Company in the sum of ten percentum of the amount of the accompanying bid, which bid was given Document No. 483283;

The bid of Royal Pipeline Construction Company, Inc., accompanied by bond written by United Pacific Insurance Company in the sum of ten percentum of the total amount of the attached bid, which bid was given Document No. 483284;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company of Baltimore, which bid was given Document No. 483285 (bond was 10% of amount of Bid);

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for Installation of Traffic Signal and Safety Lighting Systems, Wabash Boulevard, Section "B" - Specification No. 367, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

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

Said bids were as follows:

The bid of California Electric Works, accompanied by bond written by Pacific Indemnity Company in the sum of ten percent of amount bid, which bid was given Document No. 483270;

The bid of Pacific Electric, accompanied by bond written by United Pacific Insurance Company in the sum of ten percent of bid, which bid was given Document No. 483271;

The bid of J. M. Burkhart dba Chula Vista Electric Co., accompanied by bond written by American Surety Company of New York in the sum of ten percent of total amount bid, which bid was given Document No. 483272;

The bid of Ets-Hokin & Galvan, accompanied by bond written by Federal Insurance Company in the sum of ten percentum of the amount of the accompanying bid, which bid was given Document No. 483273.

On motion of Councilman Burgenier, 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 Georgia Street, within the limits and as particularly described in Resolution of Intention No. 115144, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion made and seconded, said bids were publicly opened and 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 \$700.00, which bid was given Docu-

Visitors welcomed
 Bids

ment No. 483289;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$700.00, which bid was given Document No. 483290;

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 Massachusetts Bonding and Insurance Company in the sum of \$700.00, which bid was given Document No. 483291;

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. 483292;

The bid of Gilman Grading Company, accompanied by bond written by Continental Casualty Company in the sum of \$600.00, which bid was given Document No. 483293;

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, 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 Gloria Street, within the limits and as particularly described in Resolution of Intention No. 115145, the Clerk reported that 6 bids had been received, which bids were presented to the Council.

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

Said bids were as follows:

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1,100.00, which bid was given Document No. 483299;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$1400.00, which bid was given Document No. 483300;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1,500.00, which bid was given Document No. 483301;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1,500.00, which bid was given Document No. 483302;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of 10% of amount bid, not exceeding \$15,000.00, which bid was given Document No. 483303;

The bid of M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$1,000.00, which bid was given Document No. 483304;

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of J Street and 43rd Street, within the limits and as particularly described in Resolution of Intention No. 115146, the Clerk reported that 6 bids had been received, which bids were presented to the Council.

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

Said bids were as follows:

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1,000.00, which bid was given Document No. 483305;

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. 483306;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1,000.00, which bid was given Document No. 483307;

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. 483308;

The bid of Cox Bros Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of 10% of amount of bid, not exceeding \$11,000.00, which bid was given Document No. 483309;

The bid of M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$850.00, which bid was given Document No. 483310.

On motion of Councilman Burgen, 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 Landis Street and the Alley in Block 82 City Heights, within the limits and as particularly described in Resolution of Intention No. 115147, the Clerk reported that 7 bids had been received, which bids were presented to the Council.

On motion made and seconded said bids were publicly opened and 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 \$1200.00, which bid was given Document No. 483311;

Bids

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1,200.00, which bid was given Document No. 483312;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York, in the sum of \$1,200.00, which bid was given Document No. 483313;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1,500.00, which bid was given Document No. 483314;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1,500.00, which bid was given Document No. 483315;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of 10% of amount bid, not exceeding \$12,000.00, which bid was given Document No. 483316;

Councilman Dail was excused from the meeting at this time.

The bid of M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$1,100.00, which bid was given Document No. 483317.

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 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, 1954, to February 28, 1955, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion made and seconded, said bid was publicly opened and 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 \$53.04, which bid was given Document No. 483286.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 2, for a period of one year from and including March 1, 1954, to and including February 28, 1955, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion made and seconded, said bid was publicly opened and 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 \$31.62, which bid was given Document No. 483287.

Councilman Dail returned to the meeting at this time.

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

The hour of 10:00 o'clock A.M. having arrived, 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. 3, for a period of one year from and including March 1, 1954, to and including February 28, 1955, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion made and seconded, said bid was publicly opened and 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 \$83.64, which bid was given Document No. 483288.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115260 (Continued from the meeting of January 5, 1954, for the paving and otherwise improving of the Alleys lying easterly and northerly of and contiguous to Block 1 Palm Heights, the Mayor reported a 70% protest.

RESOLUTION NO. 116124, recorded on Microfilm Roll No. 74, sustaining protest of Cora S. Jorgensen, and protest of other property owners, against the paving and otherwise improving of the Alleys lying easterly and northerly of and contiguous to Block 1 Palm Heights; sustaining all other protests; abandoning proceedings heretofore taken, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Bids
116124

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115391, for the paving and otherwise improving of the Alleys in Block 45 W. P. Herbert's Subdivision, the Clerk reported that written protests had been received from Anna Lipshitz, Rev. Geo. H. Smith; (~~Rev. Geo. H. Smith~~) and Mrs. Elsie Schode, which protests were 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. 116125, recorded on Micro film Roll No. 74, overruling and denying the protests of Anna Lipshitz, Rev. Geo. H. Smith, Rev. Geo. H. Smith and Mrs. Elsie Schode, against the paving and otherwise improving of the Alleys in Block 45 W. P. Herbert's Subdivision, within the limits and as particularly described in Resolution of Intention No. 115391; overruling and denying all other protests thereon, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115392, for the paving and otherwise improving of the Alley in Block 89 Point Loma Heights, the Clerk reported that written protests had been received from Arthur H. Porter and others, and from Willard H. Wingate, and others, which protests were presented to the Council.

Asked for a verbal report, the City Engineer said that there is a 67% protest. He said that there had been a discussion, at the first hearing, relative to a retaining wall in connection with the proceedings.

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

C. N. Bishop told the Council that he had a petition containing 14 names, and that the signers had agreed to pay \$50.00 each toward the wall.

Councilman Kerrigan said that the City is faced with a 67% protest, and that if terms of the petition referred to by Mr. Bishop were carried out, there would be a \$700.00 contribution.

The Mayor said that the Council should continue the hearing one week, and determine the present condition of those for and against the proceedings.

The City Engineer told the Council that he did not know about the "new petition".

Mr. Bishop handed in that petition to which he referred.

Ralph Reynolds told the Council that he can't see why there is any necessity of building the retaining wall for "them".

The Mayor pointed out that the Bishop petition is a protest, rather than one favoring the improvement as he had stated.

Mr. Bishop said that he had evidently been given the wrong petition.

The Mayor pointed that the proposed work is not a project on which the City is a party, but that it comes about at the request of property owners.

Mr. Bishop told the Council that some property owners wonder if they can do the work by private contract. He, too, said he does not want the wall.

Mr. Surles stated that the issue is not regarding the wall. A majority of the property owners want the alley paved, around an estimate of \$200.00 per lot. He said that the cost would be excessive, as proposed. He spoke of having a majority protest. Most property owners feel that the cost would be excessive, he repeated. It is necessary to continue the hearing, he stated.

The Mayor told about the engineering cost which had already been put into the alley proceedings. If improved, later, those costs would be added, he stated.

Councilman Godfrey said that the City has no preference, answering Mr. Surles. Members of the Council are here to serve the property owners, he stated.

Mr. Surles said that he and his group would go along with the Council.

Councilman Dail moved to continue the hearing one week, which motion was seconded by Councilman Kerrigan.

The Mayor made the statement that if the protest stands next week, the proceedings will be a bandoned.

The roll was called on the motion, resulting in the following Resolution: RESOLUTION NO. 116126, recorded on Microfilm Roll No. 74, continuing hearing on the proposed improvement of the Alley in Block 89 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 115392, to the hour of 10:00 o'clock A.M., January 19, 1954, 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. 115393 for the paving and otherwise improving of Wrelton Drive, the Clerk reported that Roy S. Cunningham had made a written protest, which protest was presented. It states that with Wrelton Dr. and Electric St. being considered a major street it suggests that both streets are incomplete if the City proceeds as proposed. He asked that the City complete the paving program at the same time with Wrelton Drive.

The City Engineer spoke of a 7.2% protest, based on the Electric Avenue completion at the same time as this work.

Roy S. Cunningham spoke to the Council about receiving no benefit.

The Mayor said that what is proposed is what a majority wants.

Mr. Cunningham said that he would get no paving; that if the curbing is put in it would be a start.

Members of the Council and the City Engineer looked at a map of the area. If the project goes through, the City should put a cold lay on Electric Avenue, to avoid a gap, to connect the two streets, the Engineer said.

RESOLUTION NO. 116127, recorded on Microfilm Roll No. 74, overruling and denying the protest of Roy S. Cunningham, filed in the office of the City Clerk against the ~~protest of Roy S. Cunningham against~~ proposed improvement of Wrelton Drive, under Resolution of Intention No. 115393; overruling and denying all other protests thereon, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116128, recorded on Microfilm Roll No. 74, referring to the City Manager the matter of tying together Wrelton Drive (in connection with proceeding under Resolution of Intention No. 115393 on which hearing was held this date) with Electric Avenue at the time Wrelton Drive is improved, so as not to leave an unimproved gap, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, 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 ~~having arrived, the time set for hearing~~ on Resolution of Intention No. 115493, for the paving and otherwise improving of the Alleys in Block 66 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 Kerrigan, seconded by Councilman Burgener, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The Hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115494 for the paving and otherwise improving of Linda Rosa Avenue and La Jolla Mesa Drive, the Clerk reported that written protest had been received from Mrs. Elizabeth Steake.

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

Mrs. Steake told the Council about an apathetic attitude, but that one had tried to stop the proceedings. She said that she wants to cut down the job, and that she does not want to pay the big cost. The protestant (whom she did not identify, or who did not file a protest, or appear to make a verbal protest) has a 1/2-paved street.

Bert Rees said that he got the petition signed, and that Mrs. Steake had made false statements in connection with the proposed improvement.

RESOLUTION NO. 116129, recorded on Microfilm Roll No. 74, overruling and denying the protest of Elizabeth H. Steake, against the proposed improvement of Linda Rosa Avenue and La Jolla Mesa Drive, within the limits and as particularly described in Resolution of Intention No. 115494; overruling and denying all other protests thereon, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115495 for the paving and otherwise improving of Shafter Street and Carleton 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 Burgener, seconded by Councilman Kerrigan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115496, for the construction of a storm drainage system in Streamview Drive, 54th Street and Public Right of Way, the Mayor told the many persons present in connection with the proceedings, that the work would be done under a 1911 Act proceeding, in connection with the recent bond issue, under which the City of San Diego will pay 50% of the cost.

The City Engineer reported verbally that by the time of the start of this meeting there was a protest of 10%.

The Mayor said that there is a need to analyze the protest.

The Engineer said that it is a precedent-setting project, being the first one set up under the bond issue. He said the question is how the assessment is going to be spread, and how the property owners are going to be assessed.

A conference was held over the map of the area by members of the Council, and by the City Engineer.

The Engineer said that people on Streamview get the greatest benefit from the proposal. Then the assessment would be "feathered out" according to the map as he exhibited it to members of the Council. The assessment would be around \$450. on Streamview, and \$75. on others, he stated. The City will have the same problems on other drain projects, as on this one, he told the Council. He said that at this point, the City is feeling its way around.

The Mayor stated that the Council cannot spend the rest of the morning on this one discussion, inasmuch as there is a great deal of work to be done in addition.

Mr. Jensen (who did not give his first name or initials), told the Council that he was representing the people in Jackson-Scott Units 1 and 2.

The City Engineer said that he and they were in the \$75.00 group.

Mr. Jensen emphasized that the property owners do not oppose the project, but the assessment therefor. He spoke of having some drain into the canyon, and added that he realizes that Streamview Drive is a bad situation. The subdivision was not a good one, he declared. Mr. Jensen said that he had the protest of 95% of the Jackson-Scott Subdivision owners in units 1 and 2. Again, he said that it was a poorly engineered subdivision. He spoke of having already paid for drainage in the purchase of the property. He said he was not denying the existence of drains, but that they were put in by Jackson-Scott, and as a result, there would be a double payment.

Councilman Dail explained that it is a flood control project.

As a result, Mr. Jensen read from the Notice of the Resolution of Intention.

Councilman Dail spoke of having the system into which laterals can send the flow. The City voted 1/2 to the cost of the project, City-wide, he stated as the Mayor had at the beginning of the meeting. It is not every place where the City would need to set up districts, he stated. He said that in the southeast section of the City there are several projects into which old systems flow.

Mr. Jensen spoke of it not being dangerous, and of a natural drain. He added that he has nothing to do with the present situation, which was created by the Council in regard to the Hubner maps, which have created the problem.

Councilman Wincote asked Mr. Jensen regarding the surface drain.

The City Engineer, instead, said that there are sewers, and thinks no storm drains. He would have to look up the plans, he advised the Council.

Councilman Wincote stated that the Council is trying to help the community. He knows that the City is heading for trouble which has been created on the low points by paving on the high points. It is a problem for the whole City, he declared. (If the property owners have paid for storm drains is a question, he told the speaker.)

Next, Douglas Schacht told the Council that he lives one block off Streamview. Original plans showed a paved parkway, he said, and added that it "stopped down here" - pointing to plans - which he thought to be the case on account of the Engineer. Property owners should not pay a second time, he declared. Why not done right in the first place, he asked. The thing is caving in account of traffic, he told the Council.

Councilman Kerrigan referred to the Tentative Map, and that a contract was entered into in connection with the improvements provided.

Councilman Kerrigan spoke about the Planning Commission being in the picture, regarding the Tentative Map, and all features connected with the subdivision. He said that City departments work over all the points, and that it comes to the Council as a Tentative Map. He said that he can't tell what a salesman will state to anyone who inquires, in order to sell property.

Mr. Schacht said that he wanted to know why the work had not been done, on account of the Veterans' Administration plan. The inspector is in the "hoosegow" now, he charged.

The City Engineer pointed out that Mr. Hubner had said many things, which have been proved not to be true. He asked if there were specifications.

Councilman Wincote wanted to see the V.A. maps.

Councilman Godfrey said that the City had accepted the Tentative Map, to make developers conform. He spoke of wanting or not wanting what was indicated. He said there is need to look at the Tentative Map.

Mr. Jonge (who did not give his first name or initials) opened his remarks with the statement that he is a mechanical design engineer. As a result of being familiar with such things, he had asked if drains were provided. He was told "yes", underneath the street. He mentioned talking in riddles. The assessment covers only one area in the Jackson-Scott Subdivision, he said, and added that the Council and the Engineer should go over the area. Maybe the assessment should be spread to a finer degree, he added.

Councilman Kerrigan pointed out that the matter is not final, but that the Engineer thinks that what is proposed is the best thing. The whole area should be assessed, if the assessment is made, he declared. He spoke of certain areas not being included.

Mr. Jensen said that he ^{was} with Mr. Jonge regarding drainage of the whole area. Some would not benefit, he said.

Councilman Kerrigan spoke about the cost on account of further building by Jackson and Scott.

Mr. Jonge pointed out that the contour of the land had been changed when the Hubner lands were built.

Mrs. Charlie C. Sawyer said that when Hubner put in the homes there was no hill, and that drain had been put into Streamview. She said that they have their drain. She spoke of the changed drain, and of the scandal. Mrs. Sawyer told the Council that the Judge had said that the contractor was responsible.

Mr. Richard, who did not give his first name or initials, said that Mr. Hubner has pulled quite a few shady deals, and that the situation would have been all right if he (Hubner) had stayed out. Mr. Richard stated that he does not feel that the proposal is morally right.

Lowell K. Allen said that he believes that if various points are clarified, there will be less opposition. He spoke of wanting the work done at the lowest cost to everyone. He asked about "paragraph 6" - although it was not clear to the clerk to what Mr. Allen was referring - relative to abandonment and assessment. Many protesting property owners have signed in innocence, he declared. He said he thinks that the matter

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is one of misapprehension. He spoke of having circulated a counter-petition, asking that signatures be stricken from the protest, relative to no action - which petition he handed up to the clerk.

The Mayor said that there is need for further consideration.

Councilman Burgener agreed that it is a complicated, and difficult to determine the cause of the drainage, etc.

Councilman Burgener moved to continue the hearing; that the City Manager, City Attorney and City Council look at the project, and look at previous Tentative Maps, which motion was seconded by Councilman Godfrey.

Councilman Kerrigan said that the Council needs to look at the whole picture, to cure it. He said that the formula proposed by the Engineer is the best one.

Councilman Wincote said that, nevertheless, the Council might come up with the same answer. He spoke about the need for getting the record straight.

Councilman Godfrey said that the Council needs the facts. After that is done, the Council will have to determine the matter, on the continued hearing.

Mr. Allen was heard again, at which time he said that Streamview property owners hate to see someone lose money, but that it is a community problem. As a result of the condition, there has been more than one death. He said that in the Jensen area the cost would be about \$7.50 per year. He spoke of having further signatures on the original petition. He passed that up.

The roll was called on the motion, resulting in a 4 weeks continuance - one week at the time - resulting in

RESOLUTION NO. 116130, recorded on Microfilm Roll No. 74, continuing hearing on Resolution of Intention No. 115496 for the construction of storm drains and appurtenances in Streamview Drive, 54th Street and Public Right of Way, for a period of 4 weeks - to February 9, 1954 - one week at the time to said date, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

(Resolution 116130 is mentioned in these Minutes, covering the eventual hearing date, although the Resolution as drafted provides for continuance to January 19, 1954 - at which time it shall be continued again)

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 115497 of Preliminary Determination ~~No. 115497~~, for the paving and otherwise improving of the Alley in Block 67 Park Villas, 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. 116131, recorded on Microfilm Roll No. 74, determining that the paving and otherwise improving of the Alley in Block 67 Park Villas, Public Right of Way and Villa Terrace, within the limits and as particularly described in Resolution No. 115497 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 Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 115498 of Preliminary Determination, for the paving and otherwise improving of Boundary Street, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 116132, recorded on Microfilm Roll No. 74, determining that the paving and otherwise improving of Boundary Street, within the limits and as particularly described in Resolution No. 115498 of Preliminary Determination is feasible and 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. 115639 of Preliminary Determination, for the paving and otherwise improving of Arbor 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 presented.

RESOLUTION NO. 116133, recorded on Microfilm Roll No. 74, determining that the paving and otherwise improving of Arbor Drive, within the limits and as part-

116130 - 116133
(Hearings, also)

icularly described in Resolution No. 115639 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. 115640 of Preliminary Determination for the paving and otherwise improving of Haines Street, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 116134, recorded on Microfilm Roll No. 74, determining that the paving and otherwise improving of Haines Street, within the limits and as particularly described in Resolution No. 115640 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. 115641 of Preliminary Determination for the paving and otherwise improving of 17th Street, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 116135, recorded on Microfilm Roll No. 74, determining that the paving and otherwise improving of 17th Street, within the limits and as particularly described in Resolution No. 115641 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 Burgenier, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 111078 - the Street Superintendent's Assessment No. 2192 - for the paving and otherwise improving of the Alleys in Block 45 Ocean Beach, and public rights of way in Lots 5 and 6 said block, and Cable Street, the Clerk reported that written protests had been received from Paul W. Strombeck and Isabelle G. Strombeck, and from Pearl C. Morgan, which appeals were presented to the Council.

The City Engineer reported appeals of 10.8%, relative to the high cost of the water main.

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

Paul Strombeck told the Council that he owns Lots 4, 5, 6, 7; has an assessment of \$1,353.00, being \$300+ per lot, whereas others were assessed \$100+ per lot.

The Engineer stated that the cost is due to the water main. He showed the Council a map, and stated that there are 3 parts to the job: paving, water main, storm drain. He explained the method of spreading the assessment.

Mr. Strombeck stated that he had been told to hook up on Orchard; now the 4" pipe has been put in. He told about the assessment on various parcels. He emphasized that his property already had water. Mr. Strombeck referred to having a hole on the ocean, but that taxes last year were \$1,000.00 on 4 lots.

The City Engineer told of the water main being on the whole length of the alley, and about assessment being on Lots 7 through 12. All pay on the area basis, he said.

There was discussion between Mr. Strombeck, members of the Council and the City Engineer.

Mr. Strombeck said that he paid in 1930 on "joint improvement".

The Mayor said that if he had paid for water main previously, he should not pay again.

RESOLUTION NO. 116136, recorded on Microfilm Roll No. 74, continuing hearing on the Street Superintendent's Assessment No. 2192 made to cover the cost of paving and otherwise improving of the Alleys in Block 45 Ocean Beach, public rights of way and Cable Street, as provided in Resolution of Intention No. 111078, to the hour of 10:00 o'clock A.M., Tuesday, January 19, 1954, was on motion of Councilman Burgenier, 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 located in Kensington Manor Lighting District No. 1, the Clerk reported that no written protests had been received.

The reupon, 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. 116137, recorded on Microfilm Roll No. 74, ratifying and confirming as a whole the Engineer's Report and Assessment for Kensington Manor Lighting District No. 1, filed in the office of the City Clerk December 4, 1953, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed ordinance amending Sections 102.02, 102.03 and 102.12 of the San Diego Municipal Code relating to various phases of the Tentative and Final Maps of Subdivisions - which had been continued to this meeting from the meeting of December 29, 1953 - was presented to the Council.

Councilman Burgener said that the matter should be referred back to the Planning Commission.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the proposed ordinance on the continued hearing was referred back to the Planning Commission.

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

Councilman Burgener filed copy of communication, addressed to Mayor John D. Butler, dated 9 January 1954 - signed by Franklyn L. Alcott, Jr., for the Committee, 6056 Folsom Drive, La Jolla, referring to a serious flood condition created by heavy water damage to property on Folsom Drive and Dodge Drive, from the new subdivision in La Jolla known as "Muirlands Point".

The Clerk read the letter, at the request of the Council.

Mr. Alcott spoke about the matter, particularly in connection with the subject having been referred to several departments of the City. All have cooperated, he stated. Then Mr. Alcott showed photographs of what had happened regarding Inspiration Point, which were on the same idea as those which were filed and made a part of the file presented by Mr. Burgener. He said that work is being done on the property in question, and that as a result a greater problem will follow.

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

After the vote was taken an unidentified man told the Council he thought the City could have sand bags ready and stored, for use if there should be a cloud burst.

The Mayor mentioned to the two speakers the hearing relative to storm drain procedure heard earlier in this meeting, and thought they should take it into consideration in relation to their request.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received December 23, 1953, for installation of acoustical material to ceiling and walls of "Randall Hall" Encanto Community Center, was presented. It recommended award to Larson Bros. Plastering Co., sole bidder, in the amount of \$1,090.00 - 45.5% below the Engineer's estimate.

RESOLUTION NO. 116138, recorded on Microfilm Roll No. 74, accepting bid of Larson Bros. Plastering Co., for installation of Acoustical Material to ceiling and walls of "Randall Hall", Encanto Community Center; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract with Larson Bros. Plastering Co., 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, reporting on bids for furnishing 50 6" 2-way fire hydrants, new type, in accordance with specifications and drawings prepared by the Water Department, was presented. It states that 3 bids were received, and recommends award to Industries Supply Company at \$95.50 per hydrant, terms 2% plus State Sales Tax (\$93.59 net), the low bidder.

Also, it says the second low bidder meeting specifications was Standard Iron Works of San Diego at \$94.00 each, which company has supplied fire hydrants of a previous type to the City over a period of years, and by letter attached to the report advises that it has in stock approximately 50 hydrants manufactured for servicing needs of the City, and has offered to reduce the price to \$90.00. Also, it says that it is believed that an obligation exists to assist the manufacturer in disposing of the hydrants on hand, and recommends that the Purchasing Agent be authorized to purchase such hydrants from time to time at the price of \$90.00 each until existing stock is exhausted.

RESOLUTION NO. 116139, recorded on Microfilm Roll No. 74, accepting bid of Industries Supply Company of San Diego for furnishing 50 6" 2-way fire hydrants, new type, at \$93.59 each, net, plus sales tax; awarding contract, authorizing and instructing the City Manager to enter into and execute contract therefor pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116140, recorded on Microfilm Roll No. 74, authorizing and

directing the Purchasing Agent to purchase for The City of San Diego approximately 50 fire hydrants of a type manufactured by the Standard Iron Works, from time to time as the need exists, at a price of \$90.00 each, plus sales tax, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for installation of traffic signals and safety lighting systems at the intersections of Cass and Fanuel Streets at Garnet Street, and at Linda Vista Road at Ulric Street, received from 3 bidders on December 30, 1953, was presented. It recommends award to Ets-Hokin and Galvan, low bidder, in the amount of \$26,086.50 - 15.9% below the estimate.

RESOLUTION NO. 116141, recorded on Microfilm Roll No. 74, accepting bid of Ets-Hokin and Galvan for installation of Traffic Signals and Safety Lighting Systems at the intersections of Cass and Fanuel Streets at Garnet Street, and at Linda Vista Road at Ulric 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 Kerrigan; seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of Shuffleboard Courts at the Ocean Beach Community Center, Santa Monica Avenue and Ebers Street, received December 23, 1953, from 4 bidders, was presented. It recommended award to Al E. Riley, Inc., low bidder, in the amount of \$2,683.84 - 23.3% below the estimate.

RESOLUTION NO. 116142, recorded on Microfilm Roll No. 74, accepting bid of Al E. Riley, Inc., for construction of Shuffleboard Courts at Ocean Beach Community Center, Santa Monica Avenue and Ebers 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 Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116143, recorded on Microfilm Roll No. 74, declaring bid ~~sub-~~
~~ing-bid~~ submitted by Daley Corporation for improvement of La Jolla Boulevard, between Colima Street and Camino de la Costa at the total estimated unit prices of \$63,260.15 to be the lowest, responsible and reliable bidder; that the Council rejects all bids received except such bid, and awarding contract; authorizing and empowering the City Manager to execute for and on behalf of the City a contract, upon execution, delivery, filing and approval of bonds required, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116144, recorded on Microfilm Roll No. 74, declaring bid submitted by C. B. Saunders for construction of foundation for 1,500,000-gallon tank, under Schedule B of specifications, and Chicago Bridge & Iron Company for construction of 1,500,000-gallon standpipe, under Schedule B of specifications, on Catalina Street, located on Point Loma to be the lowest bids received; rejecting all bids received except such bids; awarding contracts, authorizing and empowering the City Manager to execute contracts with C. B. Saunders and with Chicago Bridge & Iron Company, upon execution, delivery, filing and approval of bonds required, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116145, recorded on Microfilm Roll No. 74, approving plans, and specifications for furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of 54th Street at Krenning Street (including grading, paving and construction of curbs, sidewalk, sewer main, manholes and sewer lateral, driveways and parking lot), bearing Document No. 483090; 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 Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116146, recorded on Microfilm Roll No. 74, approving plans, and specifications for furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of the median area of Harbor Drive between Laurel Street and Wake Taxiway (including grading and paving of necessary portions of the median area; construction of concrete island curbs; surfacing of existing pavement and other work necessary to completion of project), bearing Document No. 483091; 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116147, recorded on Microfilm Roll No. 74, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the improvement of Hughes Street at the easterly line of Waterville Heights (including grading and paving, and construction of curbs, sidewalk, water main and appurtenances), bearing Document No. 483085; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116148, recorded on Microfilm Roll No. 74, 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 between Mar Avenue and Cabrillo Avenue, northerly of Pearl Street, bearing Document No. 483086; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116149, recorded on Microfilm Roll No. 74, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for furnishing and installing Redwood Village Pipe Line, bearing Document No. 483087; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116150, recorded on Microfilm Roll No. 74, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Redwood Village Standpipe (Spec. 54), bearing Document No. 483088; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communications from the Planning Commission recommending suspension of sections of the Municipal Code, submitting Resolution suspending 3 sections thereof, in connection with the Tentative and Final Maps of Carriedo Subdivision; also submitting Resolution approving the Tentative Map of said Subdivision, subject to 8 conditions, were presented.

Resolutions, following recommendations in both communications were adopted. However, they were not numbered, inasmuch as they were reconsidered, when it was discovered after their adoption that Mr. Carriedo was present. He was just leaving the Council Chambers, when observed, and was asked if it was his wish to be heard.

Mr. Carriedo said that ^{he} wanted to speak, and as a result, the actions taken were reconsidered.

Mr. Carriedo asked for time, to permit building, with no improvements as required under the recommendation. He said that he wants a permit in regard to the subdivision, on account of being served by water main now. There is sewer there, also, he stated. Asked about the subdivision side, Mr. Carriedo told the Council that it is only 1 lot, and that he was required to subdivide inasmuch as he was not granted a variance. He is paying for a home he "has not got", the speaker said.

Councilman Kerrigan said that Mr. Carriedo needs a building permit.

Mr. Carriedo said that he does not want sidewalk and curb now.

The matter was held, on common consent, to Thursday of this week.

(The item appears again on Page 147)

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 Clairemont Point, was presented.

RESOLUTION NO. 116151, recorded on Microfilm Roll No. 74, suspending Sections 102.16-8, 102.18, 102.12-3, 102.17-c of the Municipal Code, in connection with the Tentative Map of Clairemont Point, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Clairemont Point, subdivision of portion of Lot 7 Eureka Lemon Tract, and Lots 758 and 159 Clairemont Unit No. 5, subject to 6 conditions, was presented.

RESOLUTION NO. 116152, recorded on Microfilm Roll No. 74, approving Tentative Map of Clairemont Point, subject to conditions set forth therein, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, stating that Resolution No. 111383 granted petition and ordered district formed to improve La Jolla Hermosa Avenue between La Canada and the northerly line of La Jolla Hermosa Subdivision, was presented. It recommended that a separate resolution be passed for grading, paving and installing curbs on portion of La Jolla Hermosa Avenue, between La Canada and Mira Monte Plaza. Resolution No. 111383 will still apply for

that portion of La Jolla Hermosa Avenue northerly of Mira Monte Plaza, according to the report.

RESOLUTION NO. 116153, recorded on Microfilm Roll No. 74, 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 improvement of portion of La Jolla Hermosa Avenue, under Document No. 483046, was on motion of Councilman Kerrigan, seconded by Councilman Winote, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, stating that a petition requesting closing of the Alley adjacent to Lots 2 through 5 and 20 through 23 Block 375 Old San Diego (Map No. 420) was filed under Document No. 475167, granted by Resolution No. 115296 adopted November 17, 1953, was presented. It states that the closing authorized does not include portion of the Alley between Lots 1 and 24 said Block, that it is understood that the Council intended that it should be included so that the entire alley would be closed. It therefore requests that a new resolution be prepared.

RESOLUTION NO. 116154, recorded on Microfilm Roll No. 74, reading, in part "That the Alley adjacent to Lots 1 through 5, and 20 through 24 in Block 375 of the Corrected Plat of Subdivision of Blocks 368, 369, 374, 375 and 376 Old San Diego (Map No. 420) be closed"...., authorizing and 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; rescinding Resolution No. 115296 adopted November 17, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from David G. Fleet, dated 5 January 1954, addressed to the Mayor and to the Council, referring to attached article (not attached) relative to trip to Cal Tech in which he found that European countries are using sewage water for irrigation purposes in order to obtain benefits of organic materials, was presented. It says that they do not disinfect the sewage and as a result persons eating produce so irrigated are subject to diseases. Further, the communication states that the Fleet Foundation is giving \$10,000 to California Institute of Technology to work on the disinfection of sewage water, and suggests that opportunity be given to discuss Mr. Allison's suggestion for a sewage disposal plant and reservoir in the Kearny Mesa area.

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

Communication from San Diego Junior Chamber of Commerce, signed by R. Sherman Platt, President, thanks the Council for support in this year's Tournament of Roses Parade entry. It states that as a result of thought, planning and general appearance of the float, it won the City and County trophy in the Tournament - the theme being "Ramona". It encloses statement in triplicate for the amount of \$3,250. for payment, as soon as possible.

RESOLUTION NO. 116155, recorded on Microfilm Roll No. 116155, recorded on Microfilm Roll No. 74, allowing bill of San Diego Junior Chamber of Commerce, bearing date of January 6, 1954, in the sum of \$3,250.00 for expenses incurred; authorizing requisition to be drawn on the Advertising and Publicity Fund of The City of San Diego for the fiscal year 1953-1954 for said sum, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from A. G. and Lydia M. Parks, 4726 Works Place, San Diego 16, requesting that a "Stop" sign be placed at the crossing on 30th Street and Adams Avenue, was presented.

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

The next matter, which appeared on Page 146 of these Minutes, was brought up again. It appeared that Glenn A. Rick, City Planning Director, and Harry C. Hael sig, Assistant City Planning Director, had gone to lunch.

Councilman Kerrigan said that in connection with the Carriedo Subdivision, Mr. Carriedo does not want a 57-foot sidewalk and curb.

Mr. Carriedo said that the City was willing to give a temporary line (although it was not clear if the speaker referred to water or sewer).

The motion to continue the matter until Thursday of this week prevailed.

RESOLUTION NO. 116156, recorded on Microfilm Roll No. 74, directing notice of filing of the Street Superintendent's Assessment No. 2197 made to cover the costs and expenses of the work done upon 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 Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116157, recorded on Microfilm Roll No. 74, directing notice of filing of the Street Superintendent's Assessment No. 2196 made to cover the costs and expenses of 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 Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD NO. 116158, recorded on Microfilm Roll No. 74, accepting bid of San Diego Gas & Electric Company 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, 1954, to and including February 14, 1955, and awarding contract, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD NO. 116159, recorded on Microfilm Roll No. 74, accepting bid of San Diego Gas & Electric Company 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, 1954, to and including January 31, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 116160, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of the Alleys in Block 55 Normal Heights, within the limits and as particularly described in Resolution of Intention No. 115259, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 116161, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of the North and South Alley in Block 119 University Heights, within the limits and as particularly described in Resolution of Intention No. 115261, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 116162, recorded on Microfilm Roll No. 74, for the paving and otherwise improving Keating Street and Linwood Street, within the limits and as particularly described in Resolution of Intention No. 115262, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 116163, recorded on Microfilm Roll No. 74, for the paving and otherwise improving of Mason Street, within the limits and as particularly described in Resolution of Intention No. 115263, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 116164, recorded on Microfilm Roll No. 74, 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, 1954, to and including March 4, 1955, in accordance with the Engineer's Report and Assessment filed November 6, 1953 in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 116165, recorded on Microfilm Roll No. 74, 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, 1954, to and including April 30, 1955, in accordance with Engineer's Report and Assessment filed November 25, 1953 in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 116166, recorded on Microfilm Roll No. 74, 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, 1954, to and including March 31, 1955, in accordance with the Engineer's Report and Assessment filed November 20, 1953, in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 116167, recorded on Microfilm Roll No. 74, 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, 1954, to and including March 15, 1955, in accordance with the Engineer's Report and Assessment filed in the office of the City Clerk November 6, 1953, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 116168, recorded on Microfilm Roll No. 74, for the closing of portions of Linda Vista Road, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 116169, for the closing of Unnamed Street, designated as County Road Survey No. 1220 (in The Highlands - between Main Street and the easterly line of Lot 7 The Highlands), as more particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116170, recorded on Microfilm Roll No. 74, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 25 Ocean Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116171, recorded on Microfilm Roll No. 74, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 76 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions of Acre Lots 16, 37, 45, 46 and Blocks 150 and 151 of Pacific Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116172, recorded on Microfilm Roll No. 74, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 176 University Heights, within the limits and as particularly described in Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116173, recorded on Microfilm Roll No. 74, 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 9 Subdivision of Blocks 3, 6, 9 and 12 City Heights Annex No. 1, as particularly described in Resolution of Intention No. 114058 and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116174, recorded on Microfilm Roll No. 74, 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 54 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 114059 and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116175, recorded on Microfilm Roll No. 74, 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 Dixon Place and Warrington Street, within the limits and as particularly described in Resolution of Intention No. 114060 and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116176, recorded on Microfilm Roll No. 74, 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 37 Ocean Beach, Santa Cruz Avenue, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 113749 and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116177, recorded on Microfilm Roll No. 74, 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 Santa Cruz Avenue, within the limits and as particularly described in Resolution of Intention No. 114061 and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116178, recorded on Microfilm Roll No. 74, 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 Udall Street, within the limits and as particularly described in Resolution of Intention No. 113886 and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116179, recorded on Microfilm Roll No. 74, 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 Z Street, within the limits and as particularly described in Resolution of Intention No. 113754 and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116180, recorded on Microfilm Roll No. 74, granting petition contained in Document No. 482839, for installation of sewers to serve portions of Lot 5 Sunny Slope Addition, Highdale and Pierino Terrace; directing the City Engineer to furnish the Council with 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 installation to serve Pierino Terrace; Resubdivision of portion of Rosemont Addition to Encanto Heights; Blocks 2 thru 8 Sunny Slope Addition to Encanto Heights; Tract No. 2 Encanto Heights, and Highdale Addition to Encanto Heights, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116181, recorded on Microfilm Roll No. 74, determining to repay to the State of California \$24,622.65, in connection with Agreement dated April 29, 1947, and all amendments and supplements thereto which agreement shall be terminated; authorizing and directing the City Manager to sign on behalf of the Local Agency (City of San Diego) Agreement to Terminate Agreement for Allocation, and submit the same to the State of California, Department of Finance, Local Allocation Division, for execution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution refers to the Agreement of April 29, 1947, which allocated to the Local Agency \$50,409.20 for expenditure for establishing temporary and emergency veterans' housing project known as Project No. CAL-V-4568, etc.

RESOLUTION NO. 116182, recorded on Microfilm Roll No. 74, determining to repay to the State of California \$13,846.88, in connection with Agreement dated March 14, 1947, and all amendments and supplements thereto which agreement shall be terminated; authorizing and directing the City Manager to sign on behalf of the Local Agency (City of San Diego) Agreement to Terminate Agreement for Allocation, and submit the same to the State of California, Department of Finance, Local Allocation Division, for execution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Said Resolution refers to the Agreement of March 14, 1947, which allocated to the Local Agency \$29,149.62 for expenditure for establishing temporary and emergency veterans' housing project known as Project No. CAL-V-4568, etc.

RESOLUTION NO. 116183, recorded on Microfilm Roll No. 74, 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

Both sides of Herschel Avenue between Kline Street and Silverado Street;

authorizing and directing installation of the necessary signs and markings to be made on said street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116184, recorded on Microfilm Roll No. 74, authorizing the City Manager to execute an agreement with Carlos J. Tavares and Marjorie J. Tavares, husband and wife, Louis C. Burgener and Patricia W. Burgener, husband and wife, Mid City Heights, Inc., Claremont Rental Housing Company and Union Title Insurance and Trust Company, for paving two additional 12-foot strips estimated to consist of 269,033 square feet in Claremont Drive and Claremont Mesa Boulevard in connection with work required to be done under agreement with the City for installation of improvements in the subdivisions known as Claremont Manor Units Nos. 1, 2, 3 and Claremont Units Nos. 9, 10, 15 and reimbursement therefor at the rate of \$0.24 per square foot with a maximum payment of \$66,000.00, all in accordance with form of agreement heretofore filed in the office of the City Clerk as Document No. 483353, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116185, recorded on Microfilm Roll No. 74, authorizing and empowering the City Manager to enter into contract for and on behalf of The City of San Diego with Clifford O. Boren Contracting Co., 4965 El Cajon Boulevard, San Diego,

designated as subdivider, subdivider of Delta Heights, providing for installation of water mains and appurtenant structures in said subdivision and for reimbursement by the City to the subdivider of the sum of \$7809.32 for difference in cost of installation of mains and appurtenances larger than necessary for subdivision, but required by the City, upon execution and delivery to the City of a Quitclaim Deed conveying to the City all of the right, title and interest of the subdivider in and to the water distribution system in said Delta Heights Subdivision, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116186, recorded on Microfilm Roll No. 74, granting Lynn Stroud permission to install a 4" soil pipe line with a 1/8" to 1-foot slope from residence (being constructed) at rear of 5155 Hawley Boulevard (Villa Lot 94 Normal Heights) to sewer connection in street, necessary because sewer is installed rather near surface in street and lot slopes downward from the street; subject to approval of the Chief of Plumbing Inspection Department, the City Engineer's Office and the Properties Department and by the City Manager, and upon conditions set forth therein, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116187, recorded on Microfilm Roll No. 74, adopting Supplemental Budget for improvement of certain Major City Streets in the City of San Diego and approving Second Supplemental Memorandum of Agreement for Expenditure of Gas Tax Allocation for Major City Streets, set forth in Document No. 483361 on file in the office of the City Clerk; directing the City Manager to sign the same on behalf of the City, which said agreement is to be binding upon the City upon its execution by authorized officials of the State, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116188, recorded on Microfilm Roll No. 74, declaring the following streets to be one-way streets:

Twelfth Avenue for southbound traffic between National Avenue and Imperial Avenue;

13th Street between the southwesterly line of National Avenue and the termination of 13th Street in Newton Avenue, for south-bound traffic;

Newton Avenue between its termination in 13th Street and the northwesterly line of 16th Street, for southeasterly-bound traffic;

authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116189, recorded on Microfilm Roll No. 74, adopting Plat and approving allocation of costs of the Vista Park Trunk Sewer Extension, filed in the office of the City Clerk as Document No. 483051, being recommendation of the City Engineer and City Manager, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Said Resolution states that the normal cost of the sewer to be paid by the owners is determined to be the actual cost minus Excess Cost; that the Excess Cost borne by the City subject to later recoupment is determined to be the sum of \$4,530.00; that the Excess Cost to be paid by the City shall be recoverable pursuant to Sections 102.31 and 64.05 of San Diego Municipal Code by imposition of charge upon land benefited by connection to said sewer at the rate of \$2.00 per family unit to be served thereby consistent with the aforesaid plat and recommendation of the City Engineer and City Manager.

RESOLUTION NO. 116190, recorded on Microfilm Roll No. 74, authorizing and empowering the City Manager to do all the work in connection with alteration of recently-purchased branch library in the Kensington Park area, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Said Resolution states that the City Manager has recommended construction of said alterations, 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.

RESOLUTION NO. 116191, recorded on Microfilm Roll No. 74, approving request of O. O. and R. E. Maurer, dated December 4, 1953, contained in Change Order No. 2, for extension of 30 days to and including November 28, 1953, heretofore filed with the City Clerk as Document No. 483242, in which to complete contract for construction of houses for Water Department Impounding Division, contained in Document No. 469700 on file in the office of the City Clerk, extending time of completion to November 28, 1953, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116192, recorded on Microfilm Roll No. 74, authorizing and approving expenditure of \$6,336.00 from Water Department Fund, for providing City's contribution to cost of cloud seeding operations for period beginning December 15, 1953,

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and ending April 15, 1954, by the San Diego County Weather Corporation, pursuant to contract between the City and said corporation, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116193, recorded on Microfilm Roll No. 74, authorizing and approving expenditure of \$3,512.00 from the Major Property Purchases Account of the Property Division Fund, for the purchase of Lots 28, 29, 30 Block 10 Tres Lomas, for street purposes, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116194, recorded on Microfilm Roll No. 74, authorizing A. George Fish, Safety Officer of The City of San Diego, to attend the Governor's California Industrial Safety Conference to be held in San Francisco, February 11 and 12, 1954; authorizing the incurring of all expenses in connection with said trip, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116195, recorded on Microfilm Roll No. 74, 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 O. D. Arnold & Sons, a co-partnership, portions of Section 33 Township 16 South Range 2 West San Bernardino Meridian, being portion of Rancho Mission, in the County of San Diego, State of California - more particularly described in said Resolution - which were conveyed to the City of San Diego by deed from H. G. Fenton Material Company, recorded April 1, 1953 in Book 4804, page 69 et seq., Official Records; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions that the same be delivered to O. D. Arnold & Sons, grantees therefor, upon receipt by the City of deed of portions of Lots 19, 20, 21 Wadsworth's Olive Grove and portion of Laurel Street vacated and closed, in The City of San Diego, as required by the City, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Said Resolution states that the City is desirous of acquiring said land in Wadsworth's Olive Grove and portion of Laurel Street, in connection with projected Chollas Parkway in Chollas Valley, that said O. D. Arnold & Sons are willing to deed the property to the City in exchange for quitclaim deed from the City in portion of Rancho Mission in Section 33 Township 16 South, Range 2 West S.B.&M.; that the value of each of the properties is \$3,500.00, and the City Manager has recommended said exchange.

RESOLUTION NO. 116196, recorded on Microfilm Roll No. 74, accepting deed of the County of San Diego, bearing date December 29, 1953, conveying land designated "Park" as shown on Map of Kensington 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 Burgener, seconded by Councilman Wincote, adopted.

(The "Park" is in the area recently annexed to the City of San Diego).

RESOLUTION NO. 116197, recorded on Microfilm Roll No. 74, accepting quitclaim deed executed on the 18th day of December, 1953, by Clifford O. Boren Contracting Co. 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 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; also portions of Lots 18, 24, 25 Wadsworth Olive Grove; 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116198, recorded on Microfilm Roll No. 74, accepting subordination agreement, executed by First Federal Savings and Loan Association of San Diego, beneficiary, and Fidelity & Guaranty Company, trustee, bearing date December 23, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 2 Block 3 Edgemont to the City; authorizing and directing the City Clerk to file said deed 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 Wincote, adopted.

Proposed Ordinance amending San Diego Municipal Code by adding new Sections to the Code, to be numbered 33.0206, 33.0207 and 33.2901 through 33.2906 - relative to Private Street Patrol Service and Private Street Patrolman, was presented.

George Rodgers, of the Rodgers Police Patrol and Detective Agency, was heard. He requested a continuance of the proposed Ordinance for 2 or 3 weeks, and that Police Chief Jansen be here regarding the change over. He said that the Chief thought that there would be time allowed in connection with the provision for new uniforms.

116193 - 116198

(The comments made by Mr. Rodgers, shown on the previous page, were made at the time the ordinance was originally before the Council on January 5, 1954. The rest of the discussion is not repeated.)

The reading of next ordinance prior to its 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. 5921 (New Series), recorded on Microfilm Roll No. 74, amending San Diego Municipal Code by adding thereto new Sections to be known and numbered Sections 33.0206, 33.0207, and 33.2901 through 33.2906 - all having to do with Private Patrol Service and with Private Street Patrolmen - was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Wincote, 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 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. 5922 (New Series), recorded on Microfilm Roll No. 74, dedicating public lands as and for portion of public highway in Lot 78 Rancho Mission of San Diego, in Lots 22, 28, 29 and 30 The Highlands, and naming the same Kearny Mesa Road; dedicating public lands as and for portions of public highway in Lot 78 Rancho Mission of San Diego, Lots 9 and 10 The Highlands, and portion of unnamed streets contiguous to the north line of said Lot 9 closed to public use, and naming the same Kearny Interchange; dedicating public lands as and for portion of public highway in Lot 2 Block 1 Rosedale, and naming the same Clairemont Mesa Boulevard; dedicating public lands as and for portions of public highway in Lots 29, 30, 36, 37 The Highlands, and naming the same Mesa Street, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Wincote, seconded by Councilman Burgener, the next ordinance was introduced.

The reading of said ordinance was dispensed with, on motion of Councilman Wincote, seconded by Councilman Burgener, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

ORDINANCE NO. 5923 (New Series), recorded on Microfilm Roll No. 74, appropriating \$70,000.00 from the Capital Outlay Fund, for the purpose of providing funds for improvement of La Jolla Boulevard, between Colima Street and Camino de la Costa, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the next ordinance was introduced.

The reading of said ordinance was dispensed with, on motion of Councilman Wincote, seconded by Councilman Kerrigan, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Schneider. ORDINANCE NO. 5924 (New Series), recorded on Microfilm Roll No. 74, appropriating \$66,000.00 from the Capital Outlay Fund, for the purpose of providing funds to pay the City's share of cost of additional paving on Clairemont Drive and Clairemont Mesa Boulevard, in the subdivisions known as Clairemont Manor Units Nos. 1, 2, 3 and Clairemont Units Nos. 9, 10 and 15, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

Asked about the matter, the City Manager told the Council that it is an old project, that the subdivision paving is restricted, and that the City is "picking up the check" relative to paving strips.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the next ordinance was introduced.

The reading of said ordinance was dispensed with, on motion of Councilman Kerrigan, seconded by Councilman Wincote, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

ORDINANCE NO. 5925 (New Series), recorded on Microfilm Roll No. 74, appropriating \$28,500.00 from the Traffic Safety Fund, for the purpose of providing funds for installation of Traffic Signals and Safety Lighting Systems at intersections of Cass and Fanuel Streets at Garnet Street, and at Linda Vista Road and Ulric Street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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On motion of Councilman Kerrigan, seconded by Councilman Wincote, the next ordinance was introduced.

The reading of said ordinance was dispensed with, on motion of Councilman Kerrigan, seconded by Councilman Wincote, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

ORDINANCE NO. 5926 (New Series), recorded on Microfilm Roll No. 74, appropriating \$20,000.00 from the Unappropriated Balance Fund, and transferring the same to non-personal account, Department 11.00, City Engineer's Fund, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the next ordinance was introduced.

The reading of such ordinance was dispensed with, on motion of Councilman Kerrigan, seconded by Councilman Wincote, 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.

ORDINANCE NO. 5927 (New Series), recorded on Microfilm Roll No. 74, appropriating the sum of \$2,950.00 from the Capital Outlay Fund, for the purpose of providing funds for construction of Shuffleboard Courts at the Ocean Beach Community Center at Santa Monica Avenue and Ebers Street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Wincote, seconded by Councilman Burgener, the next ordinance was introduced.

The reading of such ordinance was dispensed with, on motion of Councilman Wincote, seconded by Councilman Burgener, 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.

ORDINANCE NO. 5928 (New Series), recorded on Microfilm Roll No. 74, appropriating \$1,200.00 from the Unappropriated Balance Fund, for providing funds for installation of Acoustical Material to ceiling and walls of Randall Hall, Encanto Community Center, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, Ordinance amending Section 101.0703 of the San Diego Code, relating to Powers and Duties of the Board of Architectural Review, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Burgener, seconded by Councilman Wincote, Ordinance creating the position of Senior Radio Technician in the Classified Service of The City of San Diego, and establishing Schedule of Compensation therefore - number 22 - was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Burgener, seconded by Councilman Wincote, Ordinance changing the name of portions of Marilou Road to 47th Street, and changing the name of portion of Marilou Road to Brooklyn Street, was ~~(on motion of Councilman Burgener, seconded by Councilman Wincote)~~ introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

RESOLUTION NO. 116199, recorded on Microfilm Roll No. 74, authorizing the City Manager to execute an agreement with San Diego State College Foundation for operation of Aztec Terrace and Aztec Villa Housing Projects, substantially in accordance with the same terms and conditions as prevailed in the pre-existing agreement between the parties, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

116199
5926 N.S. - 5928 N.S.
Ords. introduced.

Councilman Godfrey spoke about the Pacific Highway Air Force matter, and stated that he thought the City should check it.
 The Mayor and the City Manager said that it had not yet been handled.
 Councilman Godfrey said that the proposal is unreasonable.
 The City Manager spoke about having discussed the matter with everybody out here. Congress has not moved yet, he told the Council.
 Councilman Godfrey said that there should be a follow through on the subject.
 The Mayor said that he had been authorized by the Council to contact the proper Federal authorities, and that he would do so.

The Mayor told the Council that there is need to consider the Mission Bay appointment on Thursday.

Councilman Godfrey asked about the Army, on Pacific Highway.
 The City Manager's answer was that he did not know.

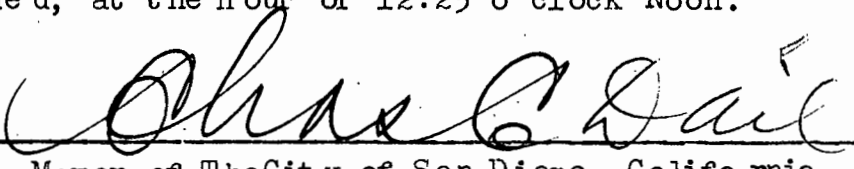
Douglas Deaper, Deputy City Attorney, referred to the Leonard B. West communication having to do with converting a duplex into a triplex at 1115 - 19th Street, told the Council that Mr. West had been saved by the bell, in regard to the new zoning board Ordinance. (The Council had sought to save Mr. West the cost of filing new proceedings in connection with his denied variance request, and on which he filed an appeal relative to holiday which made it late). He told the Council that the new board can initiate proceedings, which would avoid expenses to the petitioner.

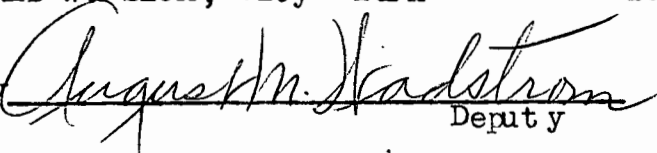
Councilman Wincote asked that Mr. Rick, Planning Director be notified regarding the new procedure.

Mr. Deaper thought perhaps the matter should await the effectiveness of the new ordinance.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned, at the hour of 12:25 o'clock Noon.

ATTEST:
 FRED W. SICK, City Clerk


 Vice Mayor of The City of San Diego, California

By 
 Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
 California, Thursday, January 14,
 1954

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

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:08 o'clock A.M.

The Mayor apologized for the late start of the meeting, and spoke about the Council having been in Conference with the City's rate consultant in connection with the telephone matter.

Former Mayor Harley was welcomed as a visitor to the meeting by Mayor Butler.

Pacific Highway Airforce matter
 Need for M.B. appt.
 West Zone Variance

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the calling of election in connection with petition for proposed annexation to the City of San Diego of an area to be designated as "Rolando Tract", the Mayor made a statement. He said that the purpose of the hearing is to determine if the election is to be held. He announced that the Council will hear protestants first, and pointed out that there are sufficient signatures to place the matter on the ballot.

Douglas D. Deaper said that it is a question of the area only.

The Clerk reported to the Council that no protests had been filed.

Councilman Godfrey entered the meeting at this time.

First to speak was B. B. Margolis, who stated that he had with him a petition in excess of 1850 signatures. Those petitions oppose the annexation. Asked as to the dates of signatures, Mr. Margolis answered that they were running from March to yesterday. He told of having discussed the matter with the council for the Council, who had advised that if the signatures do not go back to antiquity they are valid. He spoke of not being interested relative to schools and to bonds. Mr. Margolis said that property owners would be required to carry with them (if they come into the City) bonds already under bonded indebtedness. He spoke about being liquidated in days, but had been advised by officials that would not be possible. As a result, he said that there would be \$1.00 per \$100.00 tax. Residents would be deprived of schools, and that children would have to be sent to junior and senior high schools by bus.

Orin Cope, Assistant to the City Manager, at the request of the Mayor clarified the situation in connection with the schools. The matter is not contingent upon annexation to the School District, according to Mr. Cope, who referred to the assumption of debt of the School District. He stated that the property could be annexed to the School District; there are 2 propositions, which are not tied together.

George W. Baker asked Mr. Cope of the effect on the schools. He said it boiled down to question of fact, which Mr. Cope could not answer. Mr. Baker said that his children would have to attend Andrew Jackson Schools - 2 hours and 20 minutes away by bus. The property owners would incur the City bonded indebtedness - plus the School bonded indebtedness, he stated.

Mr. Cope stated that he was in no position to say where the children would attend school. The School Board speaks for itself, he declared. The Council does not have to consider the matter of schools, Mr. Cope said. He pointed out that people in the area circulated the petition for annexation, and that the City did not know what area was to be covered. He said that a legal petition had been presented to call the election.

Councilman Dail said that fact had been borne out by the City Attorney.

Douglas Deaper, Deputy City Attorney, answered members of the Council by saying that the Council does have the power to make a combined annexation, to the City and School District. It is too late, now, to provide for back-tracking, according to him. He commented that the School District holds its own election.

Mrs. Rita Micklish said that Mr. Cope had spoken of 2 ballots. She asked if one is not contingent upon the other. She wondered if the children would have the right to attend City schools.

Mr. Deaper replied that neither election hinges on the other. He said that if the property annexes to the City, but does not go to the School District, the children would continue to attend the same schools.

Councilman Kerrigan also mentioned the 2 separate issues - relative to choosing City services, and relative to the education issue.

Mr. Baker told of having spent time with the La Mesa-Spring Valley School District, and that it had been said District's opinion that if the property annexes to the City but not to the School District, they could fill schools to capacity without those students attending. That District's schools are overcrowded now. He spoke about the problem of annexing to the City, but not to the School District.

The Mayor and Councilman Kerrigan both stated that the area being discussed is a part of the County School District.

Mr. Baker re-iterated that the nearest school is Andrew Jackson.

The Mayor said that there are different issues.

Councilman Kerrigan pointed out that the School District is a separate taxing body.

Councilman Godfrey said that the matter is students' attendance, etc., is not automatic, which is the reason for the 2 elections.

Mr. Baker said that a Board of Education member had said that it would be 5 to 7 years from drawing board to the building of a school.

The Mayor declared that there is no question involved regarding the school.

Councilman Kerrigan said that the question at the moment is the legality of petitions.

Councilman Godfrey said that the petition (the Margolis protest) is without effect.

Councilman Wincote, the City Manager and Mr. Cope all spoke up to correct the statement.

Mr. Deaper pointed out that the Statute requires that if there are more than 50% protestants before the hearing there can be no proceedings held for one year. The petition (protest) has no legal effect, he declared, on account of having been filed after 10:00 o'clock A.M., today, being the time set for the hearing.

Councilman Wincote asked about signatures on both petitions.

Councilman Schneider declared that there could be changes in ownership of property, subsequent to signing of petitions.

Councilman Burgenier, said that Mr. Margolis had stated there were 1877 signatures of protest.

Rolando annexation hearing

Mr. Margolis said he thinks he has over 1/2 who protest.

Phillip Minnix asked regarding the hearing only to the City. He asked if there would be a separate hearing for annexation to the School District.

Mr. Deaper replied that he could not answer for the School District and for the County, but that he believed there would be hearings held before the Board of Education.* He spoke of the number of valid names found by the Registrar of Voters. The Registrar had checked only a portion, and he mentioned having not covered certain areas. He wants to see the thing come to a vote of the people, in order to express themselves, Mr. Minnix said.

(*) refers to Mr. Minnex.

Mr. Minnix referred to a form for people to sign in connection with those who had changed their minds, being a "waiver" form on the former petition. The Clerk has a petition of several hundred "waiver" petition signatures, he declared.

The Mayor said that the matter is subject to study by the City Attorney.

Councilman Burgner said that petitioners and those asking questions should go to the School Board.

Leonard Parke, who identified himself as one of the circulators of the petition, said that he had also circulated petition to annex to the School District. A lot of people who signed, knew they were signing for the School. Most people want both, he added.

Mr. Margolis asked for the reading of the heading on the petition.

Following further comments by Mr. Margolis, the Mayor said that the Council can't go into the state of mind of people.

The Clerk read the Margolis petition.

Navy Chief Jack C. --- whose name was not understood, due to a conversation between the City Clerk and Councilman Kerrigan, asked regarding the petitions of protest.

The Mayor said that the election would go ahead if the petitions asking for it are found to be legal.

Mr. Deaper said that if the petition represents more than 50% of property, none of the signers is bound by the Council, but they would have the right to go into court and could seek a restrainer.

The aforementioned Navy Chief said that he thinks the petition of protest was circulated in November.

Councilman Wincote declared that he was more in favor of the November petition than the one of March.

There was discussion between Councilmen Wincote, Schneider, and Chief ---.

Councilman Schneider pointed out that the petition of protest should have been delivered prior to 10:00 A.M., which was the hearing date and time set.

Councilman Wincote said that the 10:00 o'clock matter did not impress him.

On motion of Councilman Schneider, seconded by Councilman Wincote, the hearing was closed.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the protest against the calling of the proposed annexation ^{election} to the City of San Diego of an area to be designated as "Rolando Tract", was referred to the City Manager and to the City Attorney by RESOLUTION NO. 116200, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed annexation to the City of San Diego of a portion of Lot 54 Ex Mission Lands of San Diego, to be known and designated as "Knox Tract", the Clerk reported that no protests had been received.

Thereupon, the Mayor inquired if there were any persons present to offer opposition.

No one appeared to protest, and no written protests were submitted.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the hearing was closed.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the Ordinance approving annexation to the City of San Diego of a portion of Lot 54 Ex-Mission Lands of San Diego, in the County of San Diego, State of California, known and designated as "Knox Tract", 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 the continued hearing on appeal of A. G. Winn from the decision of the Zoning Committee denying request of himself and Edward J. and Meta B. Pickering for variance to permit the splitting of Lot 36 Block 12 Tres Lomas into 3 parcels, and construct a single-family residence on each parcel - the northeasterly side of Calle Aguadulce, 125 feet south of Calle Tocon in Zone R-1, the matter was presented again.

Councilman Wincote, said, for the benefit of Councilman Dail and Mayor Butler that the reason for the hearing being held again today was that there were only 5 members of the Council present at the hearing of January 7, 1954 (at that time, it was indicated by an informal test vote that the appeal would be lost).

At the request of the Mayor, the Clerk read the report of the Zoning Committee which was signed by D. E. South and dated Jan. 4, 1954.

Glenn A. Rick, City Planning Director, showed the Councilman of a previously filed subdivision. Now, the appellants want to cut one lot into 3 parcels, he stated. He told of the request for variance having been denied by the Zoning Committee, which felt that the property should be subdivided. The question has to do with dividing for subdivision of one lot. Commenting on the fact that effort to secure division of the property through variance would have lost, he commented that he thought the best method of securing what is desired is through subdivision.

Hearings

Dalton J. Baker, representing Mr. Winn, as he had at the first hearing, spoke again. He said that Mr. Winn owns only 1/3 of the property. Also, he told the Council that he feels an obligation to clear up the matter, inasmuch as he had sold the property to Mr. Winn, and that he (Baker) has spent the money he received as commission. The speaker stated that Mr. Winn has met all requirements regarding sale of property.

Councilman Godfrey pointed out that there was the right to sell, but a right as a building site had not gone with the sale.

Councilman Schneider declared that Mr. Winn had sold; not bought.

Glenn A. Rick, City Planning Director, referred to what were not legal sales. He said that the purchaser could sue and get his money back. He said he holds that a building permit cannot be granted on a portion of property.

Councilman Wincote said that there has been a change, in that Mr. Winn does not find himself adverse to filing a subdivision, but wants to file instead with the others on the street.

Councilman Godfrey spoke about a leverage being secured if the appellant receives a variance.

Mr. Baker said that he had a statement in regard to the situation, which he did not file.

Councilman Wincote told of having discussed a policy, in the Mayor's absence, and that as a result the Council got into a hassel, following which it was put on the table. Mr. Winn came in the same day it had been discussed. The matter is a policy, Councilman Wincote declared; not a law. He said he "does not like it".

Councilman Godfrey spoke about not liking it with no policy.

Councilman Wincote spoke again about there being no law, but that there are some exceptions made to the policy.

Mr. Baker told the Council that Mr. Winn had been informed that he needed a zone variance to accomplish what he desired, but not a subdivision map. The Planning Department did not know at the time about the present policy matter, he stated.

Councilman Burgener moved to grant the appeal, and overrule the action of the Zoning Committee, which motion was seconded by Councilman Dail.

There was discussion between the Mayor, Councilmen Dail, Burgener, Schneider, Godfrey over the matter of a variance.

Councilman Schneider pointed out that Mr. Winn had been told to ask for a variance, and as a result he had become a victim of the City.

Councilman Godfrey said that Mr. Winn is a victim of himself, instead. If there had been a subdivision filed before, there would have been 3 legal sites. He emphasized the pointed that there are 3 parcels of land, but not 3 building sites.

Councilman Schneider said that because of the City, Mr. Winn had paid \$25.00.

Councilman Godfrey stated that the Planning Office could not tell Mr. Winn not to pay said fee.

Mr. Baker said that the expense of \$350.00 would be incurred to subdivide. He pointed out that Mr. Winn cannot force the others to subdivide. Mr. Baker said that as a Real Estate broker he is familiar with the real estate law, and that in his opinion what was done is not illegal in relation to the real estate law.

Mr. Deaper spoke of the area, which was a lot as far as the City is concerned, is still 1 parcel.

Mr. Baker declared that there is a difference between a lot and a parcel.

Mr. Deaper said that the situation is frozen: for 1 house. Cutting up the property does not change the condition, he declared.

Mr. Baker spoke of the Winn sale being without stipulations - sold as is.

Councilman Burgener wondered if Mr. Winn would agree to subdivide; adding that the others might not.

The Mayor said that no presentation had been made to the others. He wondered if the other 2 could get subdivision.

Mr. Baker thought not, and re-iterated that he believed that Mr. Winn has the right to build on what he has bought.

Councilman Dail wondered why not ask the others.

Councilman Godfrey spoke about something in the law, and there is a question involved in regard to prior zoning, on account of the division. He said that Mr. Baker is arguing with Mr. Deaper and with Mr. Rick.

Mr. Baker said he knows the real estate law.

Councilman Wincote asked for the reading word-for-word.

Mr. Baker said that he did not have it.

Mr. Rick said that there are now 3 parcels, 1 of which is owned by Mr. Winn. He said that Mr. Winn can file a map for the 1 building site, emphasizing that he would need a map.

Mr. Baker said that Mr. Winn cannot take care of the others.

Mr. Rick stated that Mr. Winn had told him that he would file a map.

Mr. Baker said "no".

Mr. Rick replied that Mr. Baker is calling him a liar, that he could call Mr. Winn down and put him under oath relative to the statement.

Councilman Burgener asked how owners are supposed to act.

Councilman Dail said that used to be a policy of 4 lots or less not needing a subdivision in one year. He said that the City had put a stop to that, because of going over 4 or 5 years.

Councilman Schneider spoke about using the Zoning Committee to put on a stop which is not a law.

Mr. Deaper declared that "both" are right. There is the right to make the sales, but there is not automatically the right to build. He read from the San Diego Municipal Code regarding subdivisions, and use of property. He spoke of there being only 1 lot, 1 building site - despite the division by sale.

Councilman Wincote said that prior to discussing the policy - even afterward - dozens and dozens of appeals have been granted on this type of thing.

The roll was called on the motion to grant the appeal and overrule the decision of the Zoning Committee, resulting in the following: Yeas--Councilmen Burgener, Wincote, Schneider. Nays--Councilmen Kerrigan, Dail, Godfrey, Mayor Butler.

The Mayor declared the motion lost, that there was no action one way or the other, but that as a result, there was no variance.

Hearing.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Stewart M. Dingwall, D.V.M., from the decision of the Zoning Committee in denying his request to permit erection and operation of a veterinary hospital on portion of Lots 21 through 24 in Block 41 City Heights - on University Avenue, between Central and 41st Street - in Zone C, the Mayor read to the Council a letter from Dr. Dingwall which was dated January 6, 1954, and asked for a continuance.

Wayne M. Harris asked to present a letter, which he had, being the same as the one just referred to, asking for continuance.

Councilman Godfrey asked "Why not hear?"

The Mayor asked how many protestants were present.

A large group of persons arose in protest.

Councilman Godfrey said that Dr. Dingwall has a responsibility to the other side of the issue. He said that the Council can't ask the others to come back. He stated that the hearing could be continued temporarily - say for 15 minutes, and try to have appellant present.

The Mayor asked Mr. Horton is he opposed to the postponment for a short time.

Mr. Horton, an attorney for the opposition, told the Council that Dr. Dingwall has had 2 postponments, that the variance request has been denied 3 times, and that this request should be denied.

By common consent, the hearing was continued 15 minutes, allowing Mr. Harris to go out and try to reach Dr. Dingwall.

(This matter will be found again on page 160 of these Minutes).

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of A. E. Roberts & L. May Hume, owners, and G. N. York, lessee, from the Zoning Committee decision denying variance to permit operation of a retail business of draperies and antique furniture and articles, with no employees, on Lot 10 Block 25 Roseville, at 2931 Carleton Street, in Zone R-4, the report from the Planning Commission signed by D. E. South, was read.

The report states that application had been amended from a former application which requested variance to operate upholstery and repair business, because the Building Inspection Dept. required one-hour fire construction, continuous foundation and sprinkler system if the original application were granted. It reports that the Zoning Committee visited the property and found the building in need of repair, that the area is mainly built up with multiple dwellings, that a service station adjoins property which is in C Zone. The report says it was pointed out at the meeting that said non-conforming business was first granted in 1946 for a limited time, with extensions granted for one year up to 1951. It states the Zoning Committee considered the fact that the business was granted with time limit and policy of the Committee that non-conforming business should not be perpetuated for an indefinite time. It was also noted, according to the communication, that no business had been conducted on the property for over a year, which, according to City Ordinance is deemed abandonment of non-conforming rights which have existed. The report states the Zoning Committee denied the petition 3-0.

Councilman Schneider was excused from the meeting at this time.

Glenn A. Rick, Planning Director, who had been asked for a report, told the Council that he would like to have Mr. South give a report inasmuch as he attended the Zoning Committee's hearing.

D. E. South made a verbal report, in which he stated that the Zoning Committee visited the property, and that this is the second time that the matter is up. He spoke of the previous use request having been amended. Mr. South pointed out that the appellant had signatures of all the property owners in the area.

The Mayor invited the appellant to be heard.

A. E. Roberts appeared, and told the Council that he is simply asking for renewal of a business. He referred to the operation, proposed, as a sample room and antiques. He stated that he could see no reason for the denial. Also, he declared that the property in question adjoins a 3-story garage, and that said property has been used for similar business since 1947.

Mr. South told the Council that the property had been abandoned for some time, that the previous variance had been granted a year at the time. He told of operating illegally because there had been no request for renewal of the variance. He said that the property is not usable for anything else, because of the service station next to it.

Councilman Dail said that the situation is similar to an auto lot which has been in operation at Broadway and 30th Street, which had failed in effort to secure a zone variance.

Councilman Kerrigan asked about the request for a different use.

Mr. South replied that had been made.

Mr. Roberts told the Council that objection had evidently been to piles of lumber on the property, which have been removed, and that the building is good.

Mr. South stated that the present request is different from the original variance.

Mr. Roberts stated that it is practically a sample room.

Mr. South said he had a letter from the Building Inspection Department which advises that the property is not satisfactory for an upholstering shop, which had been amended. He stated that the Building Department had said that the premises would be all right for this type of operation.

Councilman Schneider returned to the meeting.

Councilman Burgener moved to grant the appeal, which motion was seconded by Councilman Wincote.

The Mayor asked if anyone else was present who desired to be heard.

C. J. Stafford appeared, and told the Council that he had been here on the same thing once before at Rosecrans and Byron Streets. He stated that he had

Hearings
Hearing cont. temporarily
Variance motion lost

bought his property, with only 100 feet of business, from Rosecrans. He pointed out that the Council had denied another appeal regarding the operation of a jewelry store in an apartment house building. Mr. Stafford said that whenever the City grants a variance, it creates another problem. He said that he did not object to the service station - which is in a C Zone. He told of having built a \$30,000.00 residence, and then found that 2-family residences were permitted, whereupon he sold his place. He asked the City to leave the zone and stay with the conditions as they are rather than change them. He said he knew nothing of this matter until he had been handed a notice of the hearing by his secretary.

The Mayor said that there are pending extensions of Council zoning in the area.

Councilman Wincote said that the variance would be for use under what had already been permitted under a variance.

The maker of the motion added the matter of 3 years to the motion, with the consent of the second.

Mr. Stafford spoke of being on Rosecrans, and of not being able to build. Nevertheless, he is satisfied to leave the situation as it is, he stated. He declared that the City denies one, and should therefor not give to others.

Councilman Wincote said that the property is still R-4.

RESOLUTION NO. 116201, recorded on Microfilm Roll No. 74, granting appeal of A. E. Roberts, 1860 Alta Mira Place, from the decision of the Zoning Committee in denying application No. 12337 which was request of A. E. Roberts and L. May Hume, and G. N. York, from the decision of the Zoning Committee in denying by its Resolution No. 7965 for variance to the provisions of Ordinance No. 32 New Series, to operate a retail business of draperies and antique furniture and articles, with no employees, on Lot 10 Block 25 Roseville, at 2931 Carleton Street, in Zone R-4 - permitting operation for a period of 3 years from this date - and overruling said decision, was on motion of Councilman Burgener, seconded by Councilman Wincote, by the following vote, to-wit: Yeas-- Councilmen Burgener, Wincote, Schneider, Dail, Godfrey. Nays--Councilman Kerrigan, Mayor Butler, adopted.

Communication signed by Betty Jane Souza, Secretary, on stationery of Grossmont Union High School Associated Student Body, dated January 9, 1954, was presented. It states that as a follow up to last years traffic safety conference held in Balboa Park, the teen-agers of the City and County of San Diego are planning a conference to be held March 26, 1954. It declares that on the subject of traffic there is a well known fact that young people are seriously involved and concerned with traffic safety problems. Also, it requests that in order that adequate facilities for housing the conference, which will include representatives from all junior high, senior high, junior college, college and armed forces in the County, that the Conference Hall in Balboa Park be provided without cost.

Said matter was taken out of order, and considered at this time.

A speaker, whose name was understood to be Jack Voss, told the Council that there is a serious traffic safety matter in which teenagers are included. He asked for the use of the Conference Building, Balboa Park, rent free.

The Mayor said he applauds the teen agers' interest in improving the traffic problem, and that the date has been taken for it.

Councilman Schneider moved to grant the request, with the approval of the Park Commission, which motion was seconded by Councilman Godfrey.

The City Manager said that it will include City sponsorship.

Mr. Voss asked for a proclamation, which the Mayor said he would be glad to issue. He also asked for attendance at the Conference.

RESOLUTION NO. 116202, recorded on Microfilm Roll No. 74, granting use of the Conference Hall, Balboa Park, March 26, 1954, without charge in connection with conference to be held on Traffic Safety by teen-agers of the City and County, in connection with which the City will act as sponsor, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The Stuart M. Dimwall appeal, shown on page 159 of these Minutes, was brought up again.

Mr. Harris, who had spoken earlier, said that Dr. Dingwall regretted the inconvenience which had been caused.

Councilman Kerrigan stated that people had commented that Dr. Dingwall would get it, whatever....

The report from the Zoning Committee, signed by D. E. South, was presented and read. It states that the appeal is from the decision which denied the right to erect a veterinary hospital with a maximum of 32 animals, with off-street parking and loading at the rear, on the east 40 ft. of Lots 21 through 24 Block 41 City Heights, located on the north side of University Avenue, between Central and 41st Streets, in Zone C. It says proposed use is permitted in M-2 Zone only, although some veterinary hospitals or clinics have been approved in C Zones with certain conditions, but not to the extent requested for the Dingwall hospital. The report says that the Zoning Committee visited the property and found the area made of small retail businesses similar to those found in the outlying areas, but found no business of said type or any similar businesses. The communication states that the Planning Department received a number of letters of protest from owners of adjoining businesses and nearby residences. Approximately 25 persons were present at the meeting protesting the granting; organizations such as East San Diego Chamber of Commerce, P.T.A. of Central Grammar School, East San Diego Y.M.C.A., Mortician's Service Bureau, all protested, as well as an attorney and realtor representing the opposition. The report states that Dr. Dingwall was present with his attorney, Mr. Abbey, that Dr. Dingwall presented his case and said he could not understand why anyone would protest as he had built 3 other clinics, and presented letters from property owners in La Jolla stating that the type of business was not a detriment to the business area of their neighborhood. In addition, the report says that both the proponents and opponents discussed the matter at great length, the Zoning Committee weighed statements and facts, but because of the many protests and the interest shown, the application was denied 3-0.

✓ Glenn A. Rick, City Planning Director, said that the report, which had just been read, states the case. He said that it is not a proper thing.

Councilman Schneider moved to deny the appeal.

Referring to the other clinics built by Dr. Dingwall, Councilman Godfrey, asked about being built for sale.

Mr. Rick replied that Dr. Dingwall builds and sells. He said that he had letters for and against the statement of Dr. Dingwall, relative to increase of value of property on account of the veterinary operation. He said that the Zoning Committee was guided by the feeling of those involved.

Councilman Dail seconded the motion.

RESOLUTION NO. 116203, recorded on Microfilm Roll No. 74, denying the appeal from the decision of the Zoning Committee in denying application of S. M. Dingwall for variance to the provisions of Ordinance No. 13057 insofar as they relate to the east 40 feet of Lots 21 through 24 Block 41 City Heights, on the north side of University Avenue, to permit erection of a veterinary hospital with a maximum of 32 animals, with off-street parking and loading at the rear, in Zone C, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. arrived, the time set for hearing on Ordinance incorporating portion of Lot 13 Ex-Mission Rancho into CP and C Zones, and repealing conflicting ordinance, 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.

Asked for area involved, Glenn A. Rick, Planning Director, told the Council that it is at 63rd Street and Imperial Avenue.

ORDINANCE NO. 5929 (New Series), recorded on Microfilm Roll No. 74, incorporating portion of Lot 13 Ex-Mission Rancho of The City of San Diego, California, into CP Zone and C Zone, as defined by Sections 101.0410 and 101.0411 respectively of the San Diego Municipal Code and repealing Ordinance No. 116 (New Series) adopted January 3, 1933, insofar as the same conflicts, was on motion of Councilman 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.

Petitions, marked numbers 4 and 5 for establishment of cross-walk at 30th & Adams Avenue, were presented. Further, petitioners request that a cross-walk be established at Boundary and Adams Avenue and better lighting be acquired. It points out that 3 petitions have already been mailed. One of the petitions mentions 2 persons having been killed in the cross-walk at 30th & Adams. In addition, it states that petition marked number 5 bearing 30 signatures at present is to be mailed in soon, and that there is an addition being made to ask for a signal light or boulevard stop placed at once.

On motion of Councilman Burgener, seconded by Councilman Schneider, said petitions were referred to the City Manager.

The matter of the proposed Carriedo Subdivision, held over to this meeting from January 12, 1954, was brought up again under two recommendations and two resolutions.

Glenn A. Rick, City Planning Director, explained the matter again, and said he had been told by the Council that the owner of the property (a 1-lot subdivision, as required by the Planning Commission inasmuch as a zone variance had been denied) would be given special consideration.

Councilman Kerrigan stated that property will be subdivided on either side of this parcel of land.

Mr. Rick showed a map, which indicates that the property is surrounded by a 14-lot subdivision.

RESOLUTION NO. 116204, recorded on Microfilm Roll No. 74, suspending Sections 102.16-8, 102.18, 102.17-c of the Subdivision Ordinance in connection with the Tentative and Final Maps of Carriedo Subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116205, recorded on Microfilm Roll No. 74, approving Tentative Map of Carriedo Subdivision - for development of parcel of land fronting on Olvera Avenue approximately 700 feet easterly of Euclid Avenue - subject to 9 conditions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

(Condition No. 9 referring to paragraph 4 provisions not applying until the adjacent property is subdivided, was added to the original resolution). Said paragraph 4 has to do with curb, sidewalk and paving between the southerly curb and existing strip pavement.

In relation to the item which preceded this one, Councilman Burgener spoke about the Council and Planning Commission ideas relative to 1-lot subdivisions. He moved to refer the matter to Conference. Councilman Godfrey seconded that motion.

Councilman Kerrigan said that the item is on the Conference docket.

Councilman Wincote said that the matter should be decided, one way or the other.

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The Planning Director stated that the matter has been discussed, but that it is not "quite ready". He spoke of wanting to be reasonable. Answering Councilman Schneider, who asked if it would be possible to cut down on the cost of the subdivision, the Planning Director said he thought not.

There was no action.

The Mayor said that he has to leave, to keep a speaking engagement. (He did not leave, however). He suggested an afternoon conference next Tuesday. Although there was no action on the subject, it seemed to be agreed that would be done.

Councilman Wincote said that on Thursdays he has to miss the Lions Club on account of lengthy Council Meetings. He said he wanted to get out at 12:00 Noon. Also, he mentioned that other members of the Council have similar trouble with other clubs.

The Clerk said that if the Council wants to reduce its Thursday meetings, the hearings in connection with zone variance appeals can be left off the agenda for that day. No action was taken.

RESOLUTION NO. 116206, recorded on Microfilm Roll No. 74, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for Replacing Defective Areas of Protective Coating in Digester No. 6, Sewage Treatment Plant, bearing Document No. 483356; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, reporting on petition protesting paving of A Street between Edgemont Street and 32nd Street, was presented. It states that Resolution No. 114277 ordered proceedings for paving the street; that since it does not appear that the protested petition would be a majority protest, and seeing it is a premature protest, it recommended filing without action. The communication advises that property owners will be given a chance to protest at the regular 1911 Act hearings.

On motion of Councilman Schneider, seconded by Councilman Dail, the protest and the report were ordered filed.

Communication from the City Engineer, bearing the City Manager's stamp of approval, stating that Resolution No. 114278 granted petition to install sidewalks on Missouri Street easterly of Lamont Street, was presented. It states that the Resolution ordered the City Engineer to prepare a plat of the district to be assessed. The communication recommends that Resolution No. 114278 be rescinded and that the Council order the work to be done by the "front foot" method.

RESOLUTION NO. 116207, recorded on Microfilm Roll No. 74, rescinding Resolution No. 114278 in connection with the granting of the petition for installing sidewalks on Missouri Street easterly of Lamont Street; adopting recommendation of the City Engineer that the work be done by the "front foot" method, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from Willis Edward Allen, D.D.S., 4610 Panorama Drive, La Mesa, California, dated Jan 9, 1954, was presented. It states that about 6 months ago he wrote about having to pay for maintaining light system in front of his property in the Five Point section; Hancock, Kettner & Winder Streets, but that he has received no reply. The writer states that he thinks the City should pay for maintaining the lights, as he understands the City would do eventually, and refers to paying over \$1400. to have them installed. He asks if the City will not pay for the lighting if he can have the lights discontinued.

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

Communication from G. T. Forbes - T. M. Jacobs, 530 Broadway, Room 324 San Diego 1, dated January 8, 1954, opposing further hot mix plants in the eastern portion of Mission Valley, was presented. It mentions that some 6,000 acres of the Waring lands have been annexed to the City in the past few years, which it is believed to be the finest potential future residential area in the City. It asks that the Council and the Board of Supervisors take up the matter directly with a view of stopping activities in that regard.

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

Communication from Whitney's, signed by James I. Robinson, president, dated January 8, 1954, stating definite opposition to the No Parking ban either on a sixty-day basis or permanent basis, in connection with survey conducted on Fifth Avenue, was pre-

sented.

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

Communication signed by 15 firms on 5th Avenue between Broadway and E Street, offering strenuous objections to the "no parking" in said block, was presented. It states that the traffic survey men had been opposed to the proposed 60 day "no parking" but that they evidently did not pay attention to the objections. It states that it is felt that there is need for all of the parking spaces down town, and that business has been hurt because of the ban.

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

Communication from John V. Thompson, 4460 Estrella Avenue, San Diego 15, dated January 12, 1954, suggesting for the benefit of the working people who have to do business at the City and County offices, that they stay open on Saturdays and close on Mondays instead, was presented. It states that business done at the Civic Center is a "must" to the Citizens of San Diego and many have to lose time and pay so that they can attend to said business during the week.

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

RESOLUTION NO. 116208, recorded on Microfilm Roll No. 74, authorizing and directing the City Clerk to publish in the official newspaper of the City the following notice:

"NOTICE OF RATIFICATION OF AGREEMENT

NOTICE IS HEREBY GIVEN that the Council of The City of San Diego at 10:00 a.m. on the 4th day of February, 1954, in the Council Chamber, third floor Administration Building, Civic Center, will pass and adopt a resolution ratifying the purchase of the portion of Oak's Tract in Rancho San Bernardo from L. R. Green, Georgia H. Green, Hildreth von KleinSmid, Helen G. Banister, and Green Mutual Water Company of San Diego County, which property is purchased for the purpose of constructing and developing Super Hodges Dam and Reservoir.

BY ORDER OF THE COUNCIL.

FRED W. SICK
City Clerk",

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

(The Resolution ratifying purchase is to be passed on the above-mentioned date, according to the agenda).

Said Resolution mentions the contract of sale and lease agreement between the City and said parties, that it would be advantageous to the City to enter into and execute agreement without complying with provisions of Section 99 of the Charter relating to publication of notice, that it is the intention of the Council to ratify the agreement and purchase on said day, and that the City Clerk should be directed to publish a notice of ratification by the Council.

RESOLUTION NO. 116209, recorded on Microfilm Roll No. 74, authorizing the City Manager to execute for and on behalf of The City of San Diego a contract with Country Club Homes, a corporation, to save the City harmless from any costs which the City might incur in securing title superior to easement of the Pacific Telephone and Telegraph Company and to the easement of the San Diego Gas & Electric Company, in the streets in Muirlands Terrace Unit No. 2 Subdivision, was on motion of Councilman Schneider, seconded by Councilman Winote, adopted.

Said Resolution states that the corporation desires to file a Final Subdivision Map, and has been unable to secure signatures of the Telephone and Gas Companies as required by the City, that the corporation is willing to enter into agreement secured by surety bond agreeing to save the City harmless as mentioned above.

RESOLUTION NO. 116210, recorded on Microfilm Roll No. 74, authorizing and directing the City Manager, for and on behalf of The City of San Diego, to execute a contract with Country Club Homes, a corporation, for installation and completion of unfinished improvements and setting of monuments required for Muirlands 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 Winote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116211, recorded on Microfilm Roll No. 74, empowering the City Manager to enter into and execute a First Amendment to Fourth Supplemental Agreement for Aerial Survey with Fairchild Aerial Surveys, Inc., whereby for the sum of \$3,765.32 said Corporation will include in the areas to be mapped, pursuant to Fourth Supplemental

Agreement, the following sections within the City: H-9, H-12, and H-13 (Montgomery Airport); I-8, I-9 and I-10, all in accordance with form of agreement heretofore filed with the City Clerk as Document No. 483360, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116212, recorded on Microfilm Roll No. 74, accepting permit to excavate and maintain a drainage channel, executed by Arthur A. Cesena and Jennie Cesena on December 4, 1953, upon terms and conditions contained in said permit, filed in the office of the City Clerk as Document No. 483528, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116213, recorded on Microfilm Roll No. 74, accepting permit to excavate and maintain a drainage channel, executed by Viola Maud Clark on December 18, 1953, upon terms and conditions as are contained in said permit, filed in the office of the City Clerk as Document No. 483529, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116214, recorded on Microfilm Roll No. 74, accepting permit to excavate and maintain a drainage channel, executed by Clark Dedrick and Harriet Dedrick on December 1, 1953, upon terms and conditions contained in permit filed in the office of the City Clerk as Document No. 483530, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116215, recorded on Microfilm Roll No. 74, accepting permit to excavate and maintain drainage channel, executed by Mary Johnson and Joseph D. Johnson on December 3, 1953, upon terms and conditions contained in permit, filed in the office of the City Clerk as Document No. 483537, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116216, recorded on Microfilm Roll No. 74, accepting the permit to excavate and maintain a drainage channel, executed by Virgil S. Kipp and Louise L. Kipp on December 7, 1953, upon such terms and conditions as are contained in permit which is filed in the office of the City Clerk as Document No. 483538, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116217, recorded on Microfilm Roll No. 74, authorizing expenditure of \$48,689.00 from funds heretofore appropriated by Ordinance No. 5900 (New Series), which amount is to be deposited in court for the purpose of securing immediate possession to be condemned for the University Avenue Project, easterly and westerly of College Avenue, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

(Said Resolution does not recite what is to be secured for immediate possession).

RESOLUTION NO. 116218, recorded on Microfilm Roll No. 74, authorizing Howard A. Muhleman, City Prosecutor, to attend the annual Conference for Traffic Court Judges and Prosecutors, to be held at the University of Southern California, in Los Angeles, February 1 to 5, inclusive, 1954; authorizing the incurring of all necessary expense in connection with said trip, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116219, recorded on Microfilm Roll No. 74, allowing the bill of San Diego-City and County Visitors' Bureau, bearing date January 12, 1954, in the sum of \$6,484.43 for expenses incurred; authorizing requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1953-1954 for said sum, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116220, recorded on Microfilm Roll No. 74, accepting Deed of Union Title Insurance and Trust Company, bearing date November 17, 1953, conveying easement and right of way for street purposes in portion of Lot 1 Block 4 Asher's Clover Leaf Terrace; setting aside and dedicating the same to the public use as and for a public street, and naming the same Littlefield 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. 116221, recorded on Microfilm Roll No. 74, accepting deed of Theodore M. Coryell and Alice E. Coryell, bearing date October 19, 1953, conveying easement and right of way for street purposes in portion of Lot 1 Block 11 Asher's Clover Leaf Terrace; setting aside and dedicating the same to the public use as a public street, and naming the same Goldfield 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. 116222, recorded on Microfilm Roll No. 74, accepting deed of James H. Bellingham and Jean B. Bellingham, bearing date November 13, 1953, conveying easement and right of way for street purposes in portion of Lot 30 Block 13 First Addition to Asher's Clover Leaf Terrace; setting aside and dedicating the same to the public use as and for a public street, and naming the same Morenci 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. 116223, recorded on Microfilm Roll No. 74, accepting deed of Walter Anderson and Byrdie Anderson, bearing date October 29, 1953, conveying easement and right of way for street purposes in portion of Lot 30 Block 12 First Addition to Asher's Clover Leaf Terrace; setting aside and dedicating the same to the public use as and for a public street, and naming the same Lieta 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. 116224, recorded on Microfilm Roll No. 74, accepting subordination agreement, executed by James H. Meadows, beneficiary, and Security Title Insurance Company, trustee, bearing date November 19, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 30 Block 12 First Addition to Asher's Clover Leaf Terrace, 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116225, recorded on Microfilm Roll No. 74, accepting subordination agreement, executed by Theodore Mangano and Amelia Mangano, beneficiaries, and Land Title Insurance Company, trustee, bearing date December 30, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Section 81 Rancho de la Nacion, 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116226, recorded on Microfilm Roll No. 74, accepting deed of Fontabelle O. Snodgrass, bearing date December 14, 1953, conveying Lot 2 Block 2 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116227, recorded on Microfilm Roll No. 74, accepting deed of Robert E. Hill, bearing date December 9, 1953, conveying portion of Block "L" Resubdivision of portion of Villa Tract La Jolla 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. 116228, recorded on Microfilm Roll No. 74, accepting deed of Westlands Investments, Inc., bearing date December 21, 1953, conveying easement and right of way for street purposes in portion of Section 81 Rancho de la Nacion; setting aside and dedicating the same to the public use as and for a public street, and naming the same Sea Breeze 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. 116229, recorded on Microfilm Roll No. 74, accepting deed of Russell G. West and Helen M. West, bearing date January 4, 1954, conveying easement

and right of way for sewer purposes in portion of Lot 4 Block K Montclair; authorizing and directing the City Clerk to file said deed 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. 116230, recorded on Microfilm Roll No. 74, accepting deed of Lee Young, Jr. and Bertha Lee Wilson, bearing date December 29, 1953, conveying easement and right of way for sewer purposes in portion of Lot 44 Block 121 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 Wincote, adopted.

RESOLUTION NO. 116231, recorded on Microfilm Roll No. 74, accepting deed of Edwin E. Peabody and Mary O. Peabody, bearing date January 6, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 4 Block 26 Lexington 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. 116232, recorded on Microfilm Roll No. 74, accepting deed of Mac K. Thornton and Gertrude G. Thornton, bearing date January 5, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 53 Block 25 Lexington 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 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 its final passage a written or printed copy.

ORDINANCE NO. 5930 (New Series), recorded on Microfilm Roll No. 74, adding recently annexed territories to the City of San Diego to various Councilmanic districts, pursuant to provisions of Section 5 Article II of the Charter, 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.

The territories added to Councilmanic Districts heretofore shown and delineated on Map showing the boundary lines of said districts, as contained in Document No. 424186 on file in the office of the City Clerk, which districts were defined and which said map was approved by Ordinance No. 1012 (New Series), as follows:

Area designated as "Highlands-New Riverside Tract", described in Ordinance No. 5517 (New Series), adopted March 10, 1953, added to Councilmanic District No. 1;

Area designated as "Kathol-Beale Tract", described in Ordinance No. 5519 (New Series), adopted March 17, 1953, added to Councilmanic District No. 5;

Area designated as "Lot 47 Rancho Mission Tract", described in Ordinance No. 5599 (New Series), adopted May 26, 1953, added to Councilmanic District No. 4;

Area designated as "Kensington Park", described in Ordinance No. 5794 (New Series), adopted September 22, 1953, added to Councilmanic District No. 4;

Area designated as "Krasnow Tract", described in Ordinance No. 5795 (New Series), adopted September 22, 1953, added to Councilmanic District No. 4;

Area designated as "Waring No. 2 Tract", described in Ordinance No. 5866 (New Series), adopted December 1, 1953, added to Councilmanic District No. 4;

On motion of Councilman Wincote, 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 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. 5931 (New Series), recorded on Microfilm Roll No. 74, dedicating public land, being portions of Resubdivision of Florence (First Subdivision) and of adjacent Paradise Road closed to public use, for portion of a public highway and naming the same Lorenz Street, 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. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, Ordinance repealing Section 7 of Ordinance No. 13455, Section 7 of Ordinance No. 13456 and Section 9 of Ordinance No. 13457, all of which sections permit drilling for oil in the

116230 - 116232
5930 N.S.
Ord. introduced

areas zoned by the above-mentioned ordinances, 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 requested, and was granted unanimous consent to present the next matter, not listed on the Council's agenda:

RESOLUTION NO. 116233, recorded on Microfilm Roll No. 74:

"WHEREAS, Will C. Crawford is retiring from the position of Superintendent of Schools in San Diego, and

WHEREAS, he has for many years served the educational needs of San Diego with credit to himself and profit to the many Students who passed through the public schools under his wise and progressive administration; and

WHEREAS, he has lived among us as friend, counsellor and educator, NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That on behalf of The City of San Diego and of the people of this City, this Council takes this opportunity of expressing its appreciation for the work as an educator of Will C. Crawford in the schools of our City, and wishes him continued success in his chosen field of work in which he has reflected credit and honor upon himself and benefit to his fellowmen",

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 Council's agenda:

RESOLUTION NO. 116234, recorded on Microfilm Roll No. 74, authorizing Claire W. Burgener to be the Council's representative and a participant in the San Diego Chamber of Commerce good-will tour through Mexico, January 24th through the 31st, and to incur the necessary expenses in connection therewith, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The City Manager requested, and was granted, unanimous consent to present the next 2 matters, not listed on the Council's agenda:

RESOLUTION NO. 116235, recorded on Microfilm Roll No. 74, granting permission to Henry J. Waters, owner, to substitute 6" cast iron house sewer lines (in lieu of 4" lines) because elevation of City sewer will not permit installation of 1/4" fall per foot, at Nehi Bottling Plant now being constructed at 38th and A Streets; consisting of 4 fixtures and 2 sand traps, and waste will consist chiefly of clear water from bottling washing machines; subject to approval of the Chief Building Inspector and the City Manager, and upon express conditions that the City shall be held free and clear from any claim for damages, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116236, recorded on Microfilm Roll No. 74, granting permission to John B. Grogan, 5150 Hastings Road, San Diego 16, to connect a second dwelling to the existing sewer serving dwelling at 4414 Dawson Street; both dwellings located on Lot 20 Block 2 Alhambra Park, under one ownership; proposed sewer line to connect with existing line at point between the dwellings and run in a northerly direction to existing public sewer; subject to approval of the Plumbing Inspection Department and City Manager, and upon condition that The City of San Diego shall be held free and clear of any claim for damages by reason of the installation, operation and maintenance of said line, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

On motion of Councilman Wincote, seconded by Councilman Godfrey, Ordinance appropriating \$3,765.00 from the Unappropriated Balance Fund, and transferring the same to Outlay Account, Department 11.00, City Engineer's Fund, for the purpose of providing funds for additional Aerial Survey work to be performed for the City by the Fairchild Aerial Surveys, Inc., was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Mayor Butler was asked if he was sending a letter to Mr. Durkee (Frank B. Durkee, Director of Public Works, State of California - re Highway 80), he said that he was doing so.

For the record, although the Mayor had agreed to write, the following Resolution, was numbered:

RESOLUTION NO. 116237, recorded on Microfilm Roll No. 74, requesting the Mayor to send a letter to Frank B. Durkee, Director of Public Works, State of California, on the re-routing of Highway 80, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

1/14/54
1/19/54

Councilman Godfrey asked about zoning regarding the Knox Tract (presented under a hearing at the beginning of this meeting relative to annexation).

Councilman Kerrigan said that there would be an Ordinance for next Tuesday on the subject.

There was no action.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned, at the hour of 12:07 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

Vice

Mayor of The City of San Diego, California

By

Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, January 19,
1954

Present--Councilmen Burgener, Winco te, Schneider, Kerrigan, Dail
Absent---Councilman Godfrey, Mayor Butler.
Clerk----Fred W. Sick

In the absence of the Mayor, Vice Mayor Charles C. Dail acted as Chairman.

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:04 o'clock A.M.

On motion of Councilman Schneider, seconded by Councilman Burgener, the Minutes of the Regular Meetings of Tuesday, January 12, 1954, and of Thursday, January 14, 1954, were approved without reading, after which they were signed by the Vice Mayor.

The agenda listed 10 students as visitors from Lincoln Jr-Sr. High School. As a result, the Vice Mayor welcomed them to the meeting, and asked that they arise to be acknowledged. Apparently, the visitors did not arrive, inasmuch as there was no response.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving of bids for construction of Fire Station Building for Fire Engine Company No. 26, at 2850 - 54th Street - Specification No. 362 - the Clerk reported that 11 bids had been received, which bids were presented to the Council.

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

Said bids were as follows:

The bid of Warren T. Cessford Construction Company, Incorporated, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of 10% of the total amount of the bid, which bid was given Document No. 483740;

The bid of Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of 10% of the total amount of the bid, which bid was given Document No. 483741;

The bid of Loring and Company of California, a corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of 10% of the amount bid, which

Bids

bid was given Document No. 483742;

The bid of Lee J. Morgan, 341 E. Eighth Street, National City, accompanied by bond written by Seaboard Surety Company in the sum of 10% of amount bid, which bid was given Document No. 483743;

The bid of H. W. Grizzle, 3531 W. Camino Del Rio, San Diego, accompanied by bond written by Fire Association of Philadelphia in the sum of 10% of amount bid, which bid was given Document No. 483744;

Councilman Godfrey entered the meeting at this time.

The bid of Teyssier and Teyssier, accompanied by bond written by Seaboard Surety Company in the sum of 10% of maximum amount bid, which bid was given Document No. 483745;

The bid of J. A. Fernald, accompanied by bond written by London Guarantee and Accident Company, Limited, in the sum of 10% of amount of bid, which bid was given Document No. 483746;

The bid of J. P. Bender Jr. Construction Company, accompanied by bond written by Royal Indemnity Company in the sum of 10% of amount bid, which bid was given Document No. 483747;

The bid of K. G. Bitter and Haddock-Engineers, Limited, a joint venture, accompanied by bond written by Travelers Indemnity Company in the sum of 10% of amount of the bid, which bid was given Document No. 483748;

The bid of Rogers Construction Company, 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. 483749;

The bid of Nielsen Construction Company, 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. 483750.

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 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, 1954, to and including January 29, 1955, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$48.00, written by San Diego Trust and Savings Bank, which bid was given Document No. 483738.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

Councilman Kerrigan was excused from the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115630, for the paving and otherwise improving of Everts Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

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

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

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115631 for the paving and otherwise improving of 44th Street and Olive 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 Burgener, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115632 for the paving and otherwise improving of 68th Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Bids
Hearings

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 of Intention No. 115633, for the installation of Sewer Mains, Water Mains and appurtenances, the Clerk reported that no written protests had been received - relative to the improvement which is in Paradise Hills Units Nos. 2 and 3.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on Resolution of Intention No. 115392 for the paving and otherwise improving of the Alley in Block 89 Point Loma Heights - which had been heard on January 12, 1954 - T. C. Surles, Jr., was heard.

Mr. Surles told the Council that he had a majority protest, which he filed previous to this meeting on this date. Said petition was presented to the Council.

The City Engineer, answering questions of the Council, said that there had been a 67% protest as of last week.

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

C. N. Bishop told the Council about a new petition which he had. He read from the petition relative agreement on the part of the signing property owners consenting to the improvement at not over \$315.00 per lot. He said that he now has 13 in favor. Mr. Johnson (whom he did not identify further) went around with him, said Mr. Bishop, who added that there is not a majority in favor of the improvement.

Councilman Dail pointed out that additional signatures as of today - the hearing having been set for a week ago - has only moral weight, not legal weight.

Councilman Wincote spoke of the hearing having been held over earlier, and that the proceedings are ready for the Ordering of the Work. He told of the Council having no way of guarantying the cost, inasmuch as it is not known in advance what will be bid.

Mr. Bishop said he understood that the Council had agreed that the bids should come in, and that action would be taken at that time for making the final decision.

Councilman Dail told of there being no provision regarding further protests.

Councilman Schneider reported that the only way bids could be thrown out, once received, is if they are 10% above the estimate - based on Council policy.

An unidentified man, whose name was not given, wondered what would be the next step. He spoke of going along with the City Attorney.

Councilman Wincote, addressing Mr. Bishop, wondered why the interested property owners did not go into a private contract. He re-iterated, that the City cannot guaranty what a bid would be.

Mr. Bishop said that if the bid is "over", 4 or 5 can get together, to pay the difference. He spoke of the City having gone to expense already, and that previous expenditure would help toward meeting costs.

Councilman Wincote said that if abandoned, and revived, those costs would be added for engineering on another 1911 Act job.

Mr. Bishop emphasized that if the job is killed now, and comes up again, that cost will be added.

The unidentified man who spoke earlier, spoke again, and said he is definitely opposed.

The Vice Mayor closed the hearing.

RESOLUTION NO. 116238, recorded on Microfilm Roll No. 74, sustaining the various protests on file in the office of the City Clerk against the proposed improvement of the Alley in Block 89 Point Loma Heights, as provided in Resolution of Intention No. 115392, sustaining all other protests thereon; abandoning proceedings heretofore taken for said proposed improvement, 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 the continued hearing on Resolution of Intention No. 115496 for storm drains and appurtenances in Streamview Drive, 54th Street and Public Right - heard originally on January 12, 1954, the Vice Mayor reported that it had been agreed at that time to continue the hearing for 4 weeks, week-to-week.

RESOLUTION NO. 116239, recorded on Microfilm Roll No. 74, continuing the hearing on the proposed improvement of Streamview Drive, 54th Street and Public Right of Way, as provided in Resolution of Intention No. 115496, until the hour of 10:00 o'clock A.M., Tuesday, January 26, 1954, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The hearings on the Resolutions of Preliminary Determination No. 115802, 115803 and 115804, in connection with the paving of the Alley in Block 45 Normal Heights, the Storm drains in Olney Street et al, the paving and otherwise improving of 35th Street et al, were continued temporarily, awaiting return of Councilman Kerrigan to the meeting - inasmuch as 6 votes were needed to adopt the Resolutions of Feasibility.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2193, made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 195 City Heights and Lincoln Avenue, within the limits and as particularly described in Resolution of Intention No. 109805, the Clerk reported that written appeals had been received from Clarence J. Novotny, from George E. Crowle, which appeals were presented to the Council.

Asked about the subject of the appeals, the Clerk reported that they referred to excessive costs.

Clarence Novotny handed to each member of the Council a copy of his appeal, original of which was in the file. The appeal was read to the Council by the Clerk.

Councilman Kerrigan returned to the meeting at this time.

Mr. Mattern told the Council that the assessment is high. He asked how it was divided.

The Vice Mayor told Mr. Mattern that it has to be determined relative to the equitability.

The City Engineer answered that there are splits, and that it is hard to boil it down. He showed to Mr. Mattern the assessment plat and the assessments. The Engineer explained, from the work sheets, and told about property owners paying for work which includes water and sewer, in addition to the paving. The assessment is on a 80% - 20% basis, he stated, following the standard procedure.

There was a conference between members of the Council, the City Engineer, and the appellants.

Next, there was discussion between Councilman Burgener and Mr. Novotny over the street pavement. Councilman Godfrey joined in the discussion regarding payment for paving which had been done while the property was in the former City of East San Diego.

Mr. Novotny told the Council that he has paid many assessments, but this one is so large that he investigated. The assessment is far greater on percentage, on his than others, he stated. Each assessment should be equitable in comparison with other lots, Mr. Novotny said. The regular methods of assessment are all right on regular lots, he added.

Councilman Burgener asked if the assessment method is determined by policy or by ordinance.

Councilman Dail spoke of there being formulas used on different districts.

Councilman Burgener agreed that the assessment is not equitable, but added that if the assessment is taken off of one it has to be added to others.

Vice Mayor Dail asked the City Engineer if on account of testimony the Council should review the assessment roll.

The Engineer said that the Council decides in this matter is what he will use it for a policy.

Councilman Burgener asked the Engineer about the assessment spread.

The Engineer reported on the matter to Councilman Burgener.

Councilman Godfrey asked regarding deviation from the formula relative to the canyon.

The City Engineer spoke of discounting the assessment in those cases.

Mayor Butler entered the meeting at this point, but Vice Mayor continued to preside.

Councilman Godfrey said that here the formula does not work.

Councilman Schneider moved to close the hearing, which motion was seconded by Councilman Godfrey. The hearing was declared closed by the Chairman.

There was discussion over the possibility of the City being put in a position where the assessment could be attacked in Court.

Douglas D. Deaper, Deputy City Attorney, said that the Council can refer the assessment back to the City Engineer for reanalysis.

Councilman Burgener referred to the matter having to be unanimous, his point not being understood by the Clerk.

Councilman Schneider told the Council that the City Engineer has said that this is what he recommends.

Councilman Godfrey said that a question exists on certain properties, and that the City has already recognized the condition on canyon lots. He said it makes no difference which way the property falls off - above, or below, the street or alley in question. He advocated referring the matter back to the City Engineer.

Councilman Schneider said that Mr. Novotny had paid on the street in question in another city on a different formula. Now the matter is dealing with the assessment in San Diego, he stated.

Councilman Dail, acting as Chairman, stated that a motion would be in order to continue the assessment one week and refer it back to the City Engineer for re-appraisal.

Councilman Godfrey moved to refer the Assessment back to the City Engineer for re-appraisal, and that the matter of assessments on Boundary and on 33rd Streets' paving assessments should be looked into.

Councilman Godfrey said that it is the intent of the motion that the City Engineer is to look at the regarding concessions which have been made previously.

The roll was called, resulting in RESOLUTION NO. 116240, continuing hearing on the Street Superintendent's Assessment No. 2193 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 195 City Heights and Lincoln Avenue, as provided for in Resolution of Intention No. 109805 until the hour of 10:00 o'clock A.M., Tuesday, January 26, 1954; requesting the City Engineer to make a re-appraisal of the matter; also directing him to look into the matter of assessments made in connection with the paving of Boundary Street and 33rd Street paving at the time said streets were in East San Diego, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Mayor Butler took the Chair at this point.

The Council returned to consideration of the next 3 hearings, which had been held over due to lack of 6 members of the Council present:

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued temporarily on Resolution No. 115802 for the paving and otherwise improving of the Alley in Block 45 Normal Heights, within the limits and as particularly described in said Resolution, 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. 116241, recorded on Microfilm Roll No. 75, determining that the paving and otherwise improving of the Alley in Block 45 Normal Heights within the limits and as particularly described in said Resolution 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 Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived; the time to which hearing had been continued temporarily on Resolution No. 115803 for the construction of concrete pipe storm drains and appurtenances in Olney Street, Grand Avenue, Kendall Street, Diamond Avenue, Morrell Street, Noyes Street, Garnet Street, Lamont Street, Chalcedony Street, Academy Street, Beryl Street, and Public Rights of Way in Acre Lots 21 and 51 Pacific Beach, the Clerk reported that written protests had been received from Lois Torstrup, from Mrs. Beryl I. Henthorn, from Charles E. & Florence M. Hasha and others, which protests were presented. The latter-mentioned protest asks for a one month delay before action is taken, the heading of which was read to the Council by the Clerk upon the Council's request.

The City Engineer, answering the Mayor, said that there is an 18.6% protest, to be done out of the Bond Issue (50% property owners and 50% City payment).

The Mayor ^{to be} said it is also being a 1911 Act job, in addition to being a bond issue project, and said that the Council is to be guided by wishes of the property owners involved.

A speaker whose name was understood to be Marvin said he signed a protest which was filed (No such name could be found by the Clerk on a protest).

The Mayor asked the large group of persons who appeared at the microphone if there was a speaker representing the property owners as a whole.

L. A. Cartwright, 4937 Kendall Street, said that he represented a large group, and asked for deferred action. Time is not sufficient, on account of the holidays, to prepare a proper petition of protest. He asked for a 30-day continuance.

A Mr. Cervený, who did not give his first name or initials, said that the problem is "different". He had a map regarding the storm drain in Academy Street, and referred to an agreement with the Engineer in connection with an above-ground drain, which he declared to be sufficient for his area.

Councilman Schneider was excused from the meeting at this time.

Richmond Jackson told the Council that if the continuance is granted, he will make a verbal objection at the later time.

Councilman Burgener moved to continue the hearing for 4 weeks, week-by-week, which motion was seconded by Councilman Winco te.

Ona Bear(?) stated that she had signed an easement for a drain, which drain has been completed. She said she had been told that there would be no damage, but that her property has been damaged by flood. She wondered if she would have to wait 30 days (covering the suggested continuance on the hearing). Then she told the Council that there is water under the house, causing an unhealthy condition.

Councilman Kerrigan said that is a different situation from what is being heard.

Alfred Hochrean spoke ^{and showed} pictures, which he did not introduce for the file. He said that area is already flooded over the curbs, and that water has come into his rental units. He spoke of having tried to get a petition for drain, and was told that the only way would be when the street paved. Reed has been paved, he stated, but no drain had been installed "this side" of Ingraham. Mr. Hochrean said that the storm drain was not put in according to plan, and that a block was added to the drain, mentioning Thomas Ave. He said he had discussed the situation with the inspector and with the contractor, who did not agree with him. Now the place is flooded, he said. He will start suit against the City if and when storm drains go in and the area is still flooded, he warned. The drains are not in, he wants drains although he has already spent thousands to get out of the mud. He said that he has the right to sue, if he gets more floods.

RESOLUTION NO. 116243, recorded on Microfilm Roll No. 74, referring to the Manager flood conditions complained of by Ona Bear and Alfred Hochrean, in connection with hearing held this date on Resolution No. 115803 of Preliminary ^{determination} for construction of cement concrete pipe storm drains and appurtenances in Olney Street, Grand Avenue, Kendall Street, Morrell Street, et al., in Pacific Beach, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION No. 116242, recorded on Microfilm Roll No. 74, continuing the

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hearing on the proposed improvement of Olney Street, Grant Avenue, Kendall Street, Morrell Street, Noyes Street, Garnet Street, Diamond Street, Lamont Street, Chalcedony Street, Academy Street, Beryl Street and Public Rights of Way in Acre Lots 21 and 51 Pacific Beach, as provided in Resolution of Preliminary Determination No. 115803, to the hour of 10:00 o'clock A.M., Tuesday, January 26, 1954, was on motion of Councilman Burgener, seconded by Councilman Winco te, adopted.

(Said proceedings, covering the installation of Storm Drains, is to be continued from week-to-week for 4 weeks).

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 Resolution No. 115804 of Preliminary Determination for the paving and otherwise improving of 35th 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 property owners were present who desired to be heard.

RESOLUTION NO. 116244, recorded on Microfilm Roll No. 75, determining that improvement of 35th Street, Webster Avenue, Pardee Street, 36th Street and Pardee Place within the limits and as particularly described in Resolution No. 115804 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 Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2194 made to cover the costs and expenses of the installation of a sanitary sewer main in Littlefield Street and Knoxville Street, in Montezuma Terrace, the Clerk reported that written appeals had been received from Marion Parkison and Mrs. Grace H. Parkison, from Mr. and Mrs. L. R. McMaster and others, from Gerald R. Fair, from Ray J. and Kathryn E. Saunders, within the limits and as particularly described in Resolution of Intention No. 112877, which appeals were presented to the Council.

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

Prior to anyone being heard, however, the City Engineer reported a 75% property protest. He said that he thinks the property across the street should be included (it is not included in the assessment). He declared that the property across the street looks all right; it was unsubdivided and that the owners refused to be assessed for sewers. There had pressure to install the sewer, to correct a bad situation, he declared. He felt the district should be enlarged.

Asked about the matter, Douglas D. Deaper, Deputy City Attorney, told the Council that he thinks the Council cannot increase the district. He said he felt that the matter should be referred to the City Attorney and City Manager.

The Mayor stated there might be a possibility of making a contribution.

Mrs. L. R. McMaster told the Council that 2 of the 4 on "the other" side had signed. She felt that would equal the other side of the street.

The City Engineer said he felt Mrs. McMaster was right.

Mrs. L. P. Davis spoke of having owners signed on both sides of the street, and that she did not know that her side was paying the assessment alone.

The City Engineer spoke, again, about the unsubdivided property on the other side of the street, and told those interested that said property get hookups.

This matter was one which had been held from the earlier part of the hearing, and now further discussion was had, as follows:

The City Engineer has sent for Harvey Cole, from his office.

Mr. Cole stated that the other side can get into the street. The street was not improved, but nevertheless anyone can connect.

Mrs. Davis, who was heard earlier, said that it was not realized that her side of the street was to pay the assessment for all the work.

Councilman Dail said that there is a question if the district can be enlarged.

The couple on the other side, according to Councilman Winco te, would have made a majority.

An unidentified man, who did not give his name, said that "the Doctor" on the other side signed.

Mr. Cole said that sewers are put in on only one side at the time, occasionally. He spoke of a matter having to do with a schedule of timing. He told of having tried to induce the people to put in the sewer at contract, to no avail. He said they either would not, or could not do it. He spoke of the work, therefore, going in under a 1911 Act. He mentioned property being served on the west, north and south sides.

There was discussion between Mr. Cole and a woman.

Mr. Cole explained that plans had been drawn 4 or 5 years ago, that records had been checked in connection with the project. He spoke, again, of pressure being brought on the Engineer to file plans for the sewer, on account of pressure which had been exerted by the Health Department on account of health conditions.

The Mayor said that the hearing should be closed, and the matter referred to the City Attorney relative to legality of including further property than that included in the assessment roll.

RESOLUTION NO. 116245, recorded on Microfilm Roll No. 75, continuing the hearing on the Street Superintendent's Assessment No. 2194 made to cover the costs and expenses of installation of sanitary sewer main in Littlefield Street and Knoxville Street, under Resolution of Intention No. 112877, to the hour of 10:00 o'clock A.M., Tuesday, January 26, 1954; referring to the City Attorney the matter of change in the assessment district; also to the City Manager for investigation of verbal statements made by G. R. Fair and Mrs. Grace H. Parkison in connection with one sewer main but 2 assessments, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, being the time set for the continued hearing on the Street Superintendent's Assessment No. 2192 covering the paving and otherwise improving of the Alleys in Block 45 Ocean Beach, Public Rights of Way and Cable Street, within the limits and as particularly described in Resolution of Intention No. 111078, the Engineer reported that the protestant had made protest at the previous hearing on account of the water main paid for. He stated that he had found, upon investigation, that it had been paid for under an area assessment on another job - by small amounts. He said that is one of the cases where a long line had to be installed down to reach the main. That is a frequent thing, the Engineer stated, and added that the property owner had not paid for the water main.

Mrs. Paul Strombeck (wife of the appellant at the first hearing), disagreed by saying that they had paid for the water main on Orchard. She maintained that they had run their own line. She referred to her having been asked to sign an agreement in that connection. It had been supposed that there was not to be another main, but they were charged 60%.

The Engineer said what the Strombecks had was for temporary assistance, not a permanent water main. He said that the main had been put in at the request of the Water Department.

Councilman Burgener said that property owners do not know what City departments are going to require in the way of extra work.

Councilman Dail said that when anything is put in that is not petitioned for property owners should be notified.

Mrs. Strombeck said that the main does not benefit her property.

The hearing was held temporarily, when the City Manager sent for the Director of the Water Department.

The matter was resumed when Paul Beermann said Director, arrived.

Mr. Beermann told the Council that the main installed provides a circulating system, that end lots have already paid their assessment. The assessment is on the center, "a little above", he added.

There was discussion between members of the Councilmen and Mr. Beermann over a map which he exhibited. Mrs. Strombeck joined others in the conversation.

RESOLUTION NO. 116246, recorded on Microfilm Roll No. 75, continuing the hearing on the Street Superintendent's Assessment No. 2092, covering the paving and otherwise improving of the Alleys in Block 45 Ocean Beach, Public Rights of Way and Cable Street, within the limits and as particularly described in Resolution of Intention No. 111078, to the hour of 10:00 o'clock A.M., Tuesday, January 26, 1954, 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 furnishing of electric current for the assessment of four-fifths of the total amount of the costs and expenses of the work of improvement of furnishing electric current for the lighting of Mission Boulevard (Mission Beach Lighting District No. 1), together with maintenance of appliances; for a period of one year from and including May 15, 1954, to and including May 14, 1955, 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. 116247, recorded on Microfilm Roll No. 75, confirming and adopting as a whole the Engineer's Report and Assessment for Mission Beach Lighting District No. 1, filed in the office of the City Clerk December 11, 1953, 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 received January 12, 1954, for installation of traffic signal and safety lighting systems on Wabash Boulevard, Section B, was presented. It recommends award to Ets-Hokin & Galvan, low bidder - 4 bids received - at \$79,921.00. Also, it reports that the low bid is 25.7% below the estimate.

RESOLUTION NO. 116248, recorded on Microfilm Roll No. 75, accepting bid of Ets-Hokin & Galvan for installation of Traffic Signal and Safety Lighting Systems, Wabash Boulevard, Section "B", declaring the same to be the lowest bid, and the lowest, responsible and reliable bidder; rejecting all bids except said bid; awarding contract, authorizing and empowering the City Manager to execute for and on behalf of the City a contract upon execution, delivery and approval of the bonds as well as said contract, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116249, recorded on Microfilm Roll No. 75, declaring the bid submitted by V. R. Dennis, doing business as V. R. Dennis Construction Co. for installing Froude Street Pipe line, from Pt. Loma Avenue to Voltaire Street to be the lowest bid received, that V. R. Dennis is the lowest, responsible and reliable bidder; rejecting all bids received except bid at the unit prices set forth which amount to a total estimated amount of \$48,683.60; awarding contract, authorizing and empowering the City Manager to execute the same on behalf of the City upon execution by Dennis of said contract and upon execution, delivery, filing and approval of bonds required, was on motion of Councilman Kerrigan, seconded by Councilman Wimote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing 4,900 feet of Fire Hose for the Fire Department, as per specifications on file in the office of the City Clerk under Document No. 483638, was presented.

RESOLUTION NO. 116250, recorded on Microfilm Roll No. 75, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of Fire Hose, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116251, recorded on Microfilm Roll No. 75, approving plans and specifications for furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for Small Water Main Replacements Group II, in various locations, bearing official Document No. 483611; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Application of Louie Kraus, for cabaret license at Turf Club, 1116 25th Street, was presented together with recommendations for approval.

RESOLUTION NO. 116252, recorded on Microfilm Roll No. 75, granting permission to Louie Kraus to conduct a cabaret with paid entertainment at The Turf Club, 1116 - 25th Street, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, forwarding petition proposing rezoning of 6 lots on Terrace Drive, 3 on each side of the street, from R-2 to R-4 zoning, was presented. It states the lots are immediately north of the C Zone on Adams Avenue in Kensington Park recently annexed to the City. The report says that all of the owners of the lots proposed to be rezoned have signed the application with some adjoining owners signing their approval; no protests were received, and the Planning Commission recommended rezoning to R-4. It suggested forwarding to the City Attorney's Office for drafting of a proper ordinance prior to setting for a public hearing.

RESOLUTION NO. 116253, recorded on Microfilm Roll No. 75, requesting the City Attorney to prepare and present the necessary ordinance for rezoning from the present R-2 to R-4 of Lots 6, 7, 8 Block 17 and Lots 6, 7, 8 Block 18 Kensington Park, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for rezoning portion of Lot 72 Rancho Mission, from the prevailing R-1 to C and CP Zones, was presented. It states that the matter had come before the Council which referred it back to the Planning Commission to for consideration of M-1A Zoning in place of CP and C. The communication suggests forwarding to the City Attorney's office for drafting of a proper ordinance prior to setting a public hearing.

RESOLUTION NO. 116254, recorded on Microfilm Roll No. 75, requesting the City Attorney to prepare and present the necessary ordinance for rezoning portion of Lot 72 Rancho Mission from Zone R-1 to M-1A and CP, 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 from R-4 to C Zone of Lots 7 and 8 Block 91, Lots 11 and 12 Block 92, Lots 1 through 4 Block 97 and Lots 5 and 6 Block 98 Roseville, being the 4 corners of Rosecrans and Keats Streets, was presented. It states that the petition bears the signatures of 100% of the owners of the land proposed to be rezoned, except the northeast corner, which is owned and occupied by the Federal Government as a portion of its Naval Training Center. The report states that one of the signers appeared at the hearing and withdrew her approval, and protested against the proposed rezoning. It says that in addition to the owners of the land proposed to be rezoned, petition bears signatures of 11 other property owners within 300 feet of the proposed rezoning. Also, it says that a petition of protests and letters in protest were filed with the Planning Commission, and they represent 38 lots within 300 feet of the proposed rezoning, 29 lots within 500 feet of the proposed rezoning and 21 lots over 500 feet from the area. It states that one lot shows signatures both for and against the proposal. Summarized, 17 lots favor, 88 lots protest and one lot now protesting where they had originally signed favoring the petition. The report goes into detail relative to the character of the property, previous attempts to rezone and the Planning Commission's earlier denials. The communication states that the zoning pattern is conventional and acceptable, and includes portion of DeFalco's Market and park-log lot, but the Planning Commission took the stand that, in view of the history of rezoning attempts in the area and the number of protests that the Commission could not approve the rezoning, and voted 5-0 to deny the petition.

RESOLUTION NO. 116255, recorded on Microfilm Roll No. 75, denying petition for rezoning from the present R-4 Zone to C Zone of Lots 7 and 8 Block 91; Lots 11 and 12 Block 92; Lots 1 through 4 Block 97 and Lots 5 and 6 Block 98 Roseville, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting that the Planning Commission initiated zoning of portion of Lot 47 Rancho Mission annexed to the City in October 1953, was presented. It states that the property lies immediately adjacent to the rear of Lots 260 and 261 of Kensington Heights Unit No. 3, at the northwesterly end of Canterbury Drive, which land annexed has no street frontage. Also, it advises that no protests were received, and the Planning Commission voted 5-0 to recommend zoning R-1 as shown on Drawing B-576, and recommended forwarding to the City Attorney's office for drafting of proper ordinance prior to setting for public hearing.

RESOLUTION NO. 116256, recorded on Microfilm Roll No. 75, requesting the City Attorney to prepare and present the necessary ordinance for zoning portion of Lot 47 Rancho Mission into R-1, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, stating that the Commission on January 13, 1954 considered the present "House Moving" ordinance wherein it requires that the Department of Inspection shall refer any application for moving of a building within the City "to the Planning Commission or Zoning Committee for its approval", was presented. The communication says that inasmuch as the ordinance establishing an Architectural Review Board and Architectural Control throughout the City requires that said board pass on the appearance of any structures to be moved within the City, the Planning Commission was of the opinion that it was a waste of the Planning Commission's time for them also to review the same material. It states that the Planning Commission, therefore, in a formal motion recommended that the "House Moving" ordinance be amended or changed so that the moving of a house, or any other structure, within the City shall be referred to the Architectural Review Board by amending the present "House Moving" ordinance so that the Architectural Review Board will take the place of the Planning Commission or the Zoning Committee.

RESOLUTION NO. 116257, recorded on Microfilm Roll No. 75, requesting the City Attorney to prepare and present the necessary Ordinance to amend the "Housing Moving" ordinance so that the moving of a house, or any other structure, within the City shall be referred to the Architectural Review Board instead of the Planning Commission or the Zoning Committee, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, stating that it has been proposed by the City Water Department that the name of Alta Way in La Jolla Hermosa, between the north line of Bird Rock City By the Sea and the south line of Camino de la Costa be changed to Electric Avenue to correspond to the name of the street to the south of which Alta Way is a continuation. Said communication reports that in addition to the portion of Alta Way mentioned, another portion of Alta Way 10' in width exists between the north line of Camino de la Costa and La Can(y)ada parallel to the old San Diego Electric right of way which also should be changed to Electric Avenue. It points out that Electric Avenue is shown on the Major Street Plan as a through street from Pacific Beach to La Jolla. Also, it says that the Commission recommended by a vote of 5-0 that the name of Alta Way between the north line of Bird Rock City By the Sea and the south line of La Can(y)ada be changed to Electric Avenue.

RESOLUTION NO. 116258, recorded on Microfilm Roll No. 75, adopting recommendation of the City Planning Commission for changing the name of Alta Way to Electric Avenue; directing the City Attorney to prepare and present the necessary ordinance changing said name, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, submitting communication from Donald P. Devor, 2535 Erie Street, San Diego 10, regarding assessment for improvement of Erie Street, was presented. It states the Assessment Roll was confirmed January 5, 1954, that Mr. Devor lives in the new house which had a water service connection and when the street was improved under 1911 Improvement Act another water service was installed. The communication points out that the assessment for the water service was \$54.96, and was installed for Lot 5 Block 68 Morena. It recommended that the Council order a refund made.

RESOLUTION NO. 116259, recorded on Microfilm Roll No. 75, adopting recommendation of the City Engineer contained in Document No. 483540 that a refund be made to Donald P. Devor, 2535 Erie Street, San Diego, in connection with a second water service installed at a cost of \$54.96 to serve Lot 5 Block 68 Morena; directing that the proper City department or departments issue a warrant in favor of Donald P. Devor, claimant, in said sum to cover the duplicated water service, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from American Federation of Government Employees, Affiliated to the American Federation of Labor, San Diego Council 12th AFGE District, dated January 14, 1954, signed by Joseph F. McGee, president, 2236 W. Jewett Street, San Diego 11, was presented.

Said communication requests that the Council take immediate action to resolve the zoning of the Kearney Mesa area adjacent to the U.S. Naval Air Station,

Miramir, in compliance with the request of the Navy. The communication makes various statement in which it was felt that compliance with the Navy's request is in the best interest of the City of San Diego and its future development, also that immediate favorable action will go far to cement the spirit of cooperation and assure the best interests of the City and the Navy.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the communication was ordered filed, and the Mayor requested to answer the communication to the effect that proper and orderly procedure is being taken.

Communication from Council of Chambers of Commerce and Civic Clubs, signed by Mrs. Isabel Rosser, Exec. Secretary, dated January 14, 1954, was presented. It favors retention of Highway 80 in its present location along El Cajon Blvd., et al, with designation of Alvarado Canyon and Mission Valley Freeway Routes as Highway 80 Alternate or By-Pass.

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

Communication from Lottie Czapp (Mrs. Walter J), 3062 Evergreen, suggesting that a Resolution be adopted relative to increased pay for Government Service Personnel, which was dated Jan. 11, 1954, was presented.

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

Communication from Dr. and Mrs. Mack J. Harris, 5026 Hastings Rd., San Diego 16, California, dated Jan. 13, 1954, expressing need for a campaign against smog in San Diego, was presented.

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

Communication from Lion (Clothing Company), signed by William Jeffrey, President, dated January 13, 1954, relative to the No Parking restriction on Fifth Avenue between A Street and E Street, and expressing opposition, was presented. In addition to going into the subject in detail, it states in conclusion that it is the writer's opinion that the no parking action of the Council is a mistake, whether as a trial or as a permanent matter. If permanent, it says, the property owners by reason of the detrimental effect on business in the downtown area should expect a tax reduction. Also, the communication advises that businesses are not looking for tax reductions but for increased business. It requests that the Council reconsider its decision as to the parking situation in the downtown area.

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

RESOLUTION NO. 116260, recorded on Microfilm Roll No. 75, directing notice of filing of the Street Superintendent's Assessment No. 2200 and of the time and place of hearing thereof, for installation of Sewer Mains in Old San Diego, J. P. Jones Sub., P/L 1101, Bay View Quarter Acres, Bay View Addition, Joseph Reiner's Sub., et al., within the limits and as particularly described in Resolution of Intention No. 109063, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116261, recorded on Microfilm Roll No. 75, directing notice of filing of the Street Superintendent's Assessment No. 2198 and of the time and place of hearing thereof, 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116262, recorded on Microfilm Roll No. 75, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Camino del Collado; approving Plat No. 2524 showing the exterior boundaries of the district to be included in the assessment for the work and improvement; directing the City Clerk to file said plat in the office of the City Engineer upon passage of the resolution of intention, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116263, recorded on Microfilm Roll No. 75, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Birch Street; approving Plat No. 2556 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 upon passage of the resolution of intention, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116264, recorded on Microfilm Roll No. 75, approving plans, drawings, typical cross-sections, profiles and specifications for the installation of a street light system in 30th Street, Upas Street, Ray Street and University Avenue; approving Plat No. 2558 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 to file said plat in the office of the City Engineer upon passage of the resolution of intention, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 116265, recorded on Microfilm Roll No. 75, accepting bid of Gilman Grading Co., a co-partnership, and awarding contract for the paving and otherwise improving of Georgia Street, within the limits and as particularly described in Resolution of Intention No. 115144, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

A written report from the City Engineer states that said bid is 9.3% below the estimate.

RESOLUTION OF AWARD NO. 116266, recorded on Microfilm Roll No. 75, accepting bid of Cox Bros. Construction Co., a co-partnership, and awarding contract for the paving and otherwise improving of Gloria Street, within the limits and as particularly described in Resolution of Intention No. 115145, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

A written report from the City Engineer states that said bid is 26.6% below the estimate.

RESOLUTION OF AWARD NO. 116267, recorded on Microfilm Roll No. 75, accepting bid of M. H. Golden Construction Company, a corporation, and awarding contract for the paving and otherwise improving of J Street and 43rd Street, within the limits and as particularly described in Resolution of Intention No. 115146, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

A written report from the City Engineer states that said bid is 9.4% below the estimate.

RESOLUTION OF AWARD NO. 116268, recorded on Microfilm Roll No. 75, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract for the paving and otherwise improving of Landis Street and the Alley in Block 82 City Heights, within the limits and as particularly described in Resolution of Intention No. 115147, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

A written report from the City Engineer states that said bid is 9.3% below the estimate.

RESOLUTION OF AWARD NO. 116269, recorded on Microfilm Roll No. 75, 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. 1, for a period of one year from and including March 1, 1954, to and including February 28, 1955, in accordance with the Engineer's Report and Assessment filed October 23, 1953 in the office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 116270, recorded on Microfilm Roll No. 75, 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, 1954, to and including February 28, 1955, in accordance with the Engineer's Report and Assessment filed October 23, 1953 in the office of the City Clerk was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD NO. 116271, recorded on Microfilm Roll No. 75, 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. 3, for a period of one year from and including March 1, 1954, to and including February 28, 1955, in accordance with the Engineer's Report and Assessment filed October 23, 1953 in the office of the City Clerk, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 116272, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of the Alley in Block 66 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 115493, was on motion

of Councilman Dail, seconded by Councilman Burgener, adopted.

~~RESOLUTION ORDERING WORK NO. 116272, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of the Alley in Block 66 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 115493, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.~~

RESOLUTION ORDERING WORK NO. 116273, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of Linda Rosa Avenue and La Jolla Mesa Drive, within the limits and as particularly described in Resolution of Intention No. 115494, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 116274, recorded on Microfilm Roll No. 75, for the paving and otherwise improving Shafter Street and Carleton Street, within the limits and as particularly described in Resolution of Intention No. 115495, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 116275, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of Wrelton Drive, within the limits and as particularly described in Resolution of Intention No. 115393, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 116276, recorded on Microfilm Roll No. 75, 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, 1954, to and including April 30, 1955, in accordance with Engineer's Report and Assessment filed December 4, 1953, in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116277, recorded on Microfilm Roll No. 75, 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, 1954, to and including March 4, 1955, in accordance with plans and specifications contained in Engineer's Report and Assessment filed November 6, 1953 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116278, recorded on Microfilm Roll No. 75, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Hermosa Lighting District No. 1, for a period of one year from and including May 1, 1954, to and including April 30, 1955, in accordance with Engineer's Report and Assessment filed November 25, 1953 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116279, recorded on Microfilm Roll No. 75, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 4, for a period of one year from and including April 1, 1954, to and including March 31, 1955, in accordance with Engineer's Report and Assessment for Talmadge Park Lighting District No. 4 filed November 20, 1953 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116280, recorded on Microfilm Roll No. 75, 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, 1954 to and including March 15, 1955, in accordance with Engineer's Report and Assessment filed November 6, 1953 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 116281, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of the Alley in Block 25 Ocean Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 116282, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of the Alley in Block 76 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions of Acre Lots 16, 37, 45, 46 and Blocks 150 and 151 Pacific Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 116283, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of Alley in Block 176 University Heights, 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. 116284, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of Birch 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. 116285, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of Camino del Collado, 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. 116286, recorded on Microfilm Roll No. 75, for installation of street lighting standards, etc., on 30th Street, Upas Street, Ray Street and University Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116287, recorded on Microfilm Roll No. 75, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 67 Park Villas, Public Right of Way and Villa Terrace, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116288, recorded on Microfilm Roll No. 75, ascertaining and declaring the wage scale for the paving and otherwise improving of Arbor Drive, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116289, recorded on Microfilm Roll No. 75, ascertaining and declaring the wage scale for the paving and otherwise improving of Boundary Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116290, recorded on Microfilm Roll No. 75, ascertaining and declaring the wage scale for the paving and otherwise improving of Haines Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116291, recorded on Microfilm Roll No. 75, ascertaining and declaring the wage scale for the paving and otherwise improving of 17th Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116292, recorded on Microfilm Roll No. 75, approving diagram of the property affected or benefited by the work of improvement to be done on the paving 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 Resolution of Intention No. 112882 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 Dail, adopted.

RESOLUTION NO. 116293, recorded on Microfilm Roll No. 75, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 88 E. W. Morse's Subdivision, within the limits and as particularly described in Resolution of Intention No. 111679 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 Dail, adopted.

RESOLUTION NO. 116294, recorded on Microfilm Roll No. 75, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 4 Washington Heights, within the limits and as particularly described in Resolution of Intention No. 113491 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 Dail, adopted.

RESOLUTION NO. 116295, recorded on Microfilm Roll No. 75, approving diagram of the property affected or benefited by the work of improvement to be done on 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 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 Dail, adopted.

RESOLUTION NO. 116296, recorded on Microfilm Roll No. 75, 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 Alleys in Block 43 City Heights, within the limits and as particularly described in Resolution of Intention No. 114133 and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116297, recorded on Microfilm Roll No. 75, directing the City Engineer to furnish diagram of the property affected or benefited by the work and improvement on the paving and otherwise improving of the Alleys in Block 43 W. P. Herbert's Subdivision, within the limits and as particularly described in Resolution of Intention No. 113380 and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116298, recorded on Microfilm Roll No. 75, 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 Alleys in Block 11 North Shore Highlands, within the limits and as particularly described in Resolution of Intention No. 114358 and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116299, recorded on Microfilm Roll No. 75, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement of the paving and otherwise improving of the Alley in Block 63 University Heights, and Meade Avenue, within the limits and as particularly described in Resolution of Intention No. 114359 and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116300, recorded on Microfilm Roll No. 75, 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 Fortuna Avenue, Honeycutt Street, Morrell Street and Crown Point Drive, within the limits and as particularly described in Resolution of Intention No. 114136 and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116301, recorded on Microfilm Roll No. 75, authorizing the Street Superintendent to grant Cox Bros. Construction Co. a 15-day extension of time for completion of contract for improvement of portions of Gresham Street and Oliver Street, in accordance with his recommendation filed in the office of the City Clerk under Document No. 483264, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116302, recorded on Microfilm Roll No. 75, granting permission to Henry J. Waters to construct a 6" vitrified clay pipe sewer on "A" Street, west of Home Avenue, by private contract, in accordance with specifications etc. furnished by the City Engineer and filed in the office of the City Clerk under Document No. 483089, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116303, recorded on Microfilm Roll No. 75, authorizing and empowering the Port Director to do all the work in connection with Contractual assistance in construction of Port Captain's Pier, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, 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.

RESOLUTION NO. 116304, recorded on Microfilm Roll No. 75, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 3, between the City of San Diego as Lessor and David C. Campbell, George E. Campbell, Hazel V. Campbell and Lydia J. Campbell, co-partners doing business under the name and style of Campbell Machine Company as lessees, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution refers to previous lease and amendments.

Communication from the Harbor Department, signed by Carl F. Reupsch, Acting Port Director, states that the amendment was drawn at the request of the City Auditor and Comptroller to eliminate necessity of issuing concession returns on a marine service station operation which has never been constructed, that rental is established on monthly basis rather than gallonage and percentage originally established in the lease.

RESOLUTION NO. 116305, recorded on Microfilm Roll No. 75, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 1, between The City of San Diego as Lessor and Star and Crescent Oil Company as Lessee, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution refers to previous lease.

Communication from the Harbor Department, signed by Carl F. Reupsch, Acting Port Director, states that the amendment covers premises on the Embarcadero at the foot of Hawthorn, and adds a parcel of land covering a pipeline right of way across Harbor Drive, Pacific Highway and Hawthorn Street. It also adds an amendment for one additional option to renew, and provides for a rental review on the basis of each two and one-half year period.

RESOLUTION NO. 116306, recorded on Microfilm Roll No. 75, directing notice of filing of the Street Superintendent's Assessment No. 2199 made to cover the costs and expenses of the work done upon 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 Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116307, recorded on Microfilm Roll No. 75, directing the Property Supervisor, pursuant to authorization of Ordinance No. 4367 (New Series), which ordinance was ratified by vote of the electors of the City at a special municipal election held June 6, 1950, to advertise for at least 5 consecutive days in the official newspaper of the City, sale at public auction of Block 107 Horton's Addition - which is no longer needed for City purposes, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Said Resolution states that James Kopecky, of the Acme Truck Rental Co. has petitioned the Council to put the property up for sale and has deposited with the Property Supervisor \$100.00 to cover costs pertaining to the sale, including cost of title report, and as a guaranty that the depositor will at the sale bid the minimum fixed by the Council. It says, also, that the City Manager has filed a communication recommending that said property be sold. Reason given for selling is that the same is no longer needed for City purposes. It states value of the real property as disclosed by appraisal of a qualified real estate appraiser is \$100,000.00, that the minimum amount the Council will consider is \$100,000.00, and that the Council reserves the right to reject any and all bids at said public auction.

RESOLUTION NO. 116308, recorded on Microfilm Roll No. 76, directing the Property Supervisor to advertise for at least 5 days in the official newspaper of the City the sale at public auction of Lots 39, 40, 41, 42 Block C Alta Vista Suburb - which is no longer needed for City purposes, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Said Resolution states that the City has heretofore placed on sale by Resolution No. 115815 passed and adopted December 15, 1953; that since passage of the Resolution and the established minimum price of \$3,000.00 for said property, the City has paid \$1,175.00 for existing and valid street bonds which have become due and payable, that the

minimum price should be established as \$4,175.00 and that the City Manager has recommended sale of said property. It states that the City has heretofore caused an appraisal of the property to be made by a qualified real estate appraiser and the value has been determined to be \$4,175.00, and that the Council reserves the right to reject any and all bids at said public auction.

RESOLUTION NO. 116309, recorded on Microfilm Roll No. 75, authorizing the City Manager to employ Cox Bros. Construction Co. to replace 50 feet of curb at the intersection of Dwight Street and Wilson Avenue, shown on Engineer's Drawings 10600-L and 10601-L for \$200.00, which shall be payable from Ordinance No. 5341 (New Series), was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Said Resolution states that The City has heretofore entered into contract with Cox Bros. Construction Co. for grading, paving and otherwise improving of portions of Dwight Street and Wilson Avenue under a 1911 Street Improvement Act proceeding, that the drawings show 50 feet of curb to be replaced by the City, that Cox Bros. Construction Co., the contractor, has offered to do the work at and for \$200.00, and the City Manager has recommended acceptance of the offer.

RESOLUTION NO. 116310, recorded on Microfilm Roll No. 75, authorizing 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, to save the City harmless from any costs which the City might incur in securing title superior to easement of San Diego Gas & Electric Company in the streets in Allied Gardens Unit No. 2 Subdivision, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Said Resolution states that Maxson Corporation, Bonwood Corporation, and Fineview Corporation, desires to file a Final Subdivision Map of Allied Gardens Unit No. 2, and has been unable to secure signature of San Diego Gas & Electric Company, a corporation, on ownership certificate on said Map, dedicating streets within the subdivision, as required by the City. Also, it states that said corporations are ready and willing to enter into agreement, secured by surety bond, agreeing to save The City harmless from any cost which the City might incur in securing title superior to easement of the San Diego Gas & Electric Company, in the streets within said subdivision.

RESOLUTION NO. 116311, recorded on Microfilm Roll No. 75, authorizing and directing the City Manager, for and on behalf of The City of San Diego, to execute contract with Maxson Corporation, a corporation, Bonwood Corporation, a corporation and Fineview Corporation, a corporation, for installation and completion of unfinished improvements and setting of monuments required for Allied Gardens 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 Dail, seconded by Councilman Schneider, adopted.

Said Resolution states that the San Diego Municipal Code requires subdivider to enter into contract with The City of San Diego to install and complete improvements not already installed and completed and to set the required monuments in positions specified on the map before the final map is accepted by the Council. Also, it says that there are yet to be installed and completed and required monuments to be set as specified and that said corporations have executed such a contract accompanied by the necessary bond of faithful performance.

RESOLUTION NO. 116312, recorded on Microfilm Roll No. 75, authorizing and empowering the City Manager to enter into amendment to lease agreement filed in the office of the City Clerk under Document No. 438382, with B. L. Hansen, Dean H. Hansen and Algie Hopfe, whereby rental provisions as set forth in paragraph Two of lease for 2-1/2 period commencing with August 1, 1951 and terminating January 31, 1954, remain unchanged; amending paragraph Three by changing minimum period of operation of snack bar from May 1 through September 30 to period from May 15 through September 15, upon terms and conditions as are contained in said amendment which is filed in the office of the City Clerk as Document No. 483772, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution states that The City of San Diego has entered into lease agreement for portion of City's building on Santa Clara Point in Mission Bay for operating restaurant and snack bar for benefit of the general public, that paragraph Two provides for adjustment of amount of rental to be paid to the City beginning February 1, 1954, for 2-1/2 years thereafter; that parties have agreed upon rental provisions to be paid; that paragraph Three of said lease requires restaurant be operated six days each week during months of May through September; that it has been demonstrated that operation of snack bar during first two weeks of May and last two weeks of September is unprofitable, and undesirable both to the City and lessees and should be changed.

RESOLUTION NO. 116313, recorded on Microfilm Roll No. 75, states that the City Manager and Park Commission have recommended rates to be established as service charges for use of facilities of Balboa Park Club, that rates heretofore established by Resolution No. 96576 should now be rescinded; setting terms and conditions as service charges to be made by the City, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted - as follows:

1. Where the lounge and ballroom are used for purposes other than, and not including serving of meals or food -
 - (a) For schools, colleges and other youth organizations, per day \$ 75.00
 - (b) For charity, fraternal, and service organizations for charitable, fraternal, or service club purposes, per day 150.00

2. For use of lounge and ballroom for any activity which includes serving of dinner or other type meal, rent shall be 25¢ per plate with minimum charge of \$200.00 per meal, or \$300.00 per day, when more than one meal is served and in addition to rental charge, caterer shall be required to replace all losses due to breakage.

3. For use of lounge along, either in morning, or afternoon, or evening, charge per day of.....\$ 35.00;

Rescinding Resolution No. 96576 passed and adopted on the 19th day of January, 1950, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116314, recorded on Microfilm Roll No. 75, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego an Agreement for Instructors in training methods for crew of workmen 45 hours of instruction to one class of 30 employees of the City, between the City and Ross Evans, John Rohrbough and Dale Lovell, all of San Diego County, under terms and conditions set forth in form of agreement on file in the office of the City Clerk under Document No. 483710, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116315, recorded on Microfilm Roll No. 75, approving Change Order No. 1, dated December 30, 1953, heretofore filed with the City Clerk as Document No. 483712, issued in connection with contract between The City of San Diego and A. F. Anderson for construction of alterations and additions to Sewage Treatment Plant, contract contained in Document No. 480215 on file in the office of the City Clerk; changes amounting to increase in contract price of \$115.00, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116316, recorded on Microfilm Roll No. 75, approving request of Engineering Constructors, Inc., dated January 7, 1954, contained in Change Order No. I-A-3, for extension of 45 days to and including March 12, 1954, heretofore filed with the City Clerk as Document No. 483714, in which to complete contract for construction of Sutherland-San Vicente Conduit Section I, which contract is contained in Document No. 466147 on file in the office of the City Clerk; extending completion to March 12, 1954, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116317, recorded on Microfilm Roll No. 75, approving Change Order No. 1, dated December 29, 1953, heretofore filed with the City Clerk as Document No. 483716, issued in connection with contract between The City of San Diego and W. V. Hutchinson for construction of drain, Balboa Street easterly to Pacific Highway, contained in Document No. 482973; changes amounting to increase in contract price of \$750.00, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116318, recorded on Microfilm Roll No. 75, approving request of The Shea Company, dated January 6, 1954, contained in Change Order No. 5, for extension of 40 days to and including February 15, 1954, heretofore filed with the City Clerk as Document No. 483718, in which to complete contract for construction of Black Canyon Tunnel (Sutherland-San Vicente Conduit), contract contained in Document No. 457158 on file in the office of the City Clerk; extending completion time to February 15, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116319, recorded on Microfilm Roll No. 75, authorizing and directing the Park and Recreation Director, under provisions of Section 22.1502 of the Municipal Code, to execute on behalf of The City of San Diego a Use and Occupancy Permit with San Diego Men's Art Institute, copy of which is on file in the office of the City Clerk under Document No. 483796, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

(Although location is not stated, the "House of Charm, Balboa Park" was written into Copy of Document No. 483796, as result of Clerk inquiring from City Manager).

RESOLUTION NO. 116320, recorded on Microfilm Roll No. 75, approving in all respects form of Preferential Non-Exclusive Use and Occupancy Permit on file in the office of the City Clerk as Document No. 483721; authorizing and empowering the Park and Recreation Director, subject to approval of the City Manager, to enter into and execute Preferential, Non-Exclusive Use and Occupancy Permits for periods of one year in accordance with form of Preferential, Non-Exclusive Use and Occupancy Permit filed in the office of the City Clerk as Document No. 483721, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116321, recorded on Microfilm Roll No. 75, approving in all respects the form of Special Events Permit on file in the office of the City Clerk as

Document No. 483723; authorizing and empowering the Park and Recreation Director, subject to approval of the City Manager, to enter into and execute Special Events Permits for periods of one year, in accordance with form filed in the office of the City Clerk under said number, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116322, recorded on Microfilm Roll No. 75, granting permission to Cal-Tel Corp., a California corporation, to erect, install, maintain, repair and improve system of television transmission conductors, together with necessary equipment, over, etc., streets, alleys, public grounds in Glencleft as described in said Resolution, for providing service and audio signal transmission from antennas owned by the permittee to subscribers of permittee's service in area commonly known as Glencleft subdivision, on the several terms and conditions set forth in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

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

RESOLUTION NO. 116323, recorded on Microfilm Roll No. 75, authorizing and approving expenditure of \$18,502.00 from funds heretofore appropriated by Ordinance No. 5900 (New Series), for purchase of Lot 213 Clairemont Manor Unit #2, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116324, recorded on Microfilm Roll No. 75, accepting deed of Union Title Insurance and Trust Company, bearing date January 7, 1954, conveying Lot 213 Clairemont Manor Unit 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.

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 4 members of the Council. 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. 5932 (New Series), recorded on Microfilm Roll No. 75, amending Section 101.0703 of San Diego Municipal Code regulating powers and duties of the Board of Architectural Review, was on motion of Councilman Dail, 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 Dail, the reading of the next ordinance in full prior to its 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. 5933 (New Series), recorded on Microfilm Roll No. 75, creating position of Senior Radio Technician in the Classified Service, and establishing Schedule of Compensation - Standard Rate Number 22 - therefor, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler; Nays--None; Absent--Councilmen None.

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 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. 5934 (New Series), recorded on Microfilm Roll No. 75, changing the name of portions of Marilou Road to 47th Street, and changing name of portion of Marilou Road to Brookline Street, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler; Nays--Councilmen None; Absent--Councilmen None.

The proposed Ordinance appropriating \$18,502.00 from funds heretofore appropriated out of the Capital Outlay Fund by Ordinance No. 5901 (New Series), for the purpose of providing funds for purchase of Lot 213 Clairemont Manor Unit #2, to be used for Play ground purposes, was presented.

The City Manager announced that the Ordinance was not needed. As a result, it was filed.

Councilman Kerrigan referred to discussion which had been held in Conference relative to Knox Drive, but that the Conference had adjourned before the matter completed.

The Mayor said that it is still on the Conference agenda.
There was no action.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the next ordinance was introduced.

The reading of said ordinance in full was dispensed with by a vote of not less than 4 members of the Council, on motion of Councilman Kerrigan, seconded by Councilman Schneider. 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. 5935 (New Series), recorded on Microfilm Roll No. 75, establishing the grade of the Alley in Block 1 Berkeley Heights, between the easterly line of Shiloh Road and the westerly line of 54th Street, 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.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the next ordinance was introduced.

The reading of said ordinance in full was dispensed with by a vote of not less than 4 members of the Council, on motion of Councilman Kerrigan, seconded by Councilman Schneider. 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. 5936 (New Series), recorded on Microfilm Roll No. 75, establishing the grade of the Alley in Block 1 College Park Unit No. 1, between the northerly line of Lindo Paseo and the easterly prolongation of the northerly line of Lot 12 Block 13 College Park Unit No. 2, 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.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the next ordinance was introduced.

The reading of said ordinance in full was dispensed with by a vote of not less than 4 members of the Council, on motion of Councilman Kerrigan, seconded by Councilman Schneider. 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. 5937 (New Series), recorded on Microfilm Roll No. 75, establishing the grade of the Alley in Block 127 San Diego Land and Town Company's Addition, between the northwesterly line of Sampson Street and the southeasterly line of Evans Street, 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.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the next ordinance was introduced.

The reading of said ordinance in full was dispensed with by a vote of not less than 4 members of the Council, on motion of Councilman Kerrigan, seconded by Councilman Schneider. 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. 5938 (New Series), recorded on Microfilm Roll No. 75, establishing the grade of the Alley in Block 24 Resubdivision of Blocks K and L Teralta, between the south line of El Cajon Boulevard and the north line of Orange Avenue, 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.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the next ordinance was introduced.

The reading of said ordinance in full was dispensed with by a vote of not less than 4 members of the Council, on motion of Councilman Kerrigan, seconded by Councilman Schneider. 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. 5939 (New Series), recorded on Microfilm Roll No. 75, establishing the grade of Lindo Paseo, between the southerly prolongation of the easterly line of Alley in Block 1 College Park Unit No. 1, and a line parallel to and distant 146.00 feet westerly therefrom, 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.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the next ordinance was introduced.

The reading of said ordinance in full was dispensed with by a vote of not less than 4 members of the Council, on motion of Councilman Kerrigan, seconded by Councilman Schneider. 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. 5940 (New Series), recorded on Microfilm Roll No. 75, estab-

lishing the grade of Quimby Street, between a line parallel to and distant 245.00 feet northwesterly from the northwesterly line of Locust Street and a line parallel to and distant 25.00 feet northwesterly from said parallel line, 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.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, Ordinance consenting to a portion of University Avenue within The City of San Diego becoming a County Highway, 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

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

RESOLUTION NO. 116325, recorded on Microfilm Roll No. 75, appointing to a Board of Zoning Adjustment, pursuant to provisions of Section 101.0501 of the San Diego Municipal Code, which creates such a board: Milton W. Lancaster and Henry Landt to serve for one year; Ray S. Jones and George Bergman to serve for two years, and W. A. Dewhurst to serve for 3 years, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

There being no further business to come before the Council at this time, the Mayor recessed the meeting at the hour of 11:58 o'clock A.M. until the hour of 2:00 o'clock P.M., this date.

The Mayor appeared in the Council Chamber at the hour of 4:00 o'clock P.M., and declared the meeting adjourned.

ATTEST:
FRED W. SICK, City Clerk

By

August M. Hadsstrom
Deputy

John D. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, January 21, 1954

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing of Lawrence O'Connell, Rt. 1 Box 73, Brawley, California, from the decisions of the Zoning Committee Resolutions Nos. 7942 and 7943 in denying applications of Sidney L. and Elinore N. Davis, owner, and Lawrence and Raymond O'Connell, purchasers, (being Zone Variance denial of provisions of Ordinance No. 85 New Series, and Property Use denial), to erect and operate trailer park of 150 units on portion of Pueblo Lot 264 bounded by Morena Blvd., proposed Tecolote Creek Channel, the northeasterly line of Pueblo Lot 264, and the proposed Tecolote Valley Road, being approximately 263.8 ft. by 981.35, easterly corner of Knoxville St. and Morena Blvd., in Zones C and R-1, the report from the Zoning Committee, signed by D. E. South and dated Jan. 19, 1954, was presented and read.

116325
Ord introduced
Hearing Trailer Park

The report says that the property was placed in the trailer park district in 1942, and on November 5, 1952, the Planning Commission considered a request for an addition to the district, but denied it. The City Council took no action and filed the request on November 18, 1952, it says. The report continues by reporting that since then the City has amended the Major Street Plan, thereby isolating the area requested as an addition from surrounding areas, with no access except by way of Morena Blvd. The communication reports that another request was then made to the Planning Commission on October 21, 1953 by Mr. O'Connell, but was denied by a vote of 7-0. It was then forwarded to the Council who approved the addition to the trailer park district by a vote of 6-0, it states. It reports that with the decision of the Council to approve the addition, Mr. O'Connell went ahead with plans and made application for Zone Variance and Resolution of Property Use. Further, it states that at the time of filing of those applications, the owner and purchaser had a majority of the signatures within a 300-foot area, but by time petitions had been set for hearing on December 9, 1953, letters and petitions of protests had been filed in the Mayor's Office and Planning Department in large numbers. There were 1,435 names of protestants on petitions from all over the City of San Diego, with letters from San Diego College of Women and various business firms, as well as individuals in the City and as far away as Phoenix, Arizona. The Zoning Committee heard pros and cons at great length, but because of the great number of protests, and action of the Planning Commission at the hearing on the trailer park district, denied both the application for Zone Variance and application for Resolution of Property Use, by vote of 3-0.

The above-mentioned report was read to the Council by the Clerk.

Glenn A. Rick, City Planning Director, was asked by the Mayor to make a verbal report. Mr. Rick showed a map relative to the Trailer Park districts. He said there is a trailer park in the general vicinity, and explained the proposition in detail.

Councilman Godfrey entered the meeting at this time.

Mr. Rick continued, by telling about the denials.

Next, the Mayor invited persons from the audience, interested, to be heard.

R. M. Switzler, attorney, representing the appellants, spoke. He spoke of being confronted by a difficult and powerful organization which offers objections, but which he declined to name. He said that he would try to convince the Council that objections should be withdrawn. It is a 2-fold problem, he stated, but mainly a 1-fold effect on the neighborhood, as well as on the entire City. The ideas had been set 12 years ago, in connection with Trailer activities, he said, declaring that wise decisions were involved in the establishment. The particular location was set aside 12 years ago for a trailer park, which was a growing thing even 12 years ago, he pointed out. Mr. Switzler related the growing large sales of trailers. He said a survey had shown that over 2,000,000 persons "live on wheels". The villages on wheels are largely in Southern California and in Florida, he stated. He told of the huge investments in trailers and trailer parks. The Council confirmed the action of the Council of 12 years ago, Mr. Switzler declared. He spoke of the trailer park area having been extended by the Council, confirming the wise foresight. The area in question was described as a slough, swamp, gulch or mud hole as the character of the property - and so declared by the City Attorney in a case regarding suit on account of a flood, he stated. The Castle on the Hill has no more right to object than the man in Phonex, inasmuch as it is 4,000 feet away, according to the speaker. He spoke of standing on the hill and not being to see from the College, except by going 150 feet away from it. It is not an experiment, inasmuch as it operates now, according to Mr. Switzler. He passed maps and photographs. It was his contention that the matter involves an important precedent for the whole City - and added that there is an investment of \$175,000.00, plus the increased taxes which will accrue. He re-iterated the limited view from the College.

Mr. Davis, one of the appellants, explained directly from a map which had been posted on a wall, including comments about aerial and topographical maps. He pointed out on the map the property in question, as well as the College.

Mr. Switzler said that the College sees nothing but mud hole. From photos he identified as 5 & 6 he showed to the Council what could be seen. A trucking concern could be established, he said. The map showing the property owners within 300 feet is important, he declared. Mr. Switzler said that 51 owners within 300 feet had been contacted; 41 responded - 30 of 41 had responded in favor of the Trailer Park. Approximately 90% of the residents in the immediate area want the Trailer Park improvement to go in. He told about the elaborate developments now in vogue in Trailer Parks, pointing out that many trailer have more improvements than homes of some objectors. He declared that they house not people of the Castle on the Hill type, but more modest people. The Chamber of Commerce wants tourists, but Mr. Switzler declared that objectors don't want tourists unless they go somewhere else. Recreation, which would be provided, would be of benefit to the entire neighborhood, he stated, and added that the area is a moral hazard as of now. The appellants want to improve that, he declared. Those who speak of wanting improvement of the moral situation are the objectors, according to Mr. Switzler. He told about it being financially impossible to subdivide, inasmuch as it would be necessary to construct bridges. A change to C Zone would cause financial difficulty, in the speaker's opinion. Mr. O'Connell, one of the appellants, has acceded to the City's request to surrender portion of the property - to trade for another portion, instead of the City having to condemn property for improvement of an open ditch. If this (variance) does not go through, the City will have to condemn. It would eliminate danger of overflow and improve flood conditions, he declared. Also, it would avoid future law suits on account of imminent overflow as of now, he stated. Mr. Switzler referred to statements on the petition which are not true. The proposal would increase the value of the area, according to him. Protests, if made, should have been as of a long time ago. He declared that the variance and property use should be granted, on account of the various benefits which would result. In his opinion, applicants should be complimented and encouraged.

Mayor Butler called on Admiral Wilder Baker, representing the metropolitan

planning committee of the Chamber of Commerce. Admiral Baker stated that the committee is asking that before a change is made in zones, including the mouth of Mission Valley, 101, Mission Bay, etc., the matter should be subjected to wide study regarding future, instead of the zoning of small areas. He asked for a wide study - including applications for variances.

Councilman Wincote told Admiral Baker that the Council is willing to study the matter, but that the request is so broad that there is need to study each case as it comes up.

Councilman Dail asked Mr. Rick regarding the draft of the new trailer park ordinance, which has been discussed. He told about its having been circulated through various organizations.

Mr. Rick told the Council that he had received a reply from the Chamber of Commerce on the matter of the proposed ordinance.

Admiral Baker told the Council that he was not qualified to comment on this case.

The Mayor said that it is true that there is a requirement for signatures within 300 feet of the area affected, but that anyone may express his opinions.

Dr. Ward Woods, at the invitation of the Mayor, spoke next. He told the Council that he was an unofficial representative of the College for Women and the surrounding area. He told of a great institution having been started, and that it is alarmed at the down grading of the area surrounding the property. Four to five millions of dollars have already been put into the college, and there will ultimately be some 25 millions. When the institution becomes a great university as is going up, it will be of tremendous importance to the improvement of the area around it. Answering Councilman Schneider, Dr. Woods said that eventually there will be a view from the college under its future expansion. It is not a question of "this" particular area, but the precedent which may be developed for the future, Dr. Woods declared.

Councilman Wincote brought up the question of the College having objected to the proposed garbage plant of the City, some years ago. The Trailer Park would not be as objectionable as the existing Cudahy plant, he pointed out. He spoke for control of the area, justifying the institution, and added that the Trailer Park would not be an improvement. The Planning Commission has considered the matter carefully, and has denied the application, Councilman Wincote stated. He said he could not answer Councilman Burgener relative to the opposing of trailers in the "green" zone on the map which was being exhibited.

The Mayor called on Tom Fanning, attorney, former Deputy City Attorney. Mr. Fanning said that he has been asked to "represent someone", whom he did not identify, but that he had not expected to say anything. Much of the argument has amounted to argument for the present developers, he said. A Trailer Park requires little money to develop, and they do not increase the value of the surrounding property, he thought. The University of California, in Berkeley, does, however, he declared. He spoke of not being able to rezone the Cudahy plant property, but the Council could for other area. He told of the Planning Department's view of previous activities relative to the moving of houses on account of Mission Bay project, on which he had worked. There would not be another Cudahy, and told about the City having acquired the rights of way relative to the Bay project, and the right of way which had been acquired for use of property as a garbage disposal plant.

Discussion was held between Councilman Wincote and Mr. Fanning relative to said property referred to as a disposal site for garbage having originally been acquired for a sewage disposal plant.

Mr. Fanning took the view that the University is supported by "little people". He spoke of the possibility of other trailers, which would probably follow this proposal if granted.

Councilman Wincote asked about the zone for Frontier Housing.

Mr. Rick said that it is M-1, but would still require permit for trailer park.

Mr. Fanning declared that there are two questions: regarding investments, especially the high valuation (of the College property).

There was a burst of applause from the large audience.

Following a statement to the Mayor by Councilman Kerrigan, Mr. Butler asked that there be no interruptions, inasmuch as the Council was aware of the feelings group in attendance supporting the College as opposed to the trailers.

Fred R. Merchant owns the adjoining property, he told the Council. It is a flood area, he states. Mr. Merchant said that unless the City can straighten out the property, it is in an even worse condition now, on account of Clairemont. He declared it to be serious. He contended that the land in question is 10 to 15 below the street, and that it is a swamp and mudhole. It was his opinion that property owners could not put up the bridge (apparently required in connection with subdivision). Also, he declared that it would not be possible to put in business to offset the cost of filling the land. It is a sort of Tonnerville proposition, he added. Mr. Merchant stated that he did not like the Coastal Trailer park when it went in, but that he has since changed his view. That area has been filled and improved, he stated. He said again that it is a mud flat Tonnerville. The ditch going through is the only way the property can be improved, which would be followed by streets and other improvements. He told the Councilmen that he is supporting the variance.

Mrs. Zelman, who did not give her first name or initials, spoke of being within the 300-foot area, to which reference had been made several times. She told of having lived in a trailer for 5 years. She stated that it is not necessary to have a trailer park on the highway, but have to have access from some street. Mr. Zelman declared that some persons write to other states where they can get cheap license plates, and that thereby they do not support the highways. It was her contention that the trailers are obliged to exhibit plates, which accounts for individuals getting cheap ones from other states where the owners register them. Mrs. Zelman said that there are protestants not shown on the map to which the Council had been referring. She made the statement that insurance companies will not sell insurance to trailer court people, because their credit is not good. Also, she declared that trailer dwellers give small support to churches, and members do not move their letters from their home churches. She pointed out that she is a Civil Defense member, and declared that no one from the Coastal Trailer Park had agreed

to volunteer for defense work. She spoke of the owner of the property having been able to cut the weeds or fill the mud holes, about which there had been conversation - if he had been interested in the community. There is trash dumped there, Mrs. Zehlman said. She said that if there were houses there, instead of trailers, they would be assessed accordingly. The speaker agreed that the owner would give land for land to the City - but that he would also expect dirt.

A woman who gave the name pronounced "LaMarteen", spoke. She related that she is an M.D. and has a daughter who will go to the college (which has been protesting the proposed trailer court). The doctor said that she does not want an undesirable condition. She said that she was unimpressed, and certainly bored by the figures given at the beginning of the hearing by Mr. Switzler, attorney for the applicants who are the appellants. She declared that the Council has to see beyond this trailer park. Trailers, in many instances, have been sold under pressure she declared. The doctor told the Council that Navy people do not want to live in trailers. She said she was not impressed by arguments for this location. The speaker said that she likes Mission Valley. She admitted that we have smog now, and pleaded that not more be added in the Valley by trailers. In the speaker's opinion, the College hill has the potentiality of Mission Hills. She declared that the College buildings will be there 100 years from now. She stated that said institution will bring money from elsewhere, rather than take money from the City. The proposal is one of monetary interest, the speaker stated.

Mr. Zholer, who did not give his first name or address, told the Council that he lives at Knoxville and Nashville. There is not too much difference between the height of other land and the so-called mud hole, he stated. Most of the property owners in the area had favored the original proposal, but some have disapproved of the expanded area, he asserted. In his opinion, it is a different proposal now.

Councilman Wincote corrected a statement regarding the area, as related by Mr. Zholer.

Mr. Zholer stated that people who bought realized the nearby zoning.

Councilman Dail reviewed the protest.

Mr. Zholer told the Council that he is not in favor of the proposal now.

Councilman Schneider told the Council, and those interested in the hearing, that he has to leave in 2 minutes, inasmuch as he had made a previous engagement, for which he would have to take the train. He asked if there could be a vote today.

It was indicated that the answer to the question would be "no".

Councilman Schneider was then excused from the meeting. He expressed his regret for having to leave.

There was discussion between Councilmen Burgener, Wincote and Mr. Zholer over the views of neighbors.

Mrs. Rupp, who did not give her first name or initials, expressed opposition and said that Mrs. Ellis (whom she did not identify further) opposes, also. She spoke of looking onto the trailer courts, and that they are disturbing.

Mr. Zholer told the Council that he is a high school teacher, and that he is interested in the delinquency question; and declared that delinquency is not natural, but is created.

Mrs. Monleah, who did not give her first name or initials, told the Council that she was "for it, first", but that she opposes it now.

Mrs. Charles Quinn, who lives in Coronado, spoke next. She said that she is an alumna of the group which opposes the variance. The College does not oppose trailer, she declared, but is against the down-grading. She spoke of the situation as of now, and of vision of the future.

There was discussion between Mrs. Quinn and a man who did not identify himself.

Councilman Wincote spoke for writing in conditions for a variance.

Mrs. Quinn, addressing Councilman Wincote, said that students would mean \$1,000,000 per year - according to a statement issued a few days ago by the California Western University in connection with its funds campaign.

Councilman Wincote declared the area to be "impossible". He said he hopes it will be upgraded eventually, and that it is occupied by shacks now.

Mrs. Quinn said that Council speaks of upgrading later, but that it would be down-graded now (to permit the trailer park). The issue is one for years ahead, she declared.

The Mayor declared the hearing closed.

Despite having declared the hearing closed, there were many more speakers heard, and the hearing extended into a second session later in the day.

Mr. Switzler spoke about the "4" photo, on account of the cost of moving homes.

Mr. Davis, who did not give his first name or initials, spoke of the many letters, petitions, both for and against the proposal, according to the map. (The Mr. Davis referred to is one of the appellants, and one of the owners of the property).

Councilman Kerrigan moved to refer the entire matter to conference.

Councilman Burgener said that there is need for the making of a check.

Councilman Godfrey said that the Council needs to study the situation carefully, and that it should go out and look at the property.

Councilman Godfrey seconded the motion, and added that there should be a date for the decision.

There was added to the motion the matter of 2 weeks for consideration, made by Councilman Kerrigan, seconded by Councilman Godfrey.

Mr. O'Connell (one of the appellants), but it was not known which one, was heard. He said that he wanted to speak for not more than 5 minutes. He told the Council that he owns the Coastal Trailer Park, about which mention had been made. Mr. O'Connell said that there is a problem involved in raising \$180,000. He told the Council that he was supposed to complete the transaction tomorrow. He said that it is immaterial which

way the hearing goes. He said that he can get \$40,000. investment for the same "at home" as the \$180,000. here.

The Mayor pointed out that it needs 5 votes of the Council to overrule the Zoning Committee.

Councilman Wincote suggested that the Council go into Conference on the matter today.

Mr. O'Connell assured the Council that Mr. Davis, owner of the property, would not be hurt either way the hearing goes.

Councilman Wincote said that Councilmen are aware of the situation.

Councilman Godfrey said that in general the answer is "yes", but that it is a big proposition. He spoke for fairness and for logical consideration.

Mr. O'Connell referred to the escrow on the property, which is about to expire.

Councilman Dail commented that there is wide spread interest on both sides. He said he favored action today.

Mr. Davis told the Council that Glenn Rick, the Planning Director, had made the maps.

Councilmen Wincote, Burgener, and Dail all said that it is important to consider the issue today.

Councilman Godfrey told of interest in the right answer.

Dr. Woods tried to speak, but the Mayor restrained him, declaring that the question was now up to the Council.

Councilman Godfrey said that he was willing to go look at the situation today.

Councilman Kerrigan moved to adjourn the meeting to the hour of 3:00 o'clock P.M., today.

The hearing was continued to the hour of 2:00 o'clock P.M., this date, on motion of Councilman Kerrigan, seconded by Councilman Dail.

(See page 199 of these Minutes for disposition of this hearing).

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Wm. H. Black, owner, and Edmond Mirandon, purchaser, from the decision of the Zoning Committee in denying by its Resolution No. 7967, permission to construct a single-family residence on portion of Pueblo Lot 1296, legal description of which is on file in the Planning Office - on Ridge Way Lane, Zone R-1, report from the Planning Department, signed by D. E. South, was presented and read.

The report refers to request to split out a parcel, without street frontage on a dedicated street, and states that it is located on a rather long private road extending north from Ardath Road past the City dump to Torrey Pines Road.

The report states that Mr. Andeck represented the owner at the Zoning Committee hearing. Said representative had stated, according to the report, that as others in the area have been granted the right to build by Zone Variance, he felt Mr. Mirandon should have the same right on the property which has approximately 27,500 sq. ft., and is comparable to other lots in the area. It says that zone variances have been granted in the past to take portion of large Pueblo Lots and create building sites without benefit of subdivision maps. The practice of metes and bounds sales on undeveloped property has developed into a bad practice without adequate streets and utility provisions, according to the report. It says, further, that the purchaser through Mr. Andeck had requested a decision so he could appeal to the Council if necessary, and that the Zoning Committee had denied the application by a vote of 3 to 0.

Councilman Wincote said that the hearing is occasioned by the metes and bounds proposal.

Glenn A. Rick, City Planning Director, agreed, and added that it includes things which go with it. He showed the Council a map of the property.

Councilman Wincote described the property as being south of Scripps Road.

Mr. Rick agreed, and showed further from the map posted on the wall.

The Mayor related that there will be difficulty involved in the filing of a map.

Mr. Rick said that was true, regarding dedicated streets, etc.

Andrew Andeck, representing Edmund Mirandon, the purchaser, was heard. He told the Council that the proposed lot is a little less than an acre, that it had been sold to Mr. Mirandon as a friend, at a minimum price. Mr. and Mrs. Mirandon are anxious to have a lot in country atmosphere, he stated. He told about a stable and lots to the south which had developed as result of variance. Mr. Andeck told the Council that Mr. Black, the owner, holds a large La Jolla area under trust, which he cannot subdivide, but that he can sell from the land not more than 5 lots per year. He passed to members of the Council requirements for filing subdivisions. He filed for variance and had been advised by the Planning Department that the property is larger than R-1B Zone, according to the speaker. Mr. Andeck recites from regulations regarding requirements for filing of subdivisions. He told of having acted in good faith. Next, he read from the Resolution of denial. Item 2 (of the application for variance, presumably) is not correct. After having been turned down, December 1, a building had been started on the edge of the property - under a variance - Mr. Andeck declared. When the City sets up rules it should follow them, according to the speaker.

Mr. Rick stated that Mr. Fulson's variance had been granted in 1948, including an offer to dedicate land if and when requested to do so, by the City. He spoke of an agreement having been signed to that effect. He said that he thought that the agreement would automatically include the variance, but that the Attorney had ruled differently. He said that he would recommend to the Zoning Commission reinstatement of the variance.

The Mayor told of the new policy for subdivisions.

Councilman Wincote said that is true - but with exceptions.

Mr. Andeck said that there are many exceptions. No policy was in existence when the contract had been entered into in October. He disagreed with item 3 (presumably of the application, again), and said that it can't be true. Mr. Andeck said that building of the house on the parcel as requested under variance could not endanger the area. He spoke of being able to turn the property over to Mr. Mirandon.

Councilman Wincote said that the City does not need more information, nor does the property owner. He said that the questions are relative to the various conditions.

Mr. Rick said that the point Councilman Wincote is making has to do with eliminating requirements - should be by the Council instead of the Commission. He reiterated that it should be the decision of the Council. He said that the reason the Admiral Murral property is a mess is on account of the previous metes and bounds divisions. He said the Black property on the mesa is beautiful. The City should not grant variances simply because the property is an acre, he declared.

Councilman Dail wondered if Mr. Black could go into court in connection with the trust and not being able to subdivide.

Mr. Andeck said that Mr. Mirandon is agreeable to the filing of a map of survey in the office of the County Recorder.

Councilman Wincote asked if he would not subdivide.

Mr. Rick told the Council that the property not yet identified as a subdivision that way. He said that there is an ordinance of the City, and that Mr. Andeck had underlined only a portion of the ordinance, and then quoted a portion of the Subdivision Law.

Mr. Andeck told about having entered into the matter on good faith, and charged that the City is changing rules in the middle of the stream. He said that he had tried to follow the procedure, but that the rules had been changed.

Mr. Rick said that if he thought the property would qualify, he would recommending granting, but that he could not recommend modifying the law to comply with the request.

Mr. Rick said that the matter is up to the petitioner.

An unidentified lady said that she sees all kinds of streets; certain areas will create problems, but not this one.

Discussion was entered into between Councilman Wincote and Mr. Andeck.

Mr. Andeck said that the map would cost \$900.00, and that the buyer can't afford it just to get a survey. It is impracticable to require for just one lot the entire subdivision provisions.

Mr. Mirandon told the Council that he has already expended close to \$1500., due to the previous information. He can't continually spend money, the appellant stated.

Mrs. Donald Donnelly told the Council that everyone seems to overlook the fact that the City should be proud of the College for Women. It developed that the speaker was referring not to this hearing, but to the previous hearing.

A woman, who did not give her name but who was presumed to be Mrs. Mirandon, on account of her comments, spoke. She said that she had looked forward to living on this piece of property, and that getting it resulted in the first opportunity for the prospects of living where desired.

Councilman Burgener said that the City should not put forth one procedure, but go through with another.

Councilman Godfrey said that the printed material does not give all the information.

Councilman Wincote wondered about the understanding between the owner, and the new owner.

Councilman Burgener moved to grant the appeal and overrule the decision of the Zoning Committee. The roll call on the motion was as follows: Yeas--Councilmen Burgener, Wincote. Nays--Councilmen Kerrigan, Dail, Godfrey, Mayor Butler. Absent--Councilman None. The motion was declared lost.

Petition of Phyllis Campbell, 3046 Lowell Street, San Diego 6, requesting hearing on the previous request for rezoning from R-4 to C Zone of portions of Block 91, 92, 97 and 98 Roseville, at the intersection of Rosecrans and Keats Streets (which proposed rezoning was denied by the Planning Commission by a vote of 5-0 - and denied by the Council on January 19, 1954) was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the petition was continued for a period of two weeks - to February 4, 1954.

Communication Alvarado Communication Association, signed by A. T. Roskos, M.D., president, dated January 13, 1954, was presented. It quotes a letter sent to the San Diego County Planning Commission and to the San Diego County Board of Supervisors objecting to new asphalt plants in Mission Valley, etc., was presented. It states that since the area in question is in the City of San Diego, it is felt that the City authorities should undertake every effort to protect the health and welfare of its citizens against encroachment of proposed County activities upon the people of the City of San Diego.

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

Hearing - Mirandon-Black appeal
Communications

Resolution of the Board of Directors of the TiaJuana Valley County Water District - numbered 29, adopted January 14, 1954 - favoring annexation to the City of San Diego, was presented. Said Resolution was transmitted by Sarah E. Berry, secretary, in the form of certification of adoption of the Resolution.

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

Communication from Kiwanis Club of Pacific Beach, signed by Royden G. Andresen, president, dated January 15, 1954, recommending appointment of C. Harry Burnaugh to the Mission Bay Advisory Committee, was presented. It states that a few weeks ago Clinton D. McKinnon had been recommended, but that Mr. McKinnon has acquired interests in Los Angeles and that he regrets that he is unable to serve upon the committee due to his Los Angeles enterprise.

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

Communication from R. T. Blair, Jr., Secretary to the Board of Directors of the Chamber of Commerce Board of Directors, was presented. Said communication, dated January 18, 1954, attaches resolution reaffirming action taken by the Chamber in September, regarding the zoning of the property in the vicinity of NAS Miramar. The matter favors the creation of M1-A zone.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said matter was referred to the Mayor.

Communication from Southern California Exposition & San Diego County Fair, dated January 15, 1954, signed by Paul T. Mannen, was presented. It states that the City of San Diego is invited to exhibit at the 1954 Southern California Exposition and County Fair, June 25 through July 5. Among the items mentioned, it states that exhibit space will be furnished on a gratis basis.

On motion of Councilman Wincote, seconded by Councilman Dail, the communication was ordered filed.

Communication from G. C. Weldin, U.S.N. (Ret.) opposing further rate increase for the Pacific Telephone and Telegraph Co., dated 1/18/1954, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the communication was ordered filed.

Communication from Young Christian Workers', signed by Jeannette Peranski, dated January 10, 1954, commending the City in connection with the Nativity Scene at the Organ Pavillion, Balboa Park, and expressing favorable views in connection with the exhibit, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the communication was ordered filed.

RESOLUTION NO. 116326, recorded on Microfilm Roll No. 75, stating that bid submitted by W. V. Hutchison for installation of Small Water Main Replacements, Group No. 10, Specification 57 is the lowest bid received, and that said Hutchison is the lowest, responsible and reliable bidder; rejecting all bids received except said bid; awarding contract for installation of said Replacements, at unit prices which amount to total estimated sum of \$79,977.50; authorizing and empowering the City Manager to execute, for and on behalf of the City, a contract with W. V. Hutchison for said work upon execution by said Hutchison of contract, and upon execution, delivery, filing and approval of bonds required, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from the Plaming Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of Muirlands Terrace Unit No. 2, subject to posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 116327, recorded on Microfilm Roll No. 75, adopting Map of Muirlands Terrace Unit No. 2, being subdivision of portion of Pueblo Lots 1257 and 1262; accepting on behalf of the public West Muirlands Drive and unnamed easements for public purposes; declaring them to be public street and unnamed easements and dedicated to the public use; authorizing and directing the City to endorse upon said map as and for the act of the Council, that they are accepted on behalf of the public as dedicated; 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 Burgener, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, stating that lot stakes and block corners in Whitefield's Subdivision were set by the private engineer and checked and accepted by the City Engineer by letter dated

August 26, 1953. It states that work, previously accepted was satisfactorily completed under private contract in accordance with plans and specifications under Document No. 453273, that all charges owed the City have been paid and bond posted may be released since all water mains and appurtenances have been quitclaimed to the City.

RESOLUTION NO. 116328, recorded on Microfilm Roll No. 75, authorizing the City Manager to accept work on behalf of The City of San Diego in Whitefield Subdivision, and to execute a Notice of Completion and have the same recorded, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, stating that lot stakes and block corners in Churchward Heights Subdivision were set by the private engineer and checked and accepted by the City Engineer by letter dated May 25, 1953. It states work, previously accepted by letter dated May 25, 1953, was satisfactorily completed by Young & Loftus under private contract in accordance with plans and specifications under Document No. 453600, that all charges owed the City have been paid and bond posted may be released since all water mains and appurtenances have been quitclaimed to the City.

RESOLUTION NO. 116329, recorded on Microfilm Roll No. 75, authorizing the City Manager on behalf of The City of San Diego to accept work in Churchward Heights Subdivision, and to execute Notice of Completion and have the same recorded, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116330, recorded on Microfilm Roll No. 75, authorizing E. W. Blom, Assistant City Manager, to go to San Francisco for the purpose of inspecting the sewerage works of the City of San Francisco on January 25, 1954, which trip is being arranged by the San Diego Chamber of Commerce; authorizing the incurring of all expenses necessary in connection with said trip; also authorizing the City Auditor and Comptroller to reimburse Harold Miller, Executive Director of San Diego County Pollution Control Board, and John Beach, for necessary expenses to be incurred by them in making trip to San Francisco in connection with inspection of sewerage works of the City of San Francisco, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116331, recorded on Microfilm Roll No. 75, approving Change Order No. 16, dated January 13, 1954, heretofore filed with the City Clerk as Document No. 483785, issued in connection with contract between The City of San Diego and Bent Construction Company and Daley Corporation for construction of Sutherland Dam, which contract is contained in Document No. 452841 on file in the office of the City Clerk; increase amounting to increase in contract price of approximately \$3,377.62, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116332, recorded on Microfilm Roll No. 75, approving request of Walter H. Barber, dated January 19, 1954, contained in Change Order No. 1, for extension of 30 days, to and including January 20, 1954, heretofore filed with the City Clerk as Document No. 483787, in which to complete contract for installation of Small Water Main Replacements, Group IX (Specification No. 50), which contract is contained in Document No. 473802; extending completion time to January 20, 1954, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116333, recorded on Microfilm Roll No. 75, granting permission to William F. Kumpf, 6505 Pacific Highway, to install 4" cast iron sewer line between property line and sidewalk; to be placed 1 foot outside property line and run in a westerly direction, parallel to northerly line of Lot 1 Block 86 Morena Subdivision, to point of intersection with public sewer, to serve property in Lots 26, 27, 28 Block 86 Morena; subject to approval of Chief Plumbing Inspector, property department, sewer division of City Engineer's Department and City Manager, and on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116334, recorded on Microfilm Roll No. 75, granting permission to F. A. Heilbron, plumbing contractor for Pacific Telephone and Telegraph Company, to install indirect floor drains and two receptacles in the boiler room of the Telephone Building at 2825 Balboa Avenue, in accordance with building plans; permission is subject to approval of Chief Plumbing Inspector and City Manager, and on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116335, recorded on Microfilm Roll No. 75, authorizing the City Attorney to settle claim of Jane A. Florentine, on file in the office of the City Clerk under Document No. 480779, for \$30.00; directing the City Auditor to draw his warrant in favor of Jane A. Florentine in said sum in full payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116336, recorded on Microfilm Roll No. 75, denying claim

of R. P. Gregovich, on file in the Office of the City Clerk under Document No. 482126, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116337, recorded on Microfilm Roll No. 75, denying claim of Dan Schwartz on file in the Office of the City Clerk under Document No. 481552, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116338, recorded on Microfilm Roll No. 75, denying claim of Mrs. Milton A. Johnson on file in the office of the City Clerk under Document No. 483325, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116339, recorded on Microfilm Roll No. 75, stating that in the event The City of San Diego accepts dedication of 4-foot easement to widen Euclid Avenue at location of General Petroleum Corporation station of the northeast corner of Lot 16 Horton's Purchase, Ex-Mission Lands of San Diego, the City will permit:

1. The General Petroleum Corporation to maintain its storage tanks at present location, pending relocation of the service station, with the understanding that at that time General Petroleum Corporation will, at its own expense, remove said storage tanks;
 2. The General Petroleum Corporation to use asphaltic concrete in lieu of sidewalks, curbs and gutters in said easement, until such time as the City widens Euclid Avenue or Federal Boulevard,
- was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116340, recorded on Microfilm Roll No. 75, accepting deed of Harley E. Knox and Bessie K. Knox, bearing date January 19, 1954, conveying easement and right of way for street purposes in portion of Lot 54 Ex-Mission Lands; setting aside and dedicating the same to the public use as and for a public street, and naming the same Logan Avenue and Euclid Avenue; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116341, recorded on Microfilm Roll No. 75, accepting deed of William C. Boman and Evelyn E. Boman, bearing date December 10, 1953, conveying easement and right of way for street purposes in portion of Lot 13 Cave and McHatton Subdivision of Lot 14 and portion of Lot 16 Ex-Mission Partition; setting aside and dedicating the same to the public use as and for a public street, and naming the same 58th 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 Wincote, adopted.

RESOLUTION NO. 116342, recorded on Microfilm Roll No. 75, accepting deed of John J. Maguire and Eleanor B. Maguire, bearing date January 5, 1954, conveying easement and right of way for street purposes in portion of Lot 13 Cave and McHatton Subdivision of Lot 14 and portion of Lot 16 Ex-Mission Partition; setting aside and dedicating the same to the public use as and for a public street, and naming the same 58th 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 Wincote, adopted.

RESOLUTION NO. 116343, recorded on Microfilm Roll No. 75, accepting deed of Atchison, Topeka and Santa Fe Railway Company, bearing date August 18, 1953, conveying easement and right of way for street purposes in portion of Lots 1166 and 1167 of the Pueblo Lands of San Diego; setting aside and dedicating the same to the public use as and for a public street, and naming the same 32nd 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 Wincote, adopted.

RESOLUTION NO. 116344, recorded on Microfilm Roll No. 75, accepting subordination agreement, executed by Otto Aschoff and Mabel N. Aschoff, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date January 6, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Lot 67 Ex-Mission Lands, to the right of way and easement for street purposes heretofore conveyed to the right of way and easement for street 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116345, recorded on Microfilm Roll No. 75, accepting subordination agreement, executed by Bank of America National Trust & Savings Association, beneficiary, and Corporation of America, trustee, bearing date January 8, 1954, where in said parties subordinate all their right, title and interest in and to portion of Lot 13 Cave and McHatton Subdivision of Lot 14 and portion of Lot 13 Cave and McHatton Subdivision of Lot 14 and portion of Lot 16 Ex-Mission Partition, 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116346, recorded on Microfilm Roll No. 75, accepting subordination agreement, executed by Meir Barach and Florence Barach, beneficiaries, and Security Title Insurance Company, trustee, bearing date January 4, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Lot 13 Cave and McHatton Subdivision of Lot 14 and portion of Lot 16 Ex-Mission Partition, 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116347, recorded on Microfilm Roll No. 75, accepting subordination agreement, executed by The Connecticut Mutual Life Insurance Company, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date January 8, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Pueblo Lots 1262 and 1263; authorizing and directing the City Clerk to file said deed 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. 116348, recorded on Microfilm Roll No. 75, accepting quitclaim deed executed on the 6th day of January, 1954, by Sweetwater Homes, 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 subdivision named Lomita Village Unit No. 4, being portions of Blocks D, F and H Narragansett Heights; 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. 116349, recorded on Microfilm Roll No. 75, accepting deed of Raymond B. Talbot, as Tax Collector for the County of San Diego, executed in favor of The City of San Diego, bearing date December 23, 1953, conveying real property in Arlington, Duncan's Addition, Nordica Heights No. 2, Paradise Valley Heights, Porter's Subdivision, H. C. Skinner's Addition, W. G. Werth's Addition - described 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116350, recorded on Microfilm Roll No. 75, accepting deed of Raymond B. Talbot, as Tax Collector for the County of San Diego, executed in favor of The City of San Diego, bearing date December 23, 1953, conveying real property in Arnold & Choate's Subd. (P.L.B.), Arnold & Choate's Addition (P.L.B.), Cable Road Addition, El Paso Tract, Fifth Street Addition - described 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116351, recorded on Microfilm Roll No. 75, accepting deed of Raymond B. Talbot, as Tax Collector for the County of San Diego, executed in favor of The City of San Diego, bearing date December 23, 1953, conveying real property in Frary Heights, Longview Manor, Louis' Add.; University Heights - described 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116352, recorded on Microfilm Roll No. 75, accepting deed of Raymond B. Talbot, as Tax Collector for the County of San Diego, executed in favor of The City of San Diego, bearing date December 23, 1953, conveying real property in Louis' Add., Louis Park, Middletown, Middletown Addition - described 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116353, recorded on Microfilm Roll No. 75, accepting deed of Raymond B. Talbot, as Tax Collector for the County of San Diego, executed in favor of The City of San Diego, bearing date December 23, 1953, conveying real property in Subdivision of E 1/2 and S 1/4 of W 1/2 of P.L. 1122, Rho. Ex Mission Horton's Purchase, Seaman & Choate's Addition, Tract No. 1350, West Hollywood - described 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 Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116354, recorded on Microfilm Roll No. 75, accepting deed of George T. Piburn and Jennett C. Piburn, executed on the 14th day of January, 1954, granting to The City of San Diego Lots 23 and 34 City Gardens; authorizing and directing the City Clerk to file said deed for record in the office of the County Recorder of San Diego County, California, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116355, recorded on Microfilm Roll No. 75, accepting deed of La Jolla Country Club, Inc., bearing date December 28, 1953, conveying easement and right of way for water main purposes in portion of Pueblo Lots 1262 and 1263; authorizing and directing the City Clerk to file said deed 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. 116356, recorded on Microfilm Roll No. 75, accepting deed of Edward X. Madruga and Lucile F. Madrug, bearing date January 19, 1954, conveying portion of Lot 54 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 Dail, adopted.

RESOLUTION NO. 116357, recorded on Microfilm Roll No. 75, accepting permit for joint use of portion of easement executed by Ramona Irrigation District, covering portion of Block 310 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 Dail, 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 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. 5941 (New Series), recorded on Microfilm Roll No. 75, repealing Section 7 of Ordinance No. 13455 Section 77 of Ordinance No. 13456 and Section 9 of Ordinance No. 13457, approved February 15, 1932 - all of which sections permit the drilling for oil in the areas zoned by said ordinances (Torrey Pines, Sorrento and Vicinity, Bay Hills Mesa and Vicinity - northeasterly of Pacific Beach and La Jolla) - was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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 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. 5942 (New Series), recorded on Microfilm Roll No. 75, approving annexation to the City of San Diego of a portion of Lot 54 Ex-Mission Lands of San Diego, in the County of San Diego, State of California, known and designated as "Knox Tract", was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Burgener, 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 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. 5943 (New Series), recorded on Microfilm Roll No. 75, appropriating \$3,765.00 from the Unappropriated Balance Fund, and transferring the same to Outlay Account, Department 11.00, City Engineer's Fund, for the purpose of providing funds

for additional aerial survey work to be performed for the City by the Fairchild Aerial Surveys, Inc., was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

Ordinance in connection with election relative to annexation of Rolando Tract, was presented.

Frank Pomeranz, attorney, said that he had been called into the case by protestants, only yesterday. He told of having checked petitions in the City Clerk's office. Mr. Pomeranz told the Council that he and B. B. Margolis had checked 2 petitions favoring the annexation and the withdrawal of names.

The Mayor stated that there has been a long series of petitions and counter petitions. He reviewed the background of the procedure. He spoke of there not being sufficient names to stop the calling of the election, and that there was no legal basis for delaying proceedings.

Mr. Pomeranz spoke of 2,600 separate parcels, and requirement for 1,004 parcels to stop proceedings. He mentioned there being over 1800 protestants. Parcels of 1,004 protestants would be sufficient to stop the election. He referred to only 989, the way it is broken down. He said 118 names were being withdrawn, and as a result there were only 15 named short. On one petition of (16) 16 names were withdrawing. He said that there was a question of 1 or both signatures connected with ownerships.

Orin Cope, Assistant to the City Manager said that one which had been questioned, was not counted.

Mr. Pomeranz charged that the petition had been checked by someone unfamiliar with the law.

The Mayor stated that if anyone wants to stop the proceedings there is plenty of legal opportunity.

Mr. Pomeranz said that he does not want to do that, but that he wants the Council to look into the matter further.

The Mayor stated that the proceedings had been analyzed by Mr. Cope and by City Attorney.

Mr. Pomeranz said that "if checked on 1 is checked on others" (his point not being clear to the Clerk in writing up these minutes).

Councilman Burgener said that there is no reason to fudge.

Mr. Pomeranz charged that the situation is serious.

Mr. Deaper stated that there is not sufficient protest. He spoke of wanting enough time with Mr. Cope, and said he knows what the answer would be.

There was discussion between Councilman Wincote and Mr. Pomeranz.

Councilman Wincote said that the annexation had been started last March.

Mr. Pomeranz made reference to only 15 names, and said that if there were 16 more names of protest it would be enough.

Mr. Deaper said that the Ordinance is ready for adoption, and said that the Council had no discretion.

On motion of Councilman Dail, seconded by Councilman Wincote, the Ordinance was introduced.

The reading of said Ordinance was dispensed with by a vote of not less than 4 members of the Council.

ORDINANCE NO. 5944 (New Series), recorded on Microfilm Roll No. 75, calling and providing for and giving notice of a Special Election to be held in territory known as "Rolando Tract", in the County of San Diego, State of California, on Tuesday, March 2nd, 1954, for the purpose of submitting to the electors residing therein the question whether the territory in said Rolando Tract shall be annexed to, incorporated in and made a part of the City of San Diego, and that the property therein shall, after such annexation, be subject to taxation equally with the property within the City of San Diego to pay the bonded indebtedness of said City outstanding at the date of such annexation, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

Councilman Godfrey referred to the protestants having a weak case, in that people on the other side could question and doubt the Council's action.

Communication from the Planning Commission, signed by Glenn A. Rick, forwarding map showing tentative zoning plan for portions of Lot 54 Ex-Mission Lands, at the northwest corner of Logan and Euclid Avenues, was presented. Harley E. Knox, one of the owners of the recently annexed property stated that the Council has indicated it will adopt emergency interim zoning on January 21, 1954, placing restrictions on the property similar to those contained in zones R-1, CP and C. Also, it reports that the Planning Commission will institute proceedings for regular zoning, after the required hearings.

ORDINANCE NO. 5945 (New Series), recorded on Microfilm Roll No. 75, establishing regulations governing use of land in portions of Lot 54 Ex-Mission Lands (temporary interim zoning under Document No. 483766 as R1, C and CP), was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted. Councilman Schneider was absent.

Said Ordinance was introduced on motion of Councilman Kerrigan, seconded by Councilman Dail;

The reading of said Ordinance 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.

(Said Ordinance, being of an emergency nature, was introduced, the reading dispensed with and adopted at one meeting).

On motion of Councilman Kerrigan, seconded by Councilman Dail, the next Ordinance was introduced.

The reading of said Ordinance was dispensed with, on motion of Councilman Kerrigan Dail 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.

ORDINANCE NO. 5946 (New Series), recorded on Microfilm Roll No. 75, appropriating \$15,775.00 from the Acquisition and Investigation Bond Fund (703) for providing funds for purchase of property for proposed future development of Super-Hodges Reservoir, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Absent--Councilman Schneider. Nays--Councilmen None.

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

There was a communication from San Diego Unified School District which had been before the Council December 1, 1953, and referred to the City Manager that date, relative to limited consolidation of Assumption of Bonded Debt Election with the City Annexation Election (Rolando territory).

RESOLUTION NO. 116358, recorded on Microfilm Roll No. 75, granting permission for consolidation of the school district assumption of bonded debt election with City annexation election in territory in the County of San Diego known and designated as "Rolando Tract" to the limited extent set forth in detail in said Resolution, was on motion Wincote, seconded by Councilman Godfrey, adopted.

The Resolution states that the school district shall bear whatever extra expense is incurred by the City resulting from such limited consolidation, the amount to be mutually agreed upon; authorizing and directing the City Clerk to immediately transmit to the Superintendent of Schools and to the Registrar of Voters of San Diego County a certified copy of said Resolution.

It was announced that members of the Council would go out to look at the property involved in appeal of Sidney L. and Elinor N. Davis, and Lawrence and Raymond O'Connell, at the beginning of this meeting.

The Mayor declared the meeting recessed at the hour of 12:40 Noon, until the hour of 2:00 o'clock P.M., this date.

Upon reconvening, at the hour of 2:42 o'clock P.M., the roll call showed the following:

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

(See also page 187 for previous actions on this hearing)

At this time the Council resumed consideration of the appeal of Sidney L. and Elinore N. Davis, owners, and Lawrence and Raymond O'Connell, purchasers, from the decision of the Zoning Committee, denying permission to erect and operate a trailer park of 150 units on portion of Pueblo Lot 264 in the Tecolote Creek Channel area, in Zones C and R-1.

At the outset, the Mayor told the Council that Mr. Switzler who had appeared for the appellants, had stated that it would be satisfactory to have a 2-weeks continuance.

Councilman Godfrey announced that he is ready to vote now, and that he is not in favor of a continuance.

Councilman Wincote said he did not favor a continuance.

The Mayor asked Dr. Woods, who had appeared at the morning hearing, if he agreed to a continuance.

Dr. Woods, who had appeared in behalf of the College for Women and others as a protestant, said that all prefer to have the question settled now. What happens here will determine the future, he declared.

Councilman Wincote pointed out that Council Schneider, who was absent on account of previous engagement out of town, might have the determining vote.

Councilman Dail said that the decision had been scheduled for this afternoon.

Councilman Burgener said that there is a problem as to whether to improve the area by the people who question the improvement - or leave it as is.

Councilman Kerrigan moved to continue the hearing.

Councilman Godfrey said he will not second that motion again. One member of the Council might have pneumonia in two weeks, he declared.

Councilman Burgener said that the case of decided improvements by some is involved; but not by others. He said there is a problem of flood control or of a slough.

Councilman Burgener moved to overrule the Zoning Committee decision, and grant the appeal, which motion was seconded by Councilman Wincote.

Councilman Burgener said that his motion is the result of looking at the property between the first part of the hearing and this time.

The Mayor declared that there is a complicated problem involved, declaring that portion of the property is in the Trailer Park zone. He said that there might be

5946 N.S.
116358
Trailer Park hearing resumed.

1/21/54

merit in having the metropolitan committee of the Chamber of Commerce study the question. He repeated that there might be some merit.

Councilman Dail asked Glenn Rick regarding the Trailer Park area, relative to questionnaires as of 6 months ago. He spoke of no objections made or suggestions made, except relative to Linda Vista. Speaking of wanting a review, Councilman Dail said that conditions are the same now as they were then.

The Mayor said that if the committee wants to consider the question, why not give 2 more weeks.

Added to the motion, was the matter of the appeal being granted subject to conditions developed by the Planning Commission, made by Councilman Burgener, seconded by Councilman Wincote.

Mr. Rick asked if this is the time to act.

Councilman Burgener replied "Yes".

Councilman Wincote referred to it being not a change of vote "as of that time".

Councilman Godfrey said that all vitally concerned had protest, including the University. That is the reason the Council went out and looked at the property, he declared. Most of what is in the area is in a trailer park zone, he said, and added that it would be a 200 foot extension. It is nothing but a hole in the ground now, and is highly unattractive, Councilman Godfrey declared that the area is remote from the University, and that the proposal would improve the property. He pointed out that the City has sufficient control. He said, also, that the City could not deny regarding future use. He said he thinks it will hurt no one.

The Mayor said it is not clear about the extension of the Trailer Park zone.

Mr. Rick said that the Trailer Park extended back about 500 feet; the Council had extended it 200 feet additionally, with no one present to oppose the action. He said it was originally more property along Morena Boulevard. The City would take property for Tecolote Creek, and then there would be less property. He said that there would not be more area, but less.

D. E. South, answering Mr. Rick, said there would be 150 trailers. There are reasons why the man has less property in the Trailer Park than before, he said. He spoke about a bridge across - from Knoxville Street adjoining the Drainage Ditch. He said that it would be possible to build, but would be expensive, and declared that there should not be entrances onto the freeway.

Councilman Burgener said that the drainage is serious.

Mr. Rick said that the City owns the property for the Freeway and the Drainage Ditch. That property is not eligible for a Trailer Park, he stated.

Councilman Kerrigan asked Dr. Woods if there would be opposition which would apply in a zone established for 12 years.

Dr. Woods replied that he would object, even in the area already approved. He agreed that it is not too near the College, but it is the feeling that there would be a review over the whole picture. He declared that the College area should not be downgraded. He asked Mr. Rick about the terms and conditions.

Mr. Rick's answer was that he should have them a week from today. He spoke of variance being put in usually regarding benefit to neighbors, and spoke of the planting, grading, roads, size of spaces, fences which would be required. It should not be closer than 50 or 100 feet to the adjoining property, he stated.

Councilman Godfrey said that the City should have to draw a line somewhere.

Councilman Kerrigan asked about zoning in the area already zoned.

Councilman Wincote spoke about the flood control and the freeway.

Councilman Kerrigan said the line hasn't changed, and wondered if it would be well to amend.

Councilman Godfrey said that what will be happening is there would be a freeway and flood control.

Councilman Kerrigan insisted that the area could be developed "for other things".

Councilman Godfrey related that Mr. Rick had said that the people agree to eliminate 100 feet at the rear.

Mr. Davis, one of the appellants, said that the City now owns 100 feet.

Mr. Rick said no request for zone variance from the City on that property.

Councilman Kerrigan said there should be terms and conditions for any trailer park variance.

The City Manager joined members of the Council in discussion over a map relative to the City's needs. This resulted in general discussion over said map.

Mr. Rick said that often records from the assessor do not agree with those of the owner, and the City is in the dark.

Councilman Kerrigan asked for information regarding terms and conditions. He said that he wants to know what the terms and conditions would be.

Mr. Rick stated that it would not be possible to determine that point at this meeting. He said, however, that a trailer park would have to have standards of a modern trailer park, which is the current practice.

The City Manager said that City had owned property a long time. He said that there was nothing regarding flood control, and referred to property having been bought and traded in connection with channel purposes property.

Councilman Kerrigan asked for the history of variances - if requested, or if denied.

Mr. Rick said that the area was originally for a trucking terminal, and for trailers.

Mr. Davis said it was for a livery stable. The barn had been sold, and moved off, he told the Council.

Councilman Wincote asked about when the trailer court went in across the street.

Mr. Rick answered a year and a half.

Hearing - appeal re trailer park

Councilman Kerrigan asked again what about terms and conditions? The Mayor, stated as Mr. Rick had, that cannot be determined now. The Manager pointed ^{out} on the map on the Council's table the 100 feet. Councilman Dail moved that terms and conditions be worked out, for Council approval.

Councilman Godfrey said that Trailer Parks standards have been improved. Answer would come from the petitioners, he stated.

Mr. Switzler, speaking for the appellants, said that they would agree to regular regulations, including provision for there being no loud speakers.

Councilman Kerrigan said there would be imposed the prohibition against loud speakers.

Mr. Rick said that conditions would be on the land - not on the owner, answering a question put to him by Councilman Kerrigan.

Councilman Wincote said it would be better if time is given to work out details.

Mr. Rick said that requirements would include grading, with no low spots; surrounded by a 5-foot high link fence; 10-foot area which would include landscaping approved by the Planning Department, 25-foot wide roadway, surfaced; trailer spaces 1,200 sq. ft.; sanitary facilities; proper lighting; gates approved by the Traffic Engineer; the matter of loud speakers; not more than 40% occupied property by trailers and buildings; drainage plans to be approved by the City Engineer.

Councilman Kerrigan said there should be a buffer strip, so there would be no extension up Tecolote Creek

Councilman Burgener, included by motion the matter of a buffer strip - so not to go up Tecolote.

The City Manager said that he wants an understanding with O'Connell regarding exchanges of property, pointed out by him on said map.

Mr. Switzler asked regarding exchange of a piece on side for another, and spoke for no misunderstanding.

Added was the matter of property trade.

RESOLUTION NO. 116359, recorded on Microfilm Roll No. 75, granting appeals of Sidney L. and Elinore N. Davis, owners, and Lawrence and Raymond O'Connell, purchasers, from the decision of the Zoning Committee denying permission to erect and operate a trailer park of 150 units on portion of Pueblo Lot 264 bounded by Morena Blvd., proposed Tecolote Creek Channel, the northeasterly line of Pueblo Lot 264, and proposed Tecolote Valley Road, at the corner of Knoxville Street and Morena Boulevard, in Zones C and R-1 - on conditions and regulations to be prepared and presented by the Planning Director in one week for Council approval; that there shall be an exchange of properties; there be no loud speakers; that there be a buffer strip so there will be no extension up Tecolote Creek, overruling and denying the decision of the Zoning Committee, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

(See Resolution No. 116460 for terms and conditions, adopted 1/28/54)

There being no further business to come before the Council at this time the Mayor declared the meeting adjourned at the hour of 3:30 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, Tuesday, January 26, 1954

Present--Councilmen Wincote, Schneider, Kerrigan, Mayor Butler
Absent---Councilmen Burgener (representing the City on a Chamber of Commerce Good Will tour in Mexico), Dail, and Godfrey
Clerk----Fred W. Sick

A Regular Meeting was held this date, and was called to order by the Mayor at the hour of 10:03 o'clock A.M.

The Minutes of the Regular Meetings of Tuesday, January 19, 1954, and of Thursday, January 21, 1954, were presented to the Council by the Clerk

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time for the receiving of bids for Catalina Street Pumping Plant - Housing and Home Finance Agency Calif. 4-CF-27 - specifications No. 67, the Clerk reported that 8 bids had been received, which bids were presented to the Council.

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

The bid of J. P. Bender Jr. Construction Company, 3708 Adams Avenue, San Diego, accompanied by bond written by Royal Indemnity Company in the sum of 10% of amount bid, which bid was given Document No. 484035;

Councilman Godfrey entered the meeting at this time

Councilman Dail entered the meeting at this time

The bid of Loring and Company of California, accompanied by bond written by Glens Falls Indemnity Company in the sum of 10% of the amount bid, which bid was given Document No. 484036;

The bid of Van Der Wyk & Lewis, accompanied by bond written by United Pacific Insurance Company in the sum of ten percent of the amount bid, which bid was given Document No. 484037;

The bid of William H. Clint, 5141 Cass Street, San Diego 9, 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. 484038;

The bid of L. C. Anderson Co., 3040 Hancock Street, accompanied by bond written by Fire Association of Philadelphia in the sum of 10% of bid, which bid was given Document No. 484039;

The bid of Rogers Construction Company, 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. 484040;

The bid of F. E. Young Construction Co., accompanied by bond written by Fidelity and Deposit Company of Maryland in the sum of 10% of the amount of the attached bid, which bid was given Document No. 484041;

The bid of K. G. Bitter and Haddock-Engineers, Limited, a Joint Venture, accompanied by bond written by The Travelers Indemnity Company in the sum of 10% of the amount of the bid, which bid was given Document No. 484042.

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. 115895 for the paving and otherwise improving of Ellison Place, 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, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

Bids

Hearing

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 115896 for the paving and otherwise improving of 54th Street, Blackton Drive, 55th Street, Balboa Vista Drive, 56th Street, Olive Street, Seifert Street, Biloxi Street, Laurel Street, Faulconer Street, The Alleys in Blocks A, B, C, D, F, G, H and J Balboa Vista, The Alley in Balboa Vista Heights which lies easterly of and contiguous to Lots 4 to 12 inclusive of said Balboa Vista Heights, The Alley lying easterly of and contiguous to Lots 4 to 9 inclusive Block I Balboa Vista, Lolly Circle, and the Alley in Lot 3 C. C. Seaman's Subdivision, 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 of Intention No. 115897 for the paving and otherwise improving of Santa Ysabel Drive and Olvera 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 the continued hearing on Resolution of Intention No. 115496 (which had been continued from the meeting of January 12 - to be continued from week to week until February 9, 1954) the following Resolution was adopted, on motion of Councilman Wincote, seconded by Councilman Kerrigan:

RESOLUTION NO. 116360, recorded on Microfilm Roll No. 75, continuing the hearing on the proposed improvement of Streamview Drive, 54th Street and Public Right of Way, as provided in Resolution of Intention No. 115496 - for construction of storm drains - until the hour of 10:00 o'clock A.M., Tuesday, February 2, 1954.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2195 made to cover the costs and expenses of the work done upon 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 written appeals had been received from Thelma C. Cain, Mrs. Lee M. Payne, Mr. & Mrs. Claud Bishop, R. E. Haukesworth, Jack Mahem, Evelyn Mock, Gertrude T. Arnold, Wm. Z. & Marguerite Stomski, Mrs. Delrose Nagle, Mary Gowleveh, which appeals were presented to the Council.

The Mayor asked the City Engineer for a report.

The Engineer told the Council that there was a 22% written appeal, giving various reasons: re cut; assessment out of line; do not use; and similar bases. There are no unusual conditions, he stated.

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

Mrs. R. E. Haukesworth told the Council that she has vacant property, and no sewer, that the improvement does not help her a bit.

The City Engineer showed a map of the Haukesworth property. He told about there being an intersection assessment (for area). He said that he can give Mrs. Haukesworth a breakdown, and added that there are sewer and water in the job.

Mrs. Haukesworth stated that it would be hard to get sewers through. She spoke of septic tanks not holding up.

The Mayor stated that the paving is done.

The City Engineer gave a breakdown to the Council on the assessment. Mrs. Haukesworth is not assessed for the sewer he pointed out. Asked if the property could be reached from the existing line, he replied that if the slope of the ground is appropriate the sewer would be available. It was Councilman Kerrigan who had made the inquiry.

Mrs. Haukesworth said that the paving does no good. The property is in the canyon, and would have to be filled.

The City Engineer stated that the law says the assessment shall be spread one half block.

H. T. Wollgast told the Council that he was making a verbal appeal in behalf of his daughter, whom he did not identify. He said that there was a cut in front of the property, and passed around to members of the Council snapshots of the area. He said that they could use the driveway formerly, but now there is a deep cut. He spoke of having gone to the Engineer regarding the cut, but that it is actually 2 feet greater than he had been told. Mr. Wollgast spoke of having signed up for the water main with the City, and charged that there had been misinformation. He said that the Engineer should be closer on his estimates. There is a great variation between estimates and actual assessments, he said. He told of all getting the same benefit.

The City Engineer showed a profile, and said that there had been a cut of about 7 feet; the property is on a side hill location. He spoke of property on the other side, with this one up. He made reference to basis for the water main charge. The main was put in under a 1911 Act proceeding, and has to be assessed at its full cost.

Councilman Kerrigan said that if property owners do not concur (with the water main extension fund construction), the work has to go to bid and contract. Its success depends on the people's cooperation, making the charge under a cash basis of a year or so. He said that streets will not be paved unless mains are installed.

There was discussion between Councilmen Godfrey, Wincote, Kerrigan and Mr. Wollgast regarding the charge for the water main.

Mr. Wollgast assessment was not itemized.

Councilman Wincote advised the protestant that he can get itemization from the City Engineer.

Mr. Wollgast said he would have protested if he had known that there would be a 7 foot cut.

Next, there was discussion between Councilman Schneider, the City Engineer and Mr. Wollgast over the assessment.

Mr. Wollgast then told about misinformation from the Planning Department relative to the moving of buildings. He said he had been told that he could not move without further improvements. Mr. Wollgast declared that the Planning Department will not give information sought in writing.

Councilman Schneider stated that the Engineer had said that the grade change was only .8 ft.

Mrs. Lee F. Payne spoke about the assessment. She said she does not face the paving.

The Mayor told Mrs. Payne that others will assist her when hers is paved.

Mrs. Claud Bishop told the Council that the contractor wouldn't break the curb for driveway on Lots 4 and 5.

The City Engineer stated that the contractor asks property owners where depressions in the curb are wanted for installation of driveways.

Mrs. Bishop said that the contractor broke the curb for the Church, but would not break it for her. Asked, Mrs. Bishop admitted that there was no driveway, but that she had wanted to put one in.

Councilmen Schneider and Dail said that it was not known if she wanted a drive.

Councilman Schneider observed that Mr. Dillion, representing a contractor, was present. He asked if Mr. Dillion would care to be heard.

Ed Dillion, representing the Griffith Company said that his company, when it has contracts, does not go door to door soliciting information if property owners want their curbs broken or depressed.

Mrs. Bishop said that they were there all the time, but not on the day the curb was broken. She said that the contractor refused to break it.

Mr. Dillion told the Council that there was no one at the Bishop residence the day the curb was put in. If there had been a driveway on the property a depression would have been made.

The Mayor asked Mr. Dillion to get in touch with Mrs. Bishop.

Mrs. Bishop said that the contractor broke 2 driveways for people on the corner. Although she had given Lots 4 and 5 earlier, the speaker corrected it, and said Lots 45 and 46 were involved.

Mrs. Mock wanted to know what she was paying for.

There was a conference between the City Engineer and Mrs. Mock.

RESOLUTION NO. 116361, recorded on Microfilm Roll No. 75, overruling and denying the appeals of Thelma C. Cain, Mrs. Lee M. Paye, Mr. and Mrs. Claud Bishop, R. E. Haukesworth, Jack Mahem, Evelyn Mock, Gertrude T. Arnold, Wm. Z. and Marguerite Stomski, Mrs. Delrose Nagle, Mary Gowlovech, from the Street Superintendent's Assessment No. 2195 made to cover the paving and otherwise improving of 41st Street and Broadway, within the limits and as particularly described in Resolution of Intention No. 110840, 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 Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued for the Street Superintendent's Assessment No. 2193, made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 195 City Heights and Lincoln Avenue, within the limits and as particularly described in Resolution of Intention No. 109805, Councilman Godfrey said that Mr. Novotny who had appealed at the previous hearing wants a continuance.

The Clerk sent out for the mail which had just arrived, and found a letter from Novotny to that effect.

Councilman Schneider said that the matter had been passed over, earlier, until the Engineer had been available.

The City Engineer said that the hearing had been continued for consideration of an alternate method of assessments. He handed to each member of the Council copies of 5 possible methods for assessment.

The Mayor mentioned having the letter from Mr. Novotny.

RESOLUTION NO. 116362, recorded on Microfilm Roll No. 75, continuing the hearing on the Street Superintendent's Assessment No. 2193 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 195 City Heights and Lincoln Avenue, under Resolution of Intention No. 109805, until the hour

of 10:00 o'clock A.M., Tuesday, February 2, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued on the Street Superintendent's Assessment No. 2194 made to cover installation of sewer mains and appurtenances in Littlefield Street and Knoxville Street, in Montezuma Terrace, the City Engineer said that the question had been referred to the City Attorney in connection with his verbal recommendation that the district size be increased.

Douglas D. Deaper, Deputy City Attorney, said that ^{the} time to object was at the Resolution of Intention hearing. There can't be help given financially, since it was not provided for at that time. There is a new act having to do with enlargement of district, but that it has to be with consent of the contractor. The contractor has refused in this case, and the Council cannot therefore increase the district, Mr. Deaper stated.

Councilman Dail said that the situation is not fair, that the property owners might get together - or go to court.

Mr. Deaper said that the City cannot charge a connection fee, even though the property owners (on the other side of the street) had not paid for the main.

Councilman Dail said that the people on the other side of the street are in the position of getting the benefit from the sewer, but that they will not pay for it.

Harvey Cole, from the City Engineer's office, appeared at the request of the Mayor. He said that the entire matter started 2 or 3 years ago when the Health Department had told of the problems encountered relative to the sewer situation. He told of having tried to have the work done other than by the 1911 Act. The property owner on one side was not in favor of the work but that 2 signatures had been obtained on that side. Not so many on the other side had built up on the 1/2-width street, he pointed out. He spoke of the people on the corner having had the work done by the City, but that others had not. The main was put close to the property to cut down the cost of connections, according to Mr. Cole, who pointed out that the property owners involved had forced the project through.

There was discussion between Councilman Schneider and Mr. Cole.

Councilman Dail, who had secured the proceedings from the Clerk, showed the petition.

There were several women who spoke, but who neither gave their names nor were asked for them by the Mayor.

Councilman Godfrey spoke about a majority on one side, but few on the other side.

Mr. Cole spoke to Councilman Godfrey regarding the signing and not signing. He said that the people had been told that the cost would be high.

Councilman Dail told of the report from the City Engineer's office, and reviewed the petition.

Mr. Cole said that the petition did not include the south side of the street.

An unidentified woman disputed Mr. Cole's statement. She spoke of already having paid. She said "Mrs. Baker" does not need it.

Councilman Dail said that people on the other side are out of the district, but that they can use the main for which they do not pay. The people involved should bring suit, he thought.

The Mayor declared that this is a unique situation.

An unidentified woman said that she had been at every meeting of the Council when the project was acted upon, but that she had not known that property owners on her side of the street were to pay the whole bill.

Councilman Godfrey announced that he will not "go along", although the City Engineer is the assessing officer. He asked who decided to leave the one-side assessment.

Mr. Cole said that the plat and the assessment plat had been drawn at the same time.

An unidentified woman said that there was dirty work.

Councilman Schneider disagreed with the statement that there was dirty work, but stated there had been an oversight.

Councilman Godfrey said that he does not understand.

Councilmen Kerrigan, Godfrey, Dail, and Mr. Cole all looked at the file.

Councilman Kerrigan, speaking about the street improvement, said that the petition was for a 1/2 street.

There was confused discussion by several at once, none of which the Clerk was above to understand.

Mr. Cole said that it had been necessary to eliminate 2 to get 66%. It would have been a small petition, otherwise. He related the fact that there was a great rush to get the work done.

Councilman Schneider said that the property owners assessed should have been assisted.

The Mayor pointed out that there would have been less than a majority on petition if the other side had been included.

Councilman Winco te stated that an error had been made, and then asked if the City can pay a portion.

Councilman Dail said that on the basis of the record there had been no error, but stated that there had been an omission.

Douglas D. Deaper, Deputy City Attorney, told the Council that if there had been an error here, that can be established in court. Whatever the court's ruling is, will be the City's guide. He said that proceeding has gone along, and it makes no difference regarding the past activities.

Councilman Winco te said that the situation invites a suit.

An unidentified woman spoke of having tried to get a private contractor, and related being told that the property would be assessed again.

Mr. Cole replied "Yes - \$1.00".

Councilman Dail declared that the City has to go ahead; then the property owners can bring the suit.

Councilman Godfrey said that looking back, the property owners have his complete sympathy. He said that there was a reason for the great haste. At first the situation was critical, and he sees now the need for getting the sewer in at great haste. He agreed that recourse is in the court for assistance. The court is the only recourse, according to him.

Councilman Schneider said that the property owners' only comfort is that they have the sewer service.

Councilman Dail asked what would happen if a majority of the Council should vote against the assessment roll.

Then the contractor could sue the City, Mr. Deaper told the Council.

Councilman Godfrey pointed out that he had done what he was told (he had nothing to do with the assessing).

Mr. Deaper repeated that if anything is done it would have to be in court. He agreed with Councilman Godfrey that it was no fault of the contractor. He pointed out that the Council would be exposing the City to damages if it does not confirm the assessment.

Councilman Wincote asked Mr. Deaper regarding the City paying for the mistakes. It was his opinion that the City might be a friendly witness in any suit.

Before Mr. Deaper could answer, several of the women, all of whom were unidentified, all spoke at once.

RESOLUTION NO. 116363, recorded on Microfilm Roll No. 75, overruling and denying the appeals of property owners, the appeals of Ray J. Saunders and Kathryn E. Saunders, of Marion Parkison and Grace H. Parkison, of Gerald R. Fair, from the Street Superintendent's Assessment No. 2194 made to cover the costs and expenses of the installation of a sanitary sewer main in Littlefield Street and Knoxville Street, within the limits and as particularly described in Resolution of Intention No. 112877; overruling and denying all other appeals therefrom; confirming and approving said Assessment; directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing the Street Superintendent 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 the hearing which had been continued from the meetings of January 12, 1954, and January 19, 1954, in connection with the Street Superintendent's Assessment No. 2192 covering the paving and otherwise improving of the Alleys in Block 45 Ocean Beach, Public Rights of Way and Cable Street, within the limits and as particularly described in Resolution No. 111078, the City Manager told the Council that Paul Beermann, Director of the Water Department, was here again in connection with the question which had arisen at the two previous meetings on the installation and assessment against the Strombeck property for water mains.

The Mayor invited Mr. Beermann to speak on the matter.

Mr. Beermann spoke relative to the assessment which had been made, in relation to the statement which had been made by property owner previously. He said that assessment had been paid earlier, in an extremely small amount for water, and that the property had paid one area charge. Others had paid about 9 times as much for the earlier assessment. He said it was about \$10.00 then, whereas the cost is \$6.00 or \$7.00 per foot for installation now. He said that it had been possible to utilize the property on account of the temporary line which had been installed.

Paul W. Strombeck asked Mr. Beermann regarding the differences in the assessments. There was discussion between them over the assessment, and relative to the division of the lots.

Next, there was discussion between Councilman Wincote and Mr. Beermann, which was joined in by Mr. Strombeck.

Mr. Beermann said that the other small water line had been installed 25 years ago, and that costs have gone up tremendously since then.

Members of the Council and Mr. Beermann held a general discussion over the costs.

RESOLUTION NO. 116364, recorded on Microfilm Roll No. 75, overruling and denying the appeals of Paul W. Strombeck and Isabella G. Strombeck and of Pearl C. Morgan, from the Street Superintendent's Assessment No. 2192 made to cover the cost of paving and otherwise improving of the Alleys in Block 45 Ocean Beach, Public Rights of Way and Cable Street; overruling and denying all other appeals; confirming and approving the said assessment; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 115974 of Preliminary Determination, for the paving and otherwise improving of Logan Avenue and Florence Street, the Clerk reported that no written protests had been presented.

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

L. C. Johnson told the Council that he believed the improvement was not needed to the specifications provided.

The Mayor said that it is not 5" cement, as stated by Mr. Johnson, but that the base is cement and soil.

Mr. Johnson asked how much the assessment would be on Lots 51 & 52 Block 8.

The Mayor told Mr. Johnson that those details are available in the office of the City Engineer, and referred him to that office.

Councilman Dail said that the base prescribed is in relation to bearing properties, and said that what is being proposed had been worked out by the City Engineer based on tests.

Mrs. Hummason asked if the City would charge to break the curb for driveway.

It developed that there is no driveway entrance there now, although there is a drive.

The City Engineer replied that there would be an extra charge for that.

(Protests were not entered by Mr. Johnson and Mrs. Hummason - only questions were asked and opinions offered).

RESOLUTION NO. 116365, recorded on Microfilm Roll No. 75, determining that the proposed improvement of Logan Avenue and Florence Street, within the limits and as particularly described in Resolution No. 115974 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. 115975 of Preliminary Determination, for the paving and otherwise improving of Olney Street and Felspar Street, the Clerk reported that written protest had been received from Laura M. Clark and from Mrs. G. E. Honner, which written protest is against the laying of sidewalk on Olney Street. It states that when the property was purchased the seller stated that grade had been checked, but now the grade is being lowered and driveway is in danger of being too steep to be navigable; also the sidewalk will be costly because of excavation. Said protest was presented to the Council.

The City Engineer stated that property owners want sidewalk omitted from Olney Street.

Councilman Dail was excused from the meeting.

The City Engineer recommended revision of the plans. He said that the Council should abandon the project; then the plans would be revised.

Laura M. Clark told the Council that her property does not touch the alley, that there is a depression. She declared that the alley is full of water, and that it drains in front of her garage. She told of having to make a refund to her tenants, and wondered that they did not move out on account of the conditions. She told of the improvement posters having blown down. Mrs. Clark said that taxpayers are paying for the work. The men (City officials) work for them, she declared. She spoke, also, of gas which would be turned off.

The Mayor told Mrs. Clark that the City Engineer is acceding to the request as contained in the protest.

Mrs. Clark replied that the Engineer was most considerate.

Councilman Dail returned to the meeting.

Mrs. Honner spoke next. She spoke of workmen now "taking down the street" and as a result it is terrible because someone does not want to put up 3 cement blocks. As a result, she would have to put up a 7-foot wall on account of the mistake, according to her. Mrs. Honner stated that the men are digging today. She identified her property as Lots 38, 39, 40. The speaker stated that the housing people are walking in the street, and stated that they can continue to do so.

Mrs. Clark said that the alley had just been paved.

The City Engineer spoke of the alley in Block 178 having been paved. He spoke of a problem, and that as a result of the alley paving a pocket had been left. He said he had asked the Public Works Department to dig out to the drain. It will help the grade to eliminate sidewalks, he stated.

Councilman Winote moved to abandon the proceedings, which motion was seconded by Councilman Schneider.

(The City Engineer said that he will re-engineer the project). He said, however, that the trouble will not be cured, but that he will have to cut. He referred to there being no driveway.

Mrs. Honner said she will have to have steps.

The City Engineer agreed, if she faces on that street.

RESOLUTION NO. 116366, recorded on Microfilm Roll No. 75, abandoning proceedings heretofore taken for the proposed improvement of Olney Street and Felspar Street, within the limits and as particularly described in Resolution No. 115975 of Preliminary Determination, was on motion of Councilman Winote, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on paving and otherwise improving of Wunderlin Avenue and 60th Street, within the limits and as particularly described in Resolution No. 115976 of Preliminary Determination, 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.

Councilman Dail introduced Mrs. Leon Morgan, long-time resident, and who had been the postmaster in Encanto.

Mrs. Morgan asked if those to be assessed would receive assistance from other taxpayers.

Councilman Dail replied that others will not pay, that the lots do not face the same way. He assured her that tests will permit the use 4" a.c., which will cut down

~~down~~ the cost. He declared the affected property owners are in pretty good shape. The property is not going to get participation in connection with the Brooklyn job, he stated. The City Engineer showed a map to the members of the Council, including Mrs. Morgan. He said that he had looked at it. If there is to be any change, this is the time to make it, he declared.

There was discussion between Councilman Wincote and the City Engineer.

Councilman Dail said that there would not be equal treatment.

The City Engineer said that the condition is all over town, in that there is only one row of lots. There would be an assessment of about \$570.00, he said, according to Mr. Olson of his office. He checked the matter and agreed that \$570.00 is about right for the paving, sewer and water laterals. Mrs. Morgan already has those services, he said, so will not pay for the sewer and water, but there would be some who do pay for the laterals.

A discussion was held between Councilman Dail, the City Engineer, and Mrs. Morgan.

Mrs. Sarah Bruce Hight spoke regarding helping out on the cost when Wunderline is paved. He told the Council that she came in for information.

Councilman Dail spoke to Mrs. Hight, and said that he thought her assessment would be three hundred or some dollars.

Answering a question, the City Engineer said that the existing curbing is being used.

Councilman Wincote said he was willing to delay the hearing one week, to see if there is anything that can be done.

RESOLUTION NO. 116367, recorded on Microfilm Roll No. 75, continuing hearing on the proposed improvement of Wunderlin Avenue and 60th Street, within the limits and as particularly described in Resolution No. 115976 of Preliminary Determination until the hour of 10:00 o'clock A.M., Tuesday, February 2, 1954, 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 the hearing continued from January 19, 1954, at which time it was decided to continue the same from week to week until February 16, 1954, in connection with Resolution No. 115803 of Preliminary Determination for construction of storm drains in Olney Street, Grand Avenue, Kendall Street, et al, in Pacific Beach -

RESOLUTION NO. 116368, recorded on Microfilm Roll No. 75, continuing hearing on the proposed improvement of Olney Street, Grand Avenue, Kendall Street, Morrell Street, Noyes Street, Gamet Street, Diamond Street, Lamont Street, Chalcedony Street, Academy Street, Beryl Street and Public Rights of Way in Acre Lots 21 and 51 Pacific Beach, under Resolution No. 115803 of Preliminary Determination, to the hour of 10:00 o'clock A.M., February 2, 1954, 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 called for at the request of the Director of Public Works, received for furnishing one Portable Vibratory Compactor for use in compacting granular soils and asphaltic mixes, was presented. It states that the machine desired is new in principle and is particularly designed for compacting paving at road edges alongside curb and other locations inaccessible for usual compacting. The report says that 5 prospective bidders were furnished specifications, but a single bid was received. It recommends acceptance of said bid of Smith Booth Usher Company of Los Angeles \$1,980.00 terms net, plus State Sales Tax.

RESOLUTION NO. 116369, recorded on Microfilm Roll No. 75, accepting bid of Smith Booth Usher Company, Division of Western Machinery Company for furnishing 1 Portable Vibratory Compactor; 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 Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received January 15, 1954, from 8 bidders, for furnishing 13,000 feet of 3/4" Copper Tubing for Water Department use, was presented. It recommended award to San Diego Pipe & Supply Company, low bidder, at \$0.3419 per foot, terms 1/2% 10 days, plus State Sales Tax.

RESOLUTION NO. 116370, recorded on Microfilm Roll No. 75, accepting bid of San Diego Pipe & Supply Company for furnishing 13,000 feet of 3/4" Copper Tubing; 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 Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, reporting on bid at the request of the Harbor Department, received January 6, 1954, was presented. It recommends award to Wilshire Power Sweeper Company for one 48" Power Sweeper, the sole bidder, at \$2,327.30, terms 2% - 20 days, plus State Sales Tax.

RESOLUTION NO. 116371, recorded on Microfilm Roll No. 75, accepting bid of Wilshire Power Sweeper Company for furnishing 1 48" Power Sweeper; awarding contract, authorizing and instructing the Harbor Commission to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in the office of the Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

ing Agent, 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 1 6-wheel drive Dump Truck for the Public Works Department, received January 13, 1954, from 5 bidders, was presented. It recommends award to General Truck & Engine Co., of San Diego, low bidder, for furnishing one Model W-452-30 GMC truck at \$7,959.75, plus State Sales Tax.

RESOLUTION NO. 116372, recorded on Microfilm Roll No. 75, accepting bid of General Truck & Engine Co. for furnishing 1 6-wheel drive Dump Truck; 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, submitting Resolution authorizing the Purchasing Agent to purchase from Western Metal Supply Company 29 items of parts for repairing Neptune water meters, was presented. It states quantity of parts requested, amounting to \$4,236.69 is expected to be sufficient to supply repair parts for period ending June 30, 1954, with saving of approximately 5% by ordering said quantity. It states that since there is no other source of supply, it is recommended that the repair parts be purchased without bids.

RESOLUTION NO. 116373, recorded on Microfilm Roll No. 75, authorizing and directing the Purchasing Agent to purchase from Western Metal Supply Company 29 items of repair parts for Neptune water meters at \$4,236.69 (in accordance with list attached to the Purchasing Agent's communication), 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 4 Air Compressors for the Public Works Department, as per specifications on file in the office of the City Clerk bearing Document No. 483931, was presented.

RESOLUTION NO. 116374, recorded on Microfilm Roll No. 75, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 4 Air Compressors, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing advertising for bids for Compound Water Meters and Check Valves for the Water Department, as per specifications on file in the office of the City Clerk bearing Document No. 483932, was presented.

RESOLUTION NO. 116375, recorded on Microfilm Roll No. 75, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Compound Water Meters and Check Valves, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

(The communication and the Resolution do not list the number to be purchased).

RESOLUTION NO. 116376, recorded on Microfilm Roll No. 75, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for Improvement of 8th Street between Harbor Street and Harbor Drive (including excavating, grading, preparing subgrade, furnishing and placing imported borrow and constructing street improvements, bearing Document No. 483933; 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116377, recorded on Microfilm Roll No. 75, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for Preparation of Subgrading and Paving of portion of 47th Street, southerly of Hilltop Drive, and construction of Curb Inlet, Cleanout and Storm Drain at 47th Street and Market Street, bearing Document No. 483935; 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116378, recorded on Microfilm Roll No. 75, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for Improvement of Parking Lots No. 2, 3, 4 Shelter Island (including construction of curb, gutter, sidewalk and pavement), bearing Document No. 483936; 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116379, recorded on Microfilm Roll No. 75, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Addition for Storage Space between Cell Blocks 4 and 5 Police Headquarters Building at Market Street and Pacific Highway, bearing Document No. 483937; 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 Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116380, recorded on Microfilm Roll No. 75, authorizing and directing the Purchasing Agent to advertise for sale and sell automotive equipment (more particularly described in said Resolution) belonging to the Department of Public Works, and which is no longer desirable for use or retention by the City; all expenses in connection with the sale to be deducted from proceeds from the sale, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 4 sections of the Municipal Code insofar as they relate to the Tentative and Final Maps, was presented.

RESOLUTION NO. 116381, recorded on Microfilm Roll No. 75, suspending Sections 102.05, 102.16-8, 102.18, 102.17c of the San Diego Municipal Code, in connection with Tentative Map of Loma Hill, a 2-lot subdivision located in portion of W-1/2 of Pueblo Lot 180, 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 Loma Hill, adjacent to Loma Valley Subdivision and on the westerly side of Gage Drive at Charles Street, subject to 5 conditions, was presented.

RESOLUTION NO. 116382, recorded on Microfilm Roll No. 75, approving Tentative Map of Loma Hill, subject to conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Two communications from the Planning Commission, recommending suspending 2 sections of the Municipal Code in connection with Tentative and Final Maps of Muirlands Acres Unit No. 2; also approving Tentative Map of Muirlands Acres Unit No. 2, 3-lot subdivision of portion of Pueblo Lot 1256, subject to 10 conditions, were presented.

John Wilhelm spoke in connection with a letter sent to the Planning Department in connection with Muirlands Acres. He said that the Tentative Map asks for the lots, and mentioned the 10 conditions included in the recommendation and the proposed Resolution. He showed Councilman Wincote a map, and spoke about a 60-foot street. Property Owners on the other street acquiesced, he said. He told of the 60-foot street to be in Muirlands Acres No. 1, across the street on a dedication. He said that the Planning Commission asked.....(but was unable to complete)

Instead, the Mayor sent for Glenn A. Rick, City Planning Director.

Councilman Kerrigan spoke about the trees across the street from the Corey property. He said that Mr. Wilhelm wants the same thing as given to Corey in his subdivision.

Mr. Wilhelm told the Council that it was originally 25 lots, then reduced to 16 lots; now it is down to "this", with 3 lot subdivision.

The City Engineer said he thought they have no more now.

Councilman Kerrigan declared that there will be \$8,000.00 to \$10,000.00 lots, occupied by \$50,000.00 to \$60,000.00 homes.

Mr. Wilhelm said that there will be more subdivisions.

Councilman Kerrigan wondered if the hill will develop without paving; and he stated that owners will want the City to keep up the streets if unpaved. He emphasized that the City calls for paving on cheap lots, but not on these expensive ones.

Mr. Haelsig said that it is the same problem as on others in the area. He spoke of the City Engineer's letter, and quoted from it. He said that he concurs with the Engineer. To the south is a pseudo metes and bounds subdivision, with oiled streets and 2" water mains. He spoke of difficulty in connection with the street and the water main, and that the City is being saddled with the expense. He spoke of a new subdivision to the south with gutter curb, paving. Muirlands Point has the same, all improvements, 1/3 of acre to acre lots.

Mr. Wilhelm said that the property is in Zone R-1B.

The Mayor spoke for the recommendation as contained in the proposed Resolution, with its 10 conditions.

Mr. Haelsig agreed.

Mr. Wilhelm spoke about the 60-foot street, and said there would be participation in the water and sewer.

Councilman Wincote said that if the pavement is carried through, Mr. Corey would go along.

Councilman Godfrey said that Mr. Corey had used his subdivision as a precedent.

Councilmen Wincote and Godfrey said this property is across the street from Corey.

Councilman Godfrey asked how many lots there are.

Mr. Wilhelm said that Corey has 4 lots in his subdivision.

Councilman Kerrigan said Mr. Corey had been told to file a subdivision map, but not a variance.

Mr. Wilhelm said that the variance had lost, and map was withdrawn by Council request.

Councilman Wincote spoke about having to use "that" road, addressing Mr. Haelsig. Then he continued to talk to Mr. Rick and Mr. Haelsig. He said that there is room for an enormous development.

Councilman Godfrey said that at one time the Tentative Map included this property. Mr. Corey's came in as substandard. This map was withdrawn on account of the Corey map, he said.

Mr. Wilhelm told the Council that there were 4 different owners.

On motion of Councilman Schneider, seconded by Councilman Dail, both resolutions were continued one week.

Communication from the Street Superintendent, bearing the Assistant City Manager's stamp of approval, reporting on petition to close Bessemer Street from the western line of Harbor View Drive to the southern line of Talbot Street, was presented. Portion proposed to be closed is unimproved, not required for access to adjacent property nor is it practical to improve said portion. It recommends that petition to close portion of Bessemer Street adjacent to Blocks 1 and 2 Ironton (Map 689) and between the northwesterly line of Harbor View Drive and the southerly line of Talbot Street be approved.

RESOLUTION NO. 116383, recorded on Microfilm Roll No. 75, granting petition for closing portion of Bessemer Street adjacent to Blocks 1 and 2 Ironton (Map 689) and between the northwesterly line of Harbor View Drive and the southerly line of Talbot 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 Schneider, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition for closing northerly 20 feet of Myrtle Avenue between 38th Street and Wabash Avenue, except for corner cut-offs, which had been granted by Resolution No. 112304, was presented. It states the closing cannot be completed in accordance with said Resolution, and recommends that new Resolution be prepared in accordance with description furnished and that said Resolution be repealed. It states that the Planning Department is in agreement with the recommendation.

RESOLUTION NO. 116384, recorded on Microfilm Roll No. 75, 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 the northerly 20.00 feet of Myrtle Avenue between 38th Street and Wabash Avenue, excepting portions required for crossing streets and alley intersections as presently located; rescinding Resolution No. 112304, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, submitting petition protesting installation of sidewalks in the Cosgrove Mesa Area, was presented. It states that protest does not represent a majority of the area proposed to be assessed, that plans have not been prepared for the improvement; and that filing of the petition with action was recommended.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said Engineer's communication and communications which it transmits, were ordered filed.

Communication from the City Engineer, bearing the City Manager's stamp of approval, submitting petition protesting installation of sidewalks in and adjoining the Richmond Hills Subdivision, was presented. It states proceedings were started by Resolution No. 111389, that it is a premature protest as plans have not been prepared, that some people have since withdrawn their names so that protest would not represent a majority. The communication recommends filing without action.

On motion of Councilman Schneider, seconded by Councilman Dail, said Engineer's communication and petition which it transmits, were ordered filed.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that the Council order a 1911 Improvement Act district formed for installation of a storm drainage system for 47th Street Area - bounded approximately by Guymon Street, Castana Street from approximately 700 feet easterly of 47th Street to approximately 400 feet westerly of 47th Street, was presented. It states that part of the cost is to be assessed against the property owners and balance of the cost is to be paid from the 1952 Storm Drain Bond Fund.

RESOLUTION NO. 116385, recorded on Microfilm Roll No. 75, instituting proceedings for installation of storm drainage system in area bounded approximately by Guymon Street, Castana Street from approximately 700 feet easterly of 47th Street to approximately 400 feet westerly of 47th Street; part of the cost to be assessed against the property owners, and balance to be paid from 1952 Storm Drain Bond Fund; requesting the City Engineer and City Attorney to prepare and present papers and proper resolutions therefor, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from San Diego County Building & Construction Trades Council, dated January 20, 1954, signed by W. J. DeBrunner, Business Manager, was presented.

The communication states that it has come to the group's attention that a great deal of dissatisfaction is arising over zoning around Miramar Naval Air Station, that there are some who are of the opinion that unless a satisfactory arrangement is concluded facilities at the Air Station may be removed from San Diego County. It states that it is felt that if the disputed zoning arrangement were restricted to "light industrial" rather than "residential" the problem would soon resolve itself and it urges such action.

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

Communication from The University Heights Motors' Club, dated Jan. 18/54, signed by Madeline Anderson, Corres. Sectry. (no address given), was presented. It protests against subdivision of property adjacent to Miramar and thinks there should be a resolution passed protecting the Navy's wishes in the matter.

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

RESOLUTION NO. 116386, recorded on Microfilm Roll No. 75, directing notice of filing of the Street Superintendent's Assessment No. 2201 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 43 Charles Hensley's Subdivision and 26th Street, within the limits and as particularly described in Resolution of Intention No. 112752, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116387, recorded on Microfilm Roll No. 75, directing notice of filing of the Street Superintendent's Assessment No. 2202 made to cover the costs and expenses of the work done upon 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 116388, recorded on Microfilm Roll No. 75, accepting bid of San Diego Gas & Electric Co. 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, 1954, to and including January 29, 1955, in accordance with Engineer's Report and Assessment filed November 6, 1953, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116389, recorded on Microfilm Roll No. 75, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 86 Point Loma Heights, filed in the office of the City Clerk under Document No. 483426; approving Plat No. 2545 showing 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. 116390, recorded on Microfilm Roll No. 75, approving plans, drawings, typical cross-sections, profiles and specifications for the installation of a street lighting system in Diamond Street and Cass Street, filed in the office of the City Clerk under Document No. 483768; approving Plat No. 2549 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. 116391, recorded on Microfilm Roll No. 75, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Thorn Street, filed in the office of the City Clerk under Document No. 483422; approving Plat No. 2552 showing the exterior boundaries of the district to be included in the assessment for the work and improvement; directing the City Clerk, upon passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 116392, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of the Alleys in Block 45 W. P. Herbert's Subdivision, within the limits and as particularly described in Resolution of Intention No. 115391; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 116393, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of Everts Street, within the limits and as particularly described in Resolution of Intention No. 115391; was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

ularly described in Resolution of Intention No. 115630, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 116394, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of 44th Street and Olive Street, within the limits and as particularly described in Resolution of Intention No. 115631, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 116395, recorded on Microfilm Roll No. 75, for the installation of sewer mains in Roanoke Street, Rachael Avenue and Morningside Street, within the limits and as particularly described in Resolution of Intention No. 115633, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 116396, recorded on Microfilm Roll No. 75, for the furnishing of electric current and the maintenance of mast arms, etc., for the lighting of the street lamps in Mission Beach Lighting District No. 1, for a period of one year from and including May 15, 1954, to and including May 14, 1955, in accordance with Engineer's Report and Assessment filed December 11, 1953, in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116397, recorded on Microfilm Roll No. 75, 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, 1954, to and including April 30, 1955, in accordance with Engineer's Report and Assessment filed December 4, 1953, in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 116398, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of the Alley in Block 67 Park Villas, Public Right of Way and Villa Terrace, 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. 116399, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of Arbor Drive, 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. 116400, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of Boundary 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. 116401, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of Haines Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 116402, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of 17th Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 116403, recorded on Microfilm Roll No. 75, for the closing of the Alley in Block 375 Corrected Plat of Subdivision of Blocks 368, 369, 374, 375 and 376 Old San Diego, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 116404, recorded on Microfilm Roll No. 75, for the closing of Hawk Street, as described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 116405, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of the Alley in Block 86 Point Loma

Height s, as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 116406, recorded on Microfilm Roll No. 75, for installation of street lights in Diamond Street and Cass Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 116407, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of Thorn Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116408, recorded on Microfilm Roll No. 75, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 45 Normal Heights, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116409, recorded on Microfilm Roll No. 75, ascertaining and declaring the wage scale for the paving and otherwise improving of 35th Street, Webster Avenue, Pardee Street, 36th Street and Pardee Place, within the limits particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116410, recorded on Microfilm Roll No. 75, approving diagram of the property affected or benefited by the work of improvement to be done 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 portion of Kellogg Park, within the limits and as particularly described in Resolution of Intention No. 112024, and to be assessed to pay the expenses; directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Resolution approving diagram of Assessment District for installation of sanitary sewer main, water main and steel standpipe water storage reservoir, in Kearny Mesa Improvement District, was presented. Attached to said proposed Resolution was communication from Boyle Engineering, 3913 Ohio Street, San Diego 4 (and Suite 327 Spurgeon Building, Santa Ana), dated January 21, 1954, under Resolution of Intention No. 109064.

W. H. Nichols told the Council that he had tried to find out about this matter only last Friday, and that he had been told it was not ready.

The City Manager pointed out that the Assessment District is being handled by private engineers and private attorneys - who had handled the entire proceedings, in lieu of the City Attorney's office, and in lieu of the City Engineer's office.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the matter was continued one week.

RESOLUTION NO. 116411, recorded on Microfilm Roll No. 75, 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 1 Ocean Front, as particularly described in Resolution of Intention No. 114247 and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116412, recorded on Microfilm Roll No. 75, 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 the Alleys in Blocks 194, 195, 196, 197, 223, 224, 225 and 226 Pacific Beach, within the limits and as particularly described in Resolution of Intention No. 114248 and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116413, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 482713 for the paving and otherwise improving of Acorn 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 assessment district heretofore ordered by Resolution No. 114906 for improvement of Seminole Drive - to include sidewalks on Seminole Drive, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116414, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 482063 for paving and otherwise improving of Jefferson Street; 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 of the work, within the limits and as particularly described in said Resolution; directing the City Engineer to consolidate said assessment district with assessment district heretofore ordered by Resolution No. 113775 for improvement of Kurtz Street, Smith Street, et al., was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116415, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 481442 for paving and otherwise improving of Landis 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, and in Ogden Street; directing the City Engineer to consolidate said district with the assessment district heretofore ordered by Resolution No. 114898 for improvement of 51st Street, 52nd Street, et al - within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116416, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 483756 for installation of sewers to serve portions of Blocks E and F Home Gardens; directing the City Engineer to furnish plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Harbor Commission, signed by Carl F. Reupsch, Acting Port Director, dated 21 January 1954 was presented. Said communication recommends adoption of Resolution authorizing construction of Storm Drain and Catch Basins in Camp Consair Area at a total of \$5,700.00, 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 in this manner to the best advantage of the City of San Diego.

RESOLUTION NO. 116417, recorded on Microfilm Roll No. 75, authorizing and empowering the Port Director to do all the work in connection with construction of Storm Drain and Catch Basins in the Consair Area, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116418, recorded on Microfilm Roll No. 75, determining and declaring that the public interest, convenience and necessity of The City of San Diego and the inhabitants thereof require construction, operation, and maintenance of public sewers across portions of Lots 33, 34, 35, 36, 37, 38, 39, 40, 41, 43 Block 14 Swan's Addition, all situated in the City of San Diego; 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 public sewers; declaring the intention of The City of San Diego to acquire said easements and rights of way under Eminent Domain Proceedings; directing the City Attorney to commence an action in the Superior Court of the State of California in and for the County of San Diego for the purpose of condemning said property and acquiring said easements and rights of way, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116419, recorded on Microfilm Roll No. 75, declaring the following intersection of streets to be an "Intersection Stop":

Fourth Avenue and Robinson Street, affecting traffic in all four directions - a four-way stop; authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116420, recorded on Microfilm Roll No. 75, establishing a parking time limit of two hours, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted, on the following street:

Both sides of 14th Street, between Island Avenue and J Street; establishing a parking meter zone upon said street as described; directing the City Manager to cause parking meters to be installed and parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116421, recorded on Microfilm Roll No. 75, establishing a parking time limit of one hour, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted, on the following street:

Both sides of Normal Street between University Avenue and Blaine Ave-

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nue;
 establishing a parking meter zone upon said street; directing the City Manager to cause parking meters to be installed and shall cause parking meter spaces to be designated; authorizing installation of necessary signs and markings to be made on said street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116422, recorded on Microfilm Roll No. 75, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

50th Street at Westover Place;
 Altadena Avenue at Lyle Drive;
 Altadena Avenue at Pirrotte Drive;
 Euclid Avenue at Westover Place;
 Haines Street at La Playa;
 Susan Place south of Lyle Street,

was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.
 (See Also Res. 116426)

RESOLUTION NO. 116423, recorded on Microfilm Roll No. 75, authorizing and empowering the City Manager to do all the work in connection with lowering of four elutriation sludge pumps from the second floor level to the main floor, and the construction of necessary enclosures and moving of electrical controls in the Sewage Treatment Plant, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution states that the Superintendent of the Sewage Treatment Plant has recommended said work, that the City Manager has submitted estimates, and has indicated that it can be done by City forces more economically than if let by contract.

RESOLUTION NO. 116424, recorded on Microfilm Roll No. 75, fixing the price of One Dollar and Fifty Cents (\$1.50) including Sales Tax, as the price to be charged by the City Clerk for the 1953 revised edition of the City Charter; authorizing said City Clerk to issue, without charge, copies of said 1953 revised charter to the various City Departments, to Libraries, Municipalities, and Courts; resolving that each Councilman shall be entitled to receive not to exceed 25 copies of said charter for distribution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116425, recorded on Microfilm Roll No. 75, waiving liquidated damages, pursuant to request of Walter H. Barber, and the recommendation of the City Manager on file in the office of the City Clerk, provisions of contract specifications for construction of storm drain in Imperial Avenue and San Jacinto Drive, contract contained in Document No. 474153 on file in the office of the City Clerk, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116426, recorded on Microfilm Roll No. 75, authorizing San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Bancroft Street at Ash Street;
 Baylor Drive, north of Collier Street;

was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.
 (See also Res. 116422)

RESOLUTION NO. 116427, recorded on Microfilm Roll No. 75, 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 Lot 18 Block 22 Lexington, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; that all deeds to The State of California for delinquent taxes be cancelled; that said Property Supervisor is authorized and directed to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116428, recorded on Microfilm Roll No. 75, 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 the Northeast Quarter of Pueblo Lot 1152, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; that all deeds to The State of California for delinquent taxes be cancelled; that said Property Supervisor is authorized and directed to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116429, recorded on Microfilm Roll No. 75, granting permission to Balboa Plumbing & Supply (Ed Shafer) plumbing contractor for Super Market, 2165 Comstock, Linda Vista, San Diego, to install 5 indirect floor sinks to facilitate drainage from 4 freeze cabinets and one vegetable display stand; it is impossible to vent the fixtures; sinks will drain into master drain which will be vented in accordance with Code regulations; subject to approval of the Chief Plumbing Inspector 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 fixtures described, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116430, recorded on Microfilm Roll No. 75, granting permission to Herchel L. Bates, 1445 Sixth Avenue, San Diego, to install a 28-foot driveway, as measured at the top of the full-height curb, on the northerly side of Tennyson Street approximately between points 245 feet and 273 feet east of the easterly line of Warrington Street, adjacent to Lot 7 Block 20 Point Loma Heights, subject to conditions contained in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116431, recorded on Microfilm Roll No. 75, granting permission to Howerton Plumbing Co., contractor for Valencia Park School, to install three-foot trap arms on the sink in the Teachers' Dining Room and the Kitchen Sink in said school building; type of construction makes it necessary to use said length; permission subject to approval of the Chief Plumbing Inspector and the City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116432, recorded on Microfilm Roll No. 75, granting permission to Star & Crescent Boat Co., a corporation, to install, operate and maintain a pipeline for transmission of oil under, along and across California Street and Hawthorn Street, extending from its plant at Hawthorn and California Streets to the easterly line of the tidelands, connecting with pipeline extending over and across tidelands - on a revocable basis - and upon terms and conditions set forth in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116433, recorded on Microfilm Roll No. 75, granting permission to Standard Oil Company of California, Bank of America Building, San Diego 1, to install a 21-foot driveway, as measured at the top of the full height curb, on the east side of Iowa Street between points 52 feet and 73 feet north of the north side of University Avenue, adjacent to Lots 22, 23, 24 Block 210 University Heights, serving enlarged and modernized service station, subject to conditions set forth in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116434, recorded on Microfilm Roll No. 75, approving claim of W. J. Smith, on file in the office of the City Clerk under Document No. 481904 in the amount of \$5.78; directing the City Auditor to draw his warrant in favor of said W. J. Smith in said amount in full payment of the aforesaid claim, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 5947 (New Series), recorded on Microfilm Roll No. 75, consenting to portion of University Avenue, more particularly described in said Ordinance, within The City of San Diego becoming a County Highway, in accordance with plans on file in the office of the Clerk of the Board of Supervisors as Document No. 166263, and in the office of the City Clerk as Document No. 482564 - in accordance with Division 2 Chapter 9 Article 3 of Streets and Highways Code of the State of California - with respect to construction, maintenance, improvement and repair, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Winco te, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

Before its adoption, the reading of said Ordinance 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 final passage a written or printed copy.

On motion of Councilman Dail, seconded by Councilman Schneider, the next ordinance was introduced.

The reading of said Ordinance in full was dispensed with by a vote of not less than 4 members of the Council, on motion of Councilman Dail, seconded by Councilman Schneider. 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. 5948 (New Series), recorded on Microfilm Roll No. 75, appropriating \$2,500.00 from the Capital Outlay Fund for the purpose of providing funds for payment of street assessments against Lot 1 to 10 inclusive and 31 to 40 inclusive in Block 162 Subdivision of Acre Lots 67, 68, 76, 77, 80 and 81 Pacific Beach, belonging to

The City of San Diego, for the improving of Gresham Street, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas-- Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Dail, seconded by Councilman Schneider, the next Ordinance was introduced.

The reading of said ordinance in full prior to its final passage was dispensed with on motion of Councilman Dail, seconded by Councilman Schneider, 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. 5949 (New Series), recorded on Microfilm Roll No. 75, appropriating \$2,500.00 from the Unappropriated Balance Fund, and transferring the same to Assessments to Property Account, Property Management Division Fund, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Wincote, seconded by Councilman Dail, the next Ordinance was introduced.

The reading of said ordinance in full prior to its final passage was dispensed with on motion of Councilman Wincote, seconded by Councilman Dail, 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. 5950 (New Series), recorded on Microfilm Roll No. 75, establishing the grade of Armstrong Street, between the south line of Vista Park Unit No. 1, and a line parallel to and distant 590.00 feet southerly from said south line, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Dain, seconded by Councilman Wincote, Ordinance amending The San Diego Municipal Code by adding to Chapter II Article 6 thereof Section 26.80 creating a Mission Bay Park Commission and Section 26.81 creating the position of Mission Bay Park Director, ~~was on motion of Councilman Dail, seconded by Councilman Wincote,~~ introduced.

On motion of Councilman Wincote, seconded by Councilman Dail, Ordinance authorizing the City Manager to lease portion of Pueblo Lot 1336 to L. W. Brawner for agricultural purposes, for a period of 5 years, at an annual rental of \$50.00, was introduced.

On motion of Councilman Dail, seconded by Councilman Wincote, Ordinance amending Section 1 of Ordinance No. 1736 (New Series) accepting gift of \$500.00 toward construction of new main library for the City of San Diego; creating special fund in the office of the Treasurer of The City of San Diego, to be known as the 'New Main Library Building Fund', and providing for use thereof (which ordinance was adopted January 9, 1940), introduced.

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

RESOLUTION NO. 116435, recorded on Microfilm Roll No. 75, authorizing and directing Clarence A. Winder and Deputy City Attorney Aaron W. Reese to represent the City of San Diego before the Public Utilities Commission of the State of California in connection with Application No. 33935 of the Pacific Telephone and Telegraph Company for increased rates; appearance of The City of San Diego in said case to be as an Interested Party, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

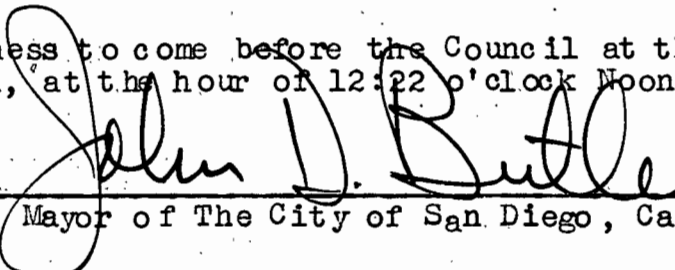
The City Manager requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda:

RESOLUTION NO. 116436, recorded on Microfilm Roll No. 75, authorizing James E. Reading, City Traffic Engineer, to go to San Francisco on January 27, 1954, for the purpose of conducting study of operation of new type of traffic signal network in San Francisco, authorizing incurring of all expenses necessary in connection with said trip, 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 12:22 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By  Deputy

116435

5949 N.S. - 5950 N.S. - also Ord. introduced

REGULAR MEETING

Council of the City of San Diego, Council Chambers,
Thursday, January 28,
1954

Present--Councilmen Wincote, Schneider, Kerrigan, Dail
Absent---Councilmen Burgener (absent from the City representing the City of San Diego
on the Chamber of Commerce tour of Mexico, Godfrey, and Mayor Butler.
Clerk---Fred W. Sick

In the absence of the Mayor, Vice Mayor Charles C. Dail called the meeting to order at the hour of 10:04 o'clock A.M.

The first two hearings of Glenn O. Hellyer relative to erection and operation of a 500-unit Trailer Park on the property in Mission Valley, known generally as the Polo Grounds, were ordered held until the arrival of the Mayor who was uptown for the opening of a new department store.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of J. B. Abrahamson from the decision of the Zoning Committee denying application for variance to provisions of Municipal Code Section 101.0601 for permission to construct duplex above four-car garage, making a total of six units on Lots 35 and 36 Block 208 Pacific Beach - four units to be served by 6-foot access court where 12-foot court is required - on the north side of Garnet Street between Olney and Pendleton, in Zone R-4, report from the Planning Commission signed by D. E. South was presented and read.

Councilman Godfrey entered the meeting at this point.

Said report states that one duplex on each of the two 25-foot lots was approved by the Planning Department in 1951, that in February of 1952 the lots were sold to Mr. Abrahamson as one parcel, thereby making the buildings non-confirming in that the two lots created a 6-foot access court where 12 feet would be required. It states that the Zoning Committee visited the property and noted that it now has been developed as one parcel. The report says that at the meeting the Zoning Committee discussed with Mr. Abrahamson his request for two additional units to the non-confirming property, and explained that the access court is required for fire protection, light and air - and that the Committee denied the application by a vote of 3 to 0, as the addition of 2 more units would be adding to an undesirable situation.

Wm. Hamilton, attorney representing Mr. Abrahamson, was heard. He said that the appellant is willing to reduce from 2 units to 1 unit. He showed the Councilmen a plat. He spoke of there having been such allowances in the past in Pacific Beach. He recites them, including 1 25-foot lot. He said that Garnet is a busy street, and that it will eliminate congestion in that the cars will be in the garages instead of on the street. He stated that the Council show the appeal.

Glenn A. Rick, City Planning Director, asked for a verbal report, told the Council that there are no garages on the property - only parking spaces. He related the R-4 zone requirements, including the side yard and space between buildings. He spoke of need for more space for more units. He showed on a plat that the 6-foot courtway is illegal, and declared that there should be 12 feet. Most are 14 to 16 feet, he stated. Mr. Abrahamson wants to build 2 additional units, he stated.

Mr. Hamilton said that Mr. Abraham has 2 units, that he had originally asked for 2 more, but will reduce the request to 1 more. The property had been made 1 piece by the crossing of the lot lines, he stated.

There was discussion between Mr. Rick and several of the Council members over the map.

Councilman Godfrey commented that there was conflicting information. He spoke of 25-foot lots, with 1 on each lot.

Mr. Abraham, the appellant, clarified the situation by stating that there is a duplex on each of the 25-foot lots.

Mr. Rick said that it changes the situation when there are 3 or more families on a lot. If the appellant were to build across the lot line it would make 1 building site, and if granted there would be 5 families.

Mr. Rick showed from a plat regarding the method of building. If the appeal were granted it would form a bad precedent, and as a result property owner could build under subterfuge what he could not do under the law.

There was a discussion held by Councilman Wincote, Mr. Rick and Mr. Hamilton, all of whom looked at a plat.

Mr. Rick spoke for need to have 10-foot clearance on every unit.

The matter was held over, for more information to be obtained from the Planning Department, in relation to other properties mentioned by Mr. Hamilton.

Hearings

Petition "#6", submitted by Miss VanVoorhis Ryon, requesting that signal light and/or boulevard stop be established at 30th & Adams, was presented. It asks that cross-walk be established at Boundary and Adams Avenue and better lighting acquired. It states that Boundary and Adams Avenue is bus stop on the #11 bus line; it is hazardous to cross the street, and several pedestrians have been killed in the area in the past year. Also, it recites that a pedestrian was killed in the first week of 1954 in the cross-walk at 30th & Adams.

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

RESOLUTION NO. 116437, recorded on Microfilm Roll No. 75, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for Improvement of Opal Street between the westerly line of Everts Street and the easterly line of Dawes Street (including grading, paving and construction of curb), bearing Document No. 484109; 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 Wincote, seconded by Councilman Kerrigan, adopted.

The next matter listed on the agenda, which was communication setting forth conditions in connection with the appeal of Sidney L. and Elinore N. Davis, owners, and Lawrence and Raymond O'Connell, purchasers, for Trailer Park in Morena Blvd.-Tecolote area - held until the end of this meeting. Said regulations were adopted in the form of a Resolution.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of sections of the San Diego Municipal Code in connection with Tentative Map of Minos Mar Vista, was presented.

RESOLUTION NO. 116438, recorded on Microfilm Roll No. 75, suspending Sections 102.09 1 & 2, 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code in connection with the Tentative Subdivision Map of Minos Mar Vista, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, bearing the signature of Harry C. Haelsig, recommending approval of the Tentative Map of Minos Mar Vista, a 22-lot subdivision of portion of Pueblo Lot 193, located southerly of Hill Street and immediately east of Azure Vista Housing Project, subject to 9 conditions, was presented.

RESOLUTION NO. 116439, recorded on Microfilm Roll No. 75, approving Tentative Map of Minos Mar Vista, subject to conditions set forth therein, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Pamela Brune, on behalf of Miss Cooper's Class, San Diego City Schools, Abraham Lincoln Jr-Sr High School, 150 South 49th Street, dated Jan. 22, 1954, was presented. It expresses thanks for letting the class attend the Council meeting of January 19, 1954. The communication says that the members did not know much about the law in this community but after attending the meeting they know much more. The Mayor was requested to answer it.

Communication from Robert J. McPherson, 2644 Teresita Street, San Diego 4, dated January 21, 1954, addressed to the Mayor, the City Manager, and to the Council, was presented. It thanks the City for the new street signs installed at intersections, but adds that there are not enough of them. It says that in fairness to taxpayers and property owners it is fair that older sections should be equipped with the signs first. The communication states that the writer had been informed money had been set aside for replacement of the outmoded 30th Street bridge but has been used for another purpose. It says that the City could go into the business of recovery of fresh water from the ocean and make millions thru recovery of the minerals. The communication makes several other comments. It was filed.

Communication from Pacific Beach Town Council, signed by Leonard Lafferty, Manager, P.O. Box 9242, San Diego 9, dated January 22, 1954, was presented. It urges that the Council and the Manager and the Engineer give serious consideration to developing of Grand Avenue to a width of 85 feet from Cass Street to Noyes Street and a width of 68 feet from Noyes Street to Highway 101. It elaborates on the idea.

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

Mrs. Karl Specht, 4672 Rolando Boulevard, Mrs. Ina F. Klinger, 4736 - 68th Street, Mrs. Hubert McPherson, 4325 Cartagena Drive, were presented. All thank the Council for action taken relative to the Rolando annexation.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said communications were ordered filed.

Communication from San Diego County Building & Construction Trades Council, dated January 26, 1954, signed by W. J. DeBrunner, Business Manager, was presented.

Said communication states that it is disconcerting to observe City employees competing with unemployed specifically in the repair and replacement of cement curb on the City streets. It says it is contended that such work should be given to tax-paying contractors in the City who hire tax-paying workmen to do the work. The communication requests investigation of the matter and that ways and means be considered of having the work done by licensed contractors.

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

Communication from San Diego City Schools, signed by Will C. Crawford, Superintendent of Schools, dated January 26, 1954, was presented. It states that one of the nicest honors conferred upon him as he relinquishes his position was the Certificate of Appreciation presented by the Mayor and Council.

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

RESOLUTION NO. 116440, recorded on Microfilm Roll No. 75, naming the site of the University of San Diego "Alcala Park", was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said Resolution states that the site, both north and south of Linda Vista Road, has come to be known as Alcala Park, after Alcala, Spain, when came St. Didacus or San Diego; that the University has requested that the name receive official recognition and sanction of The City of San Diego. It also directs that certified copy be forwarded to the University for its official records.

RESOLUTION NO. 116441, recorded on Microfilm Roll No. 75, authorizing and directing the City Manager to enter into agreement on behalf of The City of San Diego, by and between said City and the City of Coronado, for radio maintenance for period of January 1, 1954 through June 30, 1954, under terms and conditions set forth in form of agreement on file in the office of the City Clerk under Document No. 484119, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116442, recorded on Microfilm Roll No. 75, approving Change Order No. 54, dated January 18, 1954, heretofore filed with the City Clerk as Document No. 484121, 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 \$254.95, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116443, recorded on Microfilm Roll No. 75, accepting subordination agreement, executed by Mary Barry and Mary Jelliffe, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date January 14, 1954, where in said parties subordinate all their right, title and interest in and to portion of Lot 66 Block 3 First Addition to Pacific Beach Vista Tract, 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 Wincote, adopted.

RESOLUTION NO. 116444, recorded on Microfilm Roll No. 75, accepting subordination agreement, executed by William C. Brown and Lela M. Brown, beneficiaries, and Security Title Insurance Company, trustee, bearing date January 13, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Alice Street (Closed) lying easterly of and adjacent to Lot B La Mesa Colony, 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116445, recorded on Microfilm Roll No. 75, accepting subordination agreement, executed by Charles A. Craig and Viola M. Craig, beneficiaries, and Security Title Insurance Company, trustee, bearing date January 8, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Lot 2 Block 10 Lexington Park, 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116446, recorded on Microfilm Roll No. 75, accepting subordination agreement, executed by The First National Trust and Savings Bank of San Diego, beneficiaries, and The First National Trust and Savings Bank of San Diego, trustee, bearing date December 24, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Alice Street (Closed) lying easterly of and adjacent to Lot B La Mesa Colony, 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 Godfrey, seconded by Councilman Winco te, adopted.

RESOLUTION NO. 116447, recorded on Microfilm Roll No. 75, accepting subordination agreement, executed by The Prudential Insurance Company of America, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date January 8, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Lot 5 Block 4 Center Addition to La Jolla Park, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said deed 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 Winco te, adopted.

RESOLUTION NO. 116448, recorded on Microfilm Roll No. 75, accepting subordination agreement, executed by San Diego Trust & Savings Bank, beneficiary, and San Diego Trust and Savings Bank, trustee, bearing date January 13, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Lot 28 Point Loma Terrace Unit No. 1, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego in portion of said property; authorizing and directing the City Clerk to file said deed 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 Winco te, adopted.

RESOLUTION NO. 116449, recorded on Microfilm Roll No. 75, accepting Deed of Harvey E. Brown and Marillyn B. Brown, bearing date January 6, 1954, conveying easement and right of way for street purposes in portion of Alice Street (closed) lying easterly of and adjacent to Lot B La Mesa Colony; setting aside and dedicating the same to the public use as and for a public street, and naming the same 67th 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. 116450, recorded on Microfilm Roll No. 75, accepting Deed of Theodore T. Clemesha and Margaret Clemesha, bearing date December 14, 1954, conveying easement and right of way for street purposes in portion of Alice Street (Closed) lying easterly of and adjacent to Lot 8 La Mesa Colony; setting aside and dedicating the same to the public use as and for a public street, and naming the same 67th 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. 116451, recorded on Microfilm Roll No. 75, accepting Deed of Oscar Rose and Helen V. Rose, bearing date December 8, 1953, conveying easement and right of way for street purposes in portion of Lot 28 Point Loma Terrace Unit No. 1; setting aside and dedicating the same to the public use as and for a public street, and naming the same Catalina Place; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116452, recorded on Microfilm Roll No. 75, accepting Deed of Alice F. Seabee, bearing date January 15, 1954, conveying easement and right of way for street purposes in portion of Pueblo Lot 1286; setting aside and dedicating the same to the public use as and for public streets, naming the same Lowry Terrace and Lowry Place; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116453, recorded on Microfilm Roll No. 75, accepting Deed of Union Title Insurance and Trust Company, executed in favor of The City of San Diego, bearing date January 15, 1954, conveying easement and right of way for sewer purposes

in portion of Spruce Street closed by Resolution No. 394247 of the San Diego City Council dated 10-4-25, lying Northerly of and contiguous to the Northerly line of Lot 74 Reynard Hills; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116454, recorded on Microfilm Roll No. 75, accepting Deed of D. Cameron McDonald and Ruth I. McDonald, bearing date December 8, 1953, conveying easement and right of way for storm drain purposes in Lot 5 Block 4 Center Addition to La Jolla 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116455, recorded on Microfilm Roll No. 75, accepting Deed of Patrick Henry Davis and Mildred B. Davis, bearing date December 11, 1953, conveying easement and right of way for water main purposes in portion of Lot 1256 of the Pueblo Lands of San Diego; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116456, recorded on Microfilm Roll No. 75, accepting Deed of M. H. Golden Construction Co., bearing date January 15, 1954, conveying easement and right of way for water main purposes in portion of Pueblo Lot 283; authorizing and directing the City Clerk to file said deed 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. 116457, recorded on Microfilm Roll No. 75, accepting Deed of Sol Lowenfeld and Edith Marie Lowenfeld, bearing date December 23, 1953, conveying easement and right of way for water main purposes in portion of Pueblo Lot 283; authorizing and directing the City Clerk to file said deed 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. 116458, recorded on Microfilm Roll No. 75, accepting Deed of Ward M. Robinson and Mabel H. Robinson, bearing date January 7, 1954, conveying easement and right of way for water main purposes in portion of Lot 7 Block 21 The Muirlands; authorizing and directing the City Clerk to file said deed 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.

At this time the Council returned to the J. B. Abrahamson hearing, which had been held, awaiting arrival of D. E. South, of the Planning Department.

Mr. South spoke about 1 unit, and showed on the map what is allowed.

Councilman Councilmen asked if Mr. Abrahamson would be entitled to his proposed amendment.

Councilman Godfrey replied "no".

Councilman Schneider said that there is a new set-up proposed.

Councilman Wincote read from an unidentified resolution.

Mr. Hamilton said that Mr. Abrahamson is willing to have a 2-car garage with 1 living unit. Answering a question put to him, Mr. Hamilton said that he did not appear at the zoning committee's meeting considering the question.

Councilman Schneider moved to refer the hearing, including the amended plan, back to the Zoning Committee, which motion was seconded by Councilman Godfrey.

Councilman Godfrey pointed out that people are going to live in said unit. He told of one having been granted by the Zoning Committee. Councilman Godfrey said there should be in inference that the variance (even for the amended idea) will be granted.

The roll was called, resulting in reference back to the Zoning Committee of the appeal of J. B. Abrahamson from the decision of the Zoning Committee denying permission for construction of duplex above four-car garage, on Lots 35 and 36 Block 208 Pacific Beach - relative to the amended plan which is for one unit, with a 2-car garage - being on the north side of Garnet Street between Olney and Pendleton Streets in Zone R-4.

The next matter, which was the hearings on the appeals of Glenn O. Hellyer from the Zoning Committee denying permission for himself and Norma I. Hellyer to erect and operate trailer park of 500 units on portions of Joseph Rainer Addition, Bay View Quarter Acres, and Bay View Addition - known as the Polo Grounds - which had been listed first

was held at this time.

At the request of the Council the Zoning Committee report, signed by D. E. South, was presented and read.

The report says that the appeals comes before the Council because the Zoning Committee denied the right to erect and operate a 500-unit trailer park on the property mentioned earlier, in Zone R-1. It states that the matter of enlarging the present trailer district eastward and including the Polo Grounds came before the Planning Commission first on August 26, 1953, and was continued for further study to October 7, 1953, at which time the Commission voted 6-0 not to recommend extension of the present boundaries of the trailer park district eastward. It states that a discussion was held to limit establishing of the trailer park district to the Polo Grounds only, and was forwarded to the City Council with a 3-3 vote. The matter of the trailer park district came before the Council October 15 and the polo grounds was approved for trailer park district by a vote of 6-0 on Resolution No. 114682, it states. The report says that with said decision, Mr. Hellyer, et al, went ahead with plans and made application for Zone Variance and Resolution of Property. A majority of signers were acquired within the 300-foot area, according to the communication. It says, also, that by the time the petitions had been set for hearing on December 23, 1953, letters and petitions of protest had been filed in the Mayor's Office and the Planning Department in large numbers. There were 1,662 names of protestants on letters and petitions from all over the City of San Diego, including letters from people interested in San Diego College of Women. The Zoning Committee heard the pros and cons of the matter at great length, but because of the great number of protests and the action of the Commission at the hearing on the trailer park district, denied by the application for Zone Variance and application for Resolution of Property Use by vote of 3-0,

Mayor Butler entered the meeting at this point - at 10:32 o'clock A.M., and took the Chair. He apologized for his late appearance. The Mayor said that on account of rules having been laid down by the Vice Mayor, 20 minutes would be given for each side, with 10 minutes for each side's rebuttal. He invited the appellants to be heard first, for the allotted time.

Glenn O. Hellyer, owner of the Mission Valley Polo Grounds, was heard first. He spoke of owning the property 8 years, and during that time has been down before the Council and Planning Commission numerous times to try to put in something in the area. A certain group has protested everything, and his every effort, he said. He told the Council that the group "haven't decided what they will let him do with his property". Mr. Hellyer told of struggling to hold onto the property, and referred to the high cost, including the additional \$12,000.00 expense involved in his assessment for the recently-installed sewer. He said he does not see how he can keep the property in face of all the obstacles. He spoke of the Council having put the Polo Grounds into a Trailer Park Zone.

Councilman Schneider asked if the property is all in Zone R-1A.

Mr. Hellyer's reply was that a portion is Zoned R-4, and portion R-1A.

Councilman Dail said that the Council, in establishing the district, did so for the entire City, that it is advisory only and that all are subject to zone variance.

Mr. Hellyer agreed that he understood that. Answering a question put by Councilman Schneider, he said that the R-4 area is not usable for houses. It is in the flood channel, and that as a result the government will not finance construction. He told the Council that the area would be liable to be flooded, that, although it would not be suitable for houses it would be justified for use by trailers, inasmuch as trailers could be pulled out. Asked about the character of the soil, and if the property could be used for farming, Mr. Hellyer stated that it is sandy and would not be good for farming.

Councilman Wincote wondered if the request for the variance was based on a contemplated sale.

Mr. Hellyer said that it was based on proposed sale, and pointed out that he does not have the finances to hold onto the property or develop it.

Cornelius Butler was heard next.

The Mayor stated that Mr. Butler and he were not related, despite the name.

There was some pleasantries between the two on that point.

Cornelius Butler told of the application for the trailer park district having been approved by the Council. When a question was asked, Mr. Butler answered that there was no pressure as of now. He asked if the establishment of the trailer district did not amount to virtually approving applications for variance to permit such use. The question had been answered, according to him, when the Council voted 6-1 to approve the district. He said he knew a variance would be required, and the Council knew it would be filed, Mr. Butler stated. He told of having submitted plans for a trailer lodge to the Planning Department. They had been revised to the point that they meet all requirements of both the City and the State, he related. Mr. Butler pointed out that the trailer park as proposed does not cover a huge area - only the polo grounds. He, too, said that the section is not suitable for housing, and pointed out that the Council and the Planning Commission have seen fit to have specified in deeds statement of set-up as flood area. Mr. Butler referred to options, but that those who had hoped to buy could not get financing for the homes proposed on account of the conditions. Another developer in the Valley (Mission Valley) has been stopped for the same reason, he added. He spoke of the trailer lodge having numerous trailers, and said that once, twice, three times in 20 years the area had been flooded. The only people interested in said park would be affected. There would be the problem of a real flood condition if houses were built, according to him. Mr. Butler told the Council that Mr. Hellyer has a large investment, and that he has been trying to do something with the property for 8 years. The sewer had been put in over his protest, but he had agreed to go along, to help the people on the hill (indicating the protestants against the trailer park). He spoke of the sewer plant already having built below the flood control area. The area would be beautified from 35 to 40 feet, he explained. He related the general requirements for trailer parks. In addition, there would be a playground area within the grounds, a

swimming pool, tennis courts, shuffle board and a recreational hall, Mr. Butler stated. It would be more desirable than it is now, declaring that the polo grounds are overrun at night by people who are sleeping in the stalls, resulting in Health Department complaints. The horse business is not what it was when the polo grounds and stables were built. People within a 300-foot area had approved, and they still approve 2-1, despite pressure to get them to oppose, Mr. Butler said. The opponents say that the area is close, but it is 1/2 to 3/4 mile from the College. Seeing of the area in question has nothing to do with the College, he declared. Mr. Butler passed around pictures of the area, taken from the college, and emphasized that it could not be seen. The only thing that can be seen from the College is the trailer park which was there then the College site was bought. The dog pound was there, he said. He spoke of the stables, the flood control, etc. He said that the protestants would be happier with a good looking trailer lodge than those things.

Councilman Godfrey asked regarding reaction. He wondered if the City could force in the things mentioned by Mr. Butler. He pointed out that there are 2 different things involved, according to the appeals from the denials, and that there is the option.

Douglas D. Deaper, Deputy City Attorney said that if the improvements proposed are intended they could be provided for in the variance if granted.

Mr. Rick pointed out that if the variance were granted, and conditions imposed, the matter could be taken into court if those provisions were thought unreasonable. He added that they could be included in a variance.

Mr. Butler continued, pointing out that the improvements he had mentioned are planned, and that they are specified on the plans. The plans are on record, with the Planning Department, he declared.

Councilman Winote spoke about having a letter relative to putting in the improvements as mentioned, being requirements. It would add to the appearance of the place, he declared.

The Mayor asked Mr. Rick regarding the extension of a trailer park.

Mr. Rick said that yes, it would be, and showed pictures. He told of it being easier to extend the areas than create new districts. Mr. Rick told about the 1942 area approval, to which reference had been made, and that Mr. Hellyer had then put in alternate applications. He told about having had one approval, then another 3-3 split vote. He said that Mr. Butler knew that he would have to file for variance and property use. He showed a plan for the proposed trailer park, from the Planning Department's files (not in the Clerk's file).

The Mayor asked if anyone within a 300-foot radius of the area wished to speak.

A woman who gave the name which was understood to be Mrs. Antes, was heard. She said that she thought the trailer park would add nothing, that it would depreciate other property, and would do nothing for the area.

Next, the Mayor asked Dr. Ward Woods, if he wished to be heard.

Dr. Woods, who said he represented citizens of San Diego who oppose the trailer park, was heard next. He said that he had an unofficial status. Dr. Woods said, also, that he was not a Catholic (reference being to the San Diego College for Women, chief protestant). He spoke of the Chamber of Commerce's expressed opposition. He referred to approval before with no opposition. Dr. Woods spoke of citizens in the area shown on a map, in opposition to the proposal, within 300 feet. He said that the statement of 2-1 favoring the trailer park is erroneous. He said that one side of Mission Valley (on the Presidio Park area) has the Serra Museum; on the other side (Alcala Park) is the University. He said that the University will build an academy to complement the museum - making a handsome building on each of the high areas above the Valley. He declared the Chamber of Commerce's suggestion to investigate a master plan for the area is a good one. Dr. Woods spoke of having gone through the business of extending trailer court last week (the Sidney L. and Elinore L. Davis and Lawrence and Raymond O'Connell variance appeal hearing). He said that the opposition to this one is similar, and that it includes property owners from Mission Hills. He declared that there could be better utilization of the property than the trailer park proposed. He declared that the proposal would result in downgrading (lesser restrictive zone). The appeal is from many, Dr. Woods stated; not from one group. It would be terrible in hundreds of years to look back back on a situation resulting from bad mistakes created as of now.

The Mayor asked David Casey, if he wished to be heard.

Mr. Casey told the Council that he (who is an attorney) was appearing in opposition. He referred to item 15 on today's agenda which approves the name of the site of the University of San Diego as "Alcala Park". He told of the hope to have an auditorium, and stated that the Council will be jealous of the surrounding territory. The institution already has \$5,000,000.00 invested, and that it will amount to \$25,000,000.00, he stated. The university should be kept in as fine surrounds as possible, he declared. Mr. Casey spoke of the freeway which is contemplated in the area, and of a tower in relation to a to-be constructed museum. There should be a good area between them, according to the speaker. He spoke of the fine families which will be represented as a result of the University, from all of the United States. He spoke of the petitioner having no vested interest, in that the owner knew what the property was when it bought it. All the area in connection with the University will be of great beauty, and that should be taken into consideration in connection with the zoning. He spoke of the elaborate Town and Country motel which had been built in about the same situation as the Hellyer Polo Grounds property. He said that the flood channel runs to the west of the trailer court. Mr. Casey asked for all those who were in opposition to the trailer park to stand.

A large group - nearly all in the audience - arose.

Councilman Winote asked all who are not Catholics to stand.

Not many were on their feet.

Councilman Dail asked who among the audience were students at the University, which opposes the trailer park.

Many stood.

The Mayor said that the matter of Catholicism should not be brought into this picture.

Councilman Wincote said that he had brought up the subject on account of Mr. Casey's request for protestants to arise. He declared that it is not the number of people who appear, but is the righteousness of the proposition involved.

Councilman Godfrey said that there is need to make the point clear. What religion is involved is not important, he observed.

Councilman Wincote pointed out that any organization can start a movement for or against anything.

Councilman Schneider stated that Mr. Hellyer has had trouble developing the property for a suitable use. He spoke of a stable relative to Cudahy property. He wondered if it was the appearance of the proposed development, or if it was the entire situation which was used as a basis for protest.

Mr. Casey replied that if an auditorium were put in Alcala Park as good an entrance as possible would be wanted. He spoke of the \$17,000,000. investment in Mission Bay, and of much money having been put into Presidio Park.

Councilman Wincote declared that he was not to be stampeded by pressure, and said that religion does not enter into the situation.

Philip D. Martin said that he opposed habitation in the flood area, including a trailer park. He referred to copies of communication which had been addressed to the S.D. Co. Planning Commission; S.D. Co. Board of Supervisors; S.D. City Planning Commission; S.D. City Council, a copy of which he filed with the Council, and referred to the attached map on page 3 thereof. He spoke of the flood control planned for the area. Mr. Martin asked the Councilmen if they would built habitations in the flood way. He said that the distance of the Polo Grounds (apparently away from the flood channel, or flood way) is about one mile. He told of someone being unable to get in to move trailers out in the event of a great flood. Mr. Martin said that the City should take into consideration the flood hazard. He spoke for keeping area open for flood control purposes. He said that on the Hellyer there could be put in another golf course.

Councilman Wincote was excused from the meeting at this time.

Cornelius Butler asked to have the Mission Valley Improvement Association letter read.

Said letter, signed by Grace A. Allen, secretary, dated August 25, 1953, was read aloud by the Mayor.

The letter said that the Association held a special meeting August 24, 1953, that Cornelius Butler presented his plans, that after discussion, and Association approved the variance. It says that it is the Association's policy to study each individual variance on its merits, and the opinion was that the court such as Mr. Butler proposes would be an improvement at the location. The letter referred to was addressed to the City Planning Commission, and was in the Clerk's file, undocumented.

Councilman Wincote returned to the meeting.

Mr. Butler told the Council that he had not asked for the hearing referred to in the Mission Valley Improvement Association's letter, but that he had been called to present plans for the Trailer Park. He spoke of there having been considerable talk about downgrading. The University, which has been protesting, made an application to build. As a result, the university is a marvelous place, and he is proud of it. However, it was built under downgrading - from R-1 to R-4. By downgrading, the construction of Town & Country Motel resulted in upgrading, in that it is one of the most beautiful in California; it was downgraded, he emphasized. It will improve the area by installing a trailer park, Mr. Butler said. He spoke of having studied the Polo Grounds for 5 to 8 years, and that the Council knows the condition. The Trailer Park should be allowed, he said. People in trailers are good and bad, as people in houses are good and bad, according to the speaker. He said that the police record shows that trailer parks are superior to many districts on the outside. Highway 80 comes to Highway 395 and turns, but if it does come down the Valley the proposed Trailer Park could not be seen from it, as trees are grown. He said it cannot be seen from Highway 101, and spoke of being a mile or so away. A mistake might have been made, but within 300 feet are 17-9 in favor, Mr. Butler said. He told the Council that lots of people took their names off on account of having been told to, and that they had been told there would be dirty, filthy trailers. He suggested looking at the property, if the Council doesn't know it.

The Mayor said that the Council did look at it last week, when it was inspecting the matter which was before it on the other trailer park on the Davis-O'Connell variance hearing.

Mrs. Mark O'Brien, 4491 Ampudia Street told the Council that she regretted Councilman Wincote's choice of words relative to Catholic people. She spoke of having circulated a petition, which was recorded with the City and is in the City's hands, she stated. She had pictures taken by herself in connection with the eucalyptus trees referred to, from Mission Hills. Regardless of what is put up no trees in the lifetime of anyone present would prevent the view, she stated. She showed the pictures of the existing trailer camp. It was installed 25 years ago, but it is not known what the proposed one would be, she declared. Such a trailer park would probably be there forever - unless the property would be put to some less desirable use.

Dr. Woods said that the crux of the situation is regarding the people in the 300-foot area. He showed map of the area, and said that the Council has petition in opposition.

Mr. Rick, at the request of the Mayor, showed a map of views, especially regarding the 300-foot area.

Councilman told Dr. Woods that all of "this" is out, pointing to the map.

Dr. Woods spoke of having names of those who oppose.

A conference was held over a map.

Mr. Rick spoke of 9 in favor, with 6 opposed; that is changed now, with 14 for, and 9 against. More protests came in yesterday; and in answer to the Mayor, he said that he believed that it is about 50-50 now.

The Mayor said that outside of the 300-foot area, more are against.

Gladys Gresham, 5615 Riley Street, said that within 300 feet around the Polo Grounds there were probably a dozen people, but that people who object are greater

in number. It would be a hazard on Riley Street, which is hazardous already - referring to traffic - she said, to have the travel to and from a trailer park.

Councilman Wincote said that Riley runs parallel.

Mrs. Gresham said that within 300 feet there are no people to protest, that there are only shacks and stables.

The Mayor said that the 300-foot limit is an arbitrary figure used by the City in that there has to be some boundary used.

Councilman Schneider said that the matter of fairness is at stake.

The Mayor declared the hearing closed - both sides having had their allotted time.

Councilman Dail said that evaluation of the protests is as it prevails over the city as a whole. He said that at 47th and Market Streets there had been support in the nearby area, and that there had been opposition through people who were even stopped in their cars to sign against the proposal. He spoke for need of one general plan.

The Mayor said that there is not much difference between 300 and 350 feet. There is a matter of ethics; with many things having to be considered, he said.

Councilmen's minds are still open, Councilman Godfrey. He spoke regarding picture relative to the sub-marginal and drainage situations. He wondered what could be done since no financing could be obtained if trailers or houses are not permitted, as a reasonable use.

Councilman Schneider recalled that the City had refused an open air theatre and a donkey baseball; and as a result of that Mr. Hellyer has been trying to find a reasonable use.

Mr. Rick, answering Councilman Godfrey, said that he had a good deal to do with the Army Engineers on account of the flood control. They had prepared studies regarding flood on the San Diego River. The probability of flooding exists, even though dams have been built. There had been trouble determining the flood channel in connection with the property in question, especially as a result of floods in the Los Angeles area. If completed, Army Engineers would go farther up the San Diego River, he declared. They had recommended keeping the area free, Mr. Rick said. The answer is not easy, and the City does have some responsibility relative to small homes, Mr. Rick said. He showed flood areas on the maps of survey.

Councilman Godfrey said that the land is not desirable for certain uses, that the owner has come up with suggestions, and that there have always been protests. He wondered if protestants would offer suggestions for the use of land.

Phil Martin said there could be a golf course.

Councilman Wincote said that it would not be practicable to have 2 golf courses in the Valley - side by side.

Councilman Dail said that Mr. Hellyer's every application for variance has been denied.

Councilman Godfrey said that any idea unsupported by money is only a dream.

Mr. Miller, who did not give his first name or initials, told the Council that he lives in La Mesa. The speaker said that he had been busy on this. He told of having spoken with Admiral Baker, although he was not authorized to speak for the Admiral, relative to the hardship of Mr. Hellyer. He spoke of all getting together to set up a committee to compensate Mr. Hellyer, if the request is denied. Then that land could be presented to the University for a playing field - since level land in the area is not readily obtainable - and there are 30 acres close to the College.

Councilman Wincote said that the Mayor had made a statement about going around the area. Members of the Council have not gone around as he has, Councilman Wincote stated. He said that he felt the area should be looked at from Mission Hills. He pointed out that a portion of the east end of the property can be seen by getting out of cars and going to the edge, and that it would be seen from the administrative building of the College. People in Mission Hills would be most hurt, he declared, and asked for a vote delay to permit looking further at the property.

Councilman Schneider asked Mr. Hellyer if he was interested in being bailed out by a committee not yet formed.

Mr. Hellyer's reply was that he had tried to get rid of the property for 8 years.

Cornelius Butler spoke of his having an option on the property, that there has never been approach in event the appeal should be denied - by Mr. Miller or by anyone else. He spoke of not being in a big hurry.

Councilman Dail moved to continue the hearing on the basis of a closed hearing, and refer the subject to conference relative to the proposed suggestions, which motion was seconded by Councilman Schneider.

An unidentified man attempted to speak.

The Mayor said that the hearing had been closed.

He said that suggestions had been asked for about use of the property, and someone had suggested another golf course, but that it would not be practicable to put in another one, in addition to the course which exists.

The roll was called, resulting in

RESOLUTION NO. 116459, recorded on Microfilm Roll No. 75, continuing the hearings on the appeals of Glenn O. Hellyer from the decision of the Zoning Committee in denying by its Resolutions Nos. 7968 and 7969 for zone variance and property use to permit operation of a Trailer Park on portions of Joseph Reinér, Bay View Quarter Acres, and Bay View Addition - known as the Polo Grounds - according to legal description in the office of the Planning Commission, until Thursday, February 11, 1954 (on the basis of a closed hearing); referring said matter to Conference relative to proposed suggestions, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

116459

Hearing - Polo Grounds
Trailer Park

(See also Resolution No. 116359)

Communication from the Planning Commission, dated Jan. 25, 1954, making recommendation that following conditions be attached to permit to Sidney L. and Elinore N. Davis, owners, and Lawrence and Raymond O'Connell, purchasers, to erect and operate a 150-unit trailer park on portion of Pueblo Lot 264 bounded on the southwest by Morena Blvd., on the northwest by the proposed Tecolote Creek Channel, on the northeast by a line parallel with and 100 feet southwest of the northeast line of Pueblo Lot 264, and on the southeast by the proposed Tecolote Valley Freeway - being approximately 263.8 feet by 881.35 feet, in Zones C and R-1, was presented.

Glenn A. Rick, City Planning Director, spoke about the communication, and the conditions proposed to be imposed, which conditions he reviewed.

Mr. O'Connell, one of the appellants, told the Council that he did not object to the conditions.

Mr. Rick said that if the conditions include a time limit that should be by Council decision. He said that he would not put on a time limit.

Councilman Kerrigan said that there is something relative to the flood channel. He wondered if the appellants are going to do anything about the dirt.

Councilman Schneider said that the City Manager had said that there would be negotiations entered into on that point.

Mr. O'Connell said that he had hoped to get material, to raise the site. He spoke of possibly being able to get along with certain material under streets.

E. W. Blom, Assistant City Manager, said that there might be a question regarding the material.

Mr. O'Connell told the Council that there is a problem of time involved. He said that he does not want to be restricted relative to the start.

Mr. Rick said that time for use of variance is provided in the variance itself.

Councilman Kerrigan asked for a continuance, maintaining that there are problems.

Mr. Blom said that Mr. O'Connell is not depending on the City, and that he would be given the right to take soil from the hill, and that such might be worked out. There is no problem under the conditions outlined, Mr. Blom said.

Mr. O'Connell said that there is "no chance for trade".

RESOLUTION NO. 116460, recorded on Microfilm Roll No. 75, adopting recommendations of the Planning Commission, being 12 conditions relative to the zone variance and property use permits granted under Resolution No. 116359, to Sidney L. and Elinore N. Davis, owners, and Lawrence and Raymond O'Connell, purchasers, in connection with erection and operation of 150-unit trailer park on portion of Pueblo Lot 264 bounded on the southwest by Morena Blvd.; on the northwest by the proposed Tecolote Creek Channel; on the northeast by a line parallel with and 100 feet southwest of the northeast line of Pueblo Lot 264; and on the southeast by the proposed Tecolote Valley Freeway - being approximately 263.8 feet by 881.35 feet located in Zones C and R-1 - all of which conditions are set forth in Document No. 484065, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

There being no further business to come before the Council at this time, the meeting was declared adjourned, by Mayor Butler, at the hour of 12:04 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, February 2,
1954

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

The Minutes of the Regular Council Meetings of Tuesday, January 26, 1954 and of Thursday, January 28, 1954, were presented to the Council by the Clerk. On motion of Councilman Schneider, seconded by Councilman Kerrigan, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the improvement of the Median Area of Harbor Drive between Laurel Street and Wake Taxiway - Specification No. 378 - the Clerk reported that 8 bids had been received, which bids were presented to the Council.

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

Said bids were as follows:

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$5,000.00, which bid was given Document No. 484433;

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 \$5,000.00, which bid was given Document No. 484434;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of 10% of amount bid not exceeding \$5,000.00, which bid was given Document No. 484435;

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. 484436;

The bid of A. W. Thorpe, 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. 484437;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co. in the sum of 10% of the aggregate sum of the bid, which bid was given Document No. 484438;

The bid of Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of 10% of the total amount bid, which bid was given Document No. 484439;

Councilman Godfrey entered the meeting at this time.

The bid of M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, which bid was given Document No. 484440.

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 Redwood Village Pipe Line - Housing and Home Finance Agency 4-CF-18 - Specification No. 72, the Clerk reported that 8 bids had been received, which bids were presented to the Council.

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

Said bids were as follows:

The bid of Beason Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of 10% of the amount of the accompanying bid, which bid was given Document No. 484422;

The bid of Rogers Construction Co., 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. 484423;

The bid of 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. 484424;

The bid of W. A. Robertson, S. E. Robertson, M. L. Robertson, B. W. Robertson and D. V. Upshaw, doing business as W. A. Robertson & Company, which bid was given Document No. 484425;

Councilman Godfrey was excused from the meeting at this time.

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. 484426;

The bid of Royal Pipeline Const. Co., accompanied by bond written by United Pacific Insurance Company in the sum of 10% of the aggregate sum of the bid, which bid was given Document No. 484427;

The bid of Dan E. Pace dba Pace Construction Company, accompanied by bond written by American Surety Company of New York in the sum of 10% of total amount bid, which bid was given Document No. 484428;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company of Baltimore, in the sum of 10% of amount of bid, which bid was given Document No. 484429.

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 of the East and West and North and South Alleys in Block 55 Normal Heights, within the limits and as particularly described in Resolution of Intention No. 115259, 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 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. 484444;

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. 484445;

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. 484446;

The bid of Gilman Grading Co., accompanied by bond written by The Phoenix Insurance Company of Hartford, Connecticut, in the sum of \$600.00, which bid was given Document No. 484447.

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 North and South Alley in Block 119 University Heights, within the limits and as particularly described in Resolution of Intention No. 115261, the Clerk reported that 6 bids had been received, which bids were presented to the Council.

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

Said bids were as follows:

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$200.00, which bid was given Document No. 484448;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$300.00, which bid was given Document No. 484449;

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 \$300.00, which bid was given Document No. 484450;

The bid of Fred A. Brown, accompanied by certified check written by United States National Bank in the sum of \$160.00, which bid was given Document No. 484451;

The bid of Gilman Grading Co. of San Diego, California, accompanied by bond written by The Phoenix Insurance Company of Hartford, Connecticut, in the sum of \$160.00, which bid was given Document No. 484452;

The bid of Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$300.00, which bid was given Document No. 484453.

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 of Keating Street and Linwood Street, within the limits and as particularly described in Resolution of Intention No. 115262, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

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

Said bids were as follows:

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$3,500.00, which bid was given Document No. 484454;

Bids

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 No. 484455;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of three thousand dollars, which bid was given Document No. 484456;

Councilman Godfrey returned to the meeting.

The bid of M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of twenty eight hundred dollars, which bid was given Document No. 484457.

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 of Mason Street, within the limits and as particularly described in Resolution of Intention No. 115263, the Clerk reported that 6 bids had been received, which bids were presented to the Council.

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

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of four hundred dollars, which bid was given Document No. 484458;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of six hundred dollars, which bid was given Document No. 484459;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of four hundred dollars, which bid was given Document No. 484460;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of one thousand dollars, which bid was given Document No. 484461;

The bid of M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of five hundred dollars, which bid was given Document No. 484462;

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. 484463.

On motion of Councilman Schneider, seconded by Councilman Burgener, 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, the time set for hearing on Resolution No. 116058 of Preliminary Determination, the Clerk reported that no written protests had been received.

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

Thomas H. Roberts, who stated that he resides in La Mesa, was heard. He told the Council that he has a court, and asked why the alley was to be paved, and about the cost thereof. He said that he had not signed the petition, after which he identified his property as Lots 9 and 10 Block 199.

The City Engineer said that the estimate on the Roberts property would be \$230.00, for his 2 lots.

The Mayor told Mr. Roberts that the proceedings had been started on petition of property owners.

Mr. Roberts said that he represented 3 additional property owners. He said that he was reasonably sure that residential property owners do not want the alley paved. He said that the street paving was listed, that the alley was high by comparison.

The Mayor said that there has been a downgrading trend in bid prices.

Mr. Roberts said that it is the commercial people who want the paving, and that they should pay a majority of the cost. There ~~there~~ be no way of the commercial people being held liable for a higher cost.

The Mayor replied that there is not.

Councilman Schneider said that the people share alike for the frontage. Answering Mr. Roberts, Councilman Schneider said that the standard specifications are provided. He said that "cheaper" paving in alleys never turns out to be cheaper.

The Mayor asked Mr. Roberts if he was protesting.

Mr. Roberts said that he was.

RESOLUTION NO. 116461, recorded on Microfilm Roll No. 75, overruling and denying the protest of Thomas H. Roberts and 3 other individuals he stated that he represented, against the proposed improvement of the Alleys in Blocks 199 and 220 Pacific Beach, provided in Resolution of Preliminary Determination No. 116058; overruling and denying all other protests thereon, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116462, recorded on Microfilm Roll No. 75, determining that the proposed improvement of the Alleys in Blocks 199 and 220 Pacific Beach, within the limits and as particularly described in Resolution of Preliminary Determination No. 116058; 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

Bids
Hearing

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 Resolution No. 116059 of Preliminary Determination for the paving and otherwise improving of Congress Street and Hortensia 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. 116463, recorded on Microfilm Roll No. 75, determining that the improvement of Congress Street and Hortensia Street, within the limits and as particularly described in Resolution No. 116059 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. 116060 of Preliminary Determination for the paving and otherwise improving of Wells 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. 116464, recorded on Microfilm Roll No. 75, determining that the improvement of Wells Street, within the limits and as particularly described in Resolution No. 116060 of Preliminary Determination is feasible, and that the lands to be assessed thereof 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 the continued hearing on the paving and otherwise improving of Wunderlin Avenue and 60th Street, within the limits and as particularly described in Resolution No. 115976 of Preliminary Determination, the Mayor stated that the subject had been referred to Council Conference, where it had been discussed. It had been determined that the City cannot contribute to the cost of the improvement.

Councilman Dail said that the Mayor was talking to "no one", inasmuch as there were no protestants present.

RESOLUTION NO. 116465, recorded on Microfilm Roll No. 75, determining that the proposed improvement of Wunderlin Avenue and 60th Street, within the limits and as particularly described in Resolution No. 115976 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set on the continued hearing for the construction of cement concrete pipe storm drains and appurtenances in Olney Street, Grand Avenue, Kendall Street, Morrell Street, Noyes Street, Garnet Street, Diamond Street, Lamont Street, Chalcedony Street, Academy Street, Beryl Street, and Public Rights of Way in Acre Lots 21 and 51 Pacific Beach, within the limits and as particularly described in Resolution No. 115803 of Preliminary Determination (on determination of January 19 for continuance week-by-week hearing until February 16, 1954) -

RESOLUTION NO. 116466, recorded on Microfilm Roll No. 75, continuing hearing on the proposed improvement of Olney Street, Grand Avenue, Kendall Street, Morrell Street, Noyes Street, Garnet Street, Diamond Street, Lamont Street, Chalcedony Street, Academy Street, Beryl Street and Public Rights of Way in Acre Lots 21 and 51 Pacific Beach, until the hour of 10:00 o'clock A.M., Tuesday, February 9, 1954, 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 on the continued hearing for the construction of cement concrete pipe storm drains and appurtenances in Streamview Drive, 54th Street and Public Right of Way, within the limits and as particularly described in Resolution No. 115496 of Preliminary Determination (on determination of January 12 for continuance week-by-week hearing until February 9, 1954) -

it was moved by Councilman Schneider, seconded by Councilman Kerrigan to

continue the hearing one week.

Before a vote was taken on the motion, Councilman Kerrigan reported on a meeting which had been held in the district. He stated that the "Jackson-Scott" property does not want to be assessed on account of other work which had been done to create the problem of storm water. He advised that any Councilman who wants to know more about the situation should look at it.

Councilman Wincote observed that a trip had been made once on the same thing.

Councilman Kerrigan pointed out that the City Engineer had determined it to be fair to include the properties he had shown on the proposed assessment. He knows the temper of the people, Councilman Kerrigan added.

Councilman Dail stated that the Council has looked over the property and the project carefully.

Councilman Wincote referred to Maps which show the drain. He said that the City could not tell what the results would be until there were rains, or by the opening of hydrants.

Councilman Kerrigan said that some people in the Jackson-Scott property area favor the project, but that some others do not want to participate in the cost. He told about meeting to be held tomorrow afternoon with the City Manager, the City Attorney and others on the subject.

Councilman Wincote suggested a report from tomorrow's meeting.

Councilman Kerrigan stated that he has looked at the property, and he told individuals interested that members of the Council have been very busy. He stated that he had agreed to ask members of the Council to look at it.

The roll was called resulting in

RESOLUTION NO. 116467, recorded on Microfilm Roll No. 75, continuing to the hour of 10:00 o'clock A.M., Tuesday, February 9, the hearing on the proposed improvement on Streamview Drive, 54th Street and Public Right of Way, under Resolution of Intention No. 115496, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued on the Street Superintendent's Assessment No. 2193 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 195 City Heights and Lincoln Avenue, within the limits and as particularly described in Resolution of Intention No. 109805, the City Engineer made a verbal report.

The Engineer told the Council that he had reported last week 5 possible systems. The Council can use any of them relative to spreading the assessment, he said.

Councilman Wincote said that Willard Olson, of the City Engineer's office, showed "last week" regarding the 33rd Street and Boundary Street assessments. He reviewed the past payments.

The City Engineer spoke about including other assessments, as well as the present one; also the matter goes back 30 years, he said. The property had been assessed on the standard method, and he could see no reason for a different assessment, City Engineer Fogg said.

There was a conference between Councilmen and the City Engineer over a group of figures, not available to the Clerk.

Then the City Engineer reviewed past figures in their effect on the property.

Councilman Kerrigan said that one assessment was made when the property was in former City of East San Diego - and that others had been levied in San Diego. He thought the Council had "thrown out", he said.

Councilman Wincote spoke of one lot being wide on the alley, narrow on the street, and that through various improvements the assessments had been equalized.

The City Engineer repeated that the standard method of assessing was used.

Councilman Dail said that he does not want to get in the position of the Council making the assessment, instead of the Engineer.

Councilman Kerrigan moved to overrule the assessment protests, which motion was seconded by Councilman Dail.

Before the roll was called, Mr. Novotny was heard.

Clarence J. Novotny said that the City Engineer had made errors in his report to the Council. Lots 1 and 2 are in one ownership, he stated. He also referred to Lots 45 and 46. He reviewed the proposed assessments on various properties, and declared that 2 assessments which he had paid had been omitted from the Engineer's report. He spoke about the grading and paving of Lincoln Avenue in 1928.

Mr. Olson talked to various members of the Council about previous and present assessments, as well as earlier and current work.

Mr. Novotny did not agree with Councilman Dail's statement in connection with the making of the assessments.

The Mayor told Mr. Novotny that if the formula is not unfair, the Council will stick to it.

Mr. Novotny stated that Councilman Godfrey had said earlier that a formula does not necessarily apply. He told about a formula used in Los Angeles on his property to be assessed there, on which reference had been made to a presumed judgment. He spoke regarding values of properties.

Councilman Wincote asked Mr. Novotny regarding both lots having access to Lincoln Avenue.

Mr. Novotny continued speaking, but it was regarding the assessment.

Councilman Burgener said that since the property is a pair of lots, and that both of them are usable, he thought it was about the same.

Mr. Novotny said "no". He spoke of varying assessment costs.

There was discussion back and forth between Mr. Novotny and various Council members.

Mr. Olson joined the discussion.

Councilman Burgen er said that the assessment has caught up with Mr. Novotny's lot.

Mr. Novotny said that it has not only caught up with it, but is ahead of it. He spoke of Lots 1 and 2 being sold, and that the agent had contacted him regarding the improvements which are in.

Councilman Winote said that there is a question, but that he thinks the figure is right.

The Mayor said that the Council does not agree with Mr. Novotny, and that Mr. Novotny knows that he can sue.

Mr. Novotny replied that he should not be put to that trouble and expense.

RESOLUTION NO. 116468, recorded on Microfilm Roll No. 75, overruling and denying the appeals of Clarence J. Novotny and of George E. Crowle from the Street Superintendent's Assessment No. 2193 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 195 City Heights and Lincoln, within the limits and as particularly described in Resolution of Intention No. 109805; overruling and denying all other appeals thereon; confirming and approving said Assessment, directing the Street Superintendent to attach his warrant thereto and record and issue the same in the manner and form provided by law, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Petition of employees of The City of San Diego requesting an election be authorized relative to execution of contract to incorporate officers and employees of The City of San Diego as members of the State Retirement plan, under the California State Employees' Retirement Law, was presented. The communication elaborates on the present Police and Fire Retirement System and the City Employees' Retirement System.

RESOLUTION NO. 116469, recorded on Microfilm Roll No. 75, referring communication (petition) from San Diego Municipal Employees' Association, Inc. requesting that the City Council undertake proceedings which will result in the holding of an election where the employees can express their opinion on the question of becoming members of the State Employees' Retirement System, to Council Conference, 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 installation of acoustical material to the ceiling and walls of the Fire Alarm Station, received January 19, 1954 from 2 bidders, was presented. It recommended award to Larson Brothers Plastering Company, low bidder, in the amount of \$2,390.00 - 8.1% below the estimate.

RESOLUTION NO. 116470, recorded on Microfilm Roll No. 75, accepting bid of Larson Brothers Plastering Company for installation of Acoustical Material in ceiling and walls of the Fire Alarm Station for The City of San Diego; 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 Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, reporting on bids received January 8, 1954, from 5 bidders, for furnishing wooden office furniture for use in the new Library, was presented.

Said communication recommended award to San Diego Office Supply & Equipment Co., low bidder, for furnishing Item 1, 1 ea. 58 x 38 Conference Desk @ \$132.00; Item 2, 2 ea. 60 x 34 Tables @ \$69.00 ea; Item 3, 1 ea. 34 x 17 x 29 Cabinet @ \$57.00; Item 4, 8 ea. 60 x 34 Secretarial Desks @ \$140.00 ea; Item 5, 1 ea. 74 x 38 Executive Desk (alt.) @ \$150.00; Total \$1,597.00, terms 2% - 30 days, plus State Sales Tax; also award to American Typewriter Co., low bidder, for furnishing Item 6, 5 ea. 60 x 34 Executive Desks @ \$123.50 ea; Total \$617.50, terms net, plus State Sales Tax.

RESOLUTION NO. 116471, recorded on Microfilm Roll No. 75, accepting bid of San Diego Office Supply & Equipment Co. for the furnishing of items shown in the report listed above, 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116472, recorded on Microfilm Roll No. 75, accepting bid of American Typewriter Co. for furnishing 5 Executive Desks as shown in the report above, 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 Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent reporting on bids for reroofing Hangar No. 2 Lindbergh Field Municipal Airport, recommending award to Bob Griffin Roofing Company, low bidder, in the amount of \$887.00 (engineer's estimate was \$1500.00 - 3 bids received January 20, 1954 - was presented.

RESOLUTION NO. 116473, recorded on Microfilm Roll No. 75, accepting bid of Bob Griffin Roofing Company for reroofing Hangar No. 2, Lindbergh Field Municipal Airport, for the Harbor Department; 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 contract 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 Assistant City Manager's stamp of approval, reporting on bids received January 27, 1954 from 7 bidders,

recommending award to V. R. Dennis Construction Company, low bidder, at \$7160.01 - low bid 22.6% below the estimate - was presented.

RESOLUTION NO. 116474, recorded on Microfilm Roll No. 75, accepting bid of V. R. Dennis Construction Company for improvement of 54th Street at Krenning Street (including grading, paving and construction of curbs, sidewalk, sewer main, manholes and sewer lateral, driveways and parking lot); awarding contract, authorizing and instructing the City Manager to enter into and execute contract pursuant to the plans and specifications on file in the office of the City Clerk, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, submitting Resolution authorizing bids for Vertical Steel Files for the Library as per specifications on file in the office of the City Clerk bearing Document No. 484271, was presented.

RESOLUTION NO. 116475, recorded on Microfilm Roll No. 75, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Vertical Steel Files, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116476, recorded on Microfilm Roll No. 75, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of Adams Avenue and Mansfield Street Pipe Line, bearing Document No. 484256; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids in accordance with the plans and specifications, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116477, recorded on Microfilm Roll No. 75, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of Anna Avenue between its termination at Sherman Street and the easterly line of the A.T. & S.F. Railway Right-of-Way (including grading, paving and construction of curb), bearing Document No. 484279; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids in accordance with the plans and specifications, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116478, recorded on Microfilm Roll No. 75, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of New Public Library, College Heights Branch, bearing Document No. 484280; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids in accordance with the plans and specifications, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116479, recorded on Microfilm Roll No. 75, authorizing and directing the Purchasing Agent to advertise for sale and sell International T-14 Tractor, 1942, equipped with Bucyrus-Erie Hydraulic Dozer, belonging to the Public Works Department, which is no longer desirable for use or retention by the City - all expenses in connection with the sale to be deducted from proceeds - was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The next two items - which had been before the Council on Jan. 26, 1954 and continued to this date - were considered at this time. They were communications from the Planning Commission submitting Resolutions suspending 2 sections of the Municipal Code relative to the Tentative Map of Muirlands Acres Unit No. 2, and recommendation for approval of the Tentative Map thereof subject to 10 conditions.

Opening the matter, Glenn A. Rick, City Planning Director, stated that the property proposed to be subdivided is across from the Corey property which had been subdivided earlier on various conditions granted by the Council.

Councilman Wincote said that he has a letter from Fred C. Corey to the effect that he is ready to go along.

John Wilhelm, who had appeared before the Council at its previous consideration, passed up a letter. At the request of the Council, the Clerk read the Corey letter addressed to Councilman Wincote which expresses willingness that Buckingham Drive within Muirlands Acres be improved according to City specifications whenever it is found necessary to do so. Also, a communication from Helen A. Macatee stating that it is the feeling of the people in her area that they would like to maintain the rural atmosphere. It says that she wishes to acknowledge agreement that Buckingham Dr. should be improved to City standards when and if it becomes necessary to take care of future development easterly of Muirlands Acres. It says that people in residence there have stated, and she agrees, that much of the charm, simple and countrified cannot be duplicated elsewhere in San Diego. The writer states that they would like to retain that charm until, in the judgement of the City, heavy roads and curbs are needed for greater traffic than is now envisaged.

Mr. Rick said that letters bind nobody. He added that Mr. Corey might

not be the owner when the City is ready to make its demand.

Douglas D. Deaper, Deputy City Attorney, was asked about the matter.

Mr. Deaper spoke about bond for improvement in other areas.

Mr. Rick said that a letter has no legal basis. He told the Council that he was not questioning Mr. Corey's word, but stated that he does not understand how the subject applies to the proposal being considered.

Councilman Wincote said that there are hundreds of acres to the east which will be developed. If so, it will be necessary to require pavement, but not until then.

Mr. Rick said that it is a new departure to have a letter in lieu of Council Resolution.

Councilman Wincote asked for "the letter".

Councilman Kerrigan said that there is access to lots of other properties.

Mr. Rick spoke of property to the east, Tavares property, which depends on this.

Councilman Wincote maintained that it is different where trees run down the middle of the street.

Councilman Rick spoke of the owners and subdividers possibly not choosing to pave when others subdivide. Then they could get a free ride, he pointed out to the Council.

There was discussion held between Councilman Wincote and Mr. Rick relative to Fred Corey Jr. property.

Councilman Wincote said that each property owner is giving a 30-foot easement on each side.

Councilman Schneider was excused.

Mr. Rick related discussion with various Councilmen regarding metes and bounds divisions on other property - the Douglas Young property, for instance.

Councilman Burgener said that there is need for consistency, on account of the Corey property.

Councilman Kerrigan declared that Mr. Wilhelm is now in on the same thing as given to Mr. Corey. He carried on a discussion with Councilman Wincote regarding the condition of streets.

Councilman Wincote said that the street in question appears to be passable on account of the sandy loam.

Councilman Kerrigan said that there will be a demand made on the City to maintain the streets.

Councilman Schneider returned to the meeting at this time.

Mr. Wilhelm said that the rural atmosphere is part of the charm.

Councilman Wincote asked that if there are no easements through the property, so why force the man to pave, he asked. He said that he did not understand it until he had looked at the area.

Councilman Kerrigan pointed out that the Council has had advice on the subject from the Planning Department. He said that there is a question of what happens to the next property.

Councilman Wincote said that the property owners don't want the paving, that they like what they've got.

Mr. Rick spoke of the City maintaining roads in passable condition. He spoke about there being possible conditions regarding future easements.

Councilman Dail said that they may not be ready to pave, and said that it is up to the property owners to request the paving - as they do in all other instances.

Councilman Kerrigan said there seems to be nothing for the Council to approve.

The Mayor said that it is wrong to provide for the improvement by a bond, whereas paving is put in by others.

Mr. Deaper said that the subdivider can put up cash with the Treasurer to insure the paving being done.

Councilman Kerrigan said that can be covered by bond.

Mr. Rick said that sidewalk, curbs and gutters are in Muirlands.

Mr. Wilhelm said "some gutters". He spoke of having read a letter at the last meeting, and re-read the last paragraph (the letter was not identified). He spoke of it having been implied that this subdivision would be the same as that of the Corey property in connection with the street. He made a review regarding the 3 lots previously referred to on the Corey map.

Councilman Wincote moved to approve the Tentative Map of Muirlands Acres Unit No. 2, on the same terms as those on the Corey map, which motion was seconded by Councilman Schneider.

Next, Mr. Rick reviewed the terms of the proposal, item by item.

There was discussion between Councilman Wincote and Mr. Rick regarding there being a 60 or 30 foot dedication.

Mr. Rick said that the dedication is part of the Resolution, as of today, except that it might be changed by the Council.

Mr. Wilhelm said that his clients will not grade "beyond".

Mr. Rick spoke about the necessity of bringing the street to grade; otherwise it becomes a problem, and he related the many instances into which the Council had become involved relative to differences in grades.

Councilman Godfrey said that Mr. Corey has control of only half of the street.

Councilman Burgener said that the City does not control exits, and spoke of no exit regarding water.

Mr. Rick said that the Council is bringing up the things which become problems. He said that Mr. Wilhelm is quarreling with other conditions.

Mr. Wilhelm, answering Councilman Schneider, said that Mr. Corey did not grade.

Councilman Wincote maintained that it is inadvisable to grade.

Mr. Wilhelm spoke about easement at the end of the street.

Mr. Rick pointed out that the City does not take fee title to the streets. He said that the City Engineer is the one who knows about grading; he does not.

Councilman Schneider asked why not have the grade set.

The City Engineer told the Council that it is new territory, and that no grade had been set. He said that if the Council wants it set to grade, he will set it. Engineer Fogg said that he is not familiar enough to make a determination at this time. He declared that if one was let out without requirement for grading, the same should be done in this instances. He spoke of no existence of grade resulting in trouble, with one house up, another down. He said that he could set the grade, if directed to do so. He pointed out that there is no requirements for the building to the established grade.

Councilman Dail moved to delete from the proposed Resolution approving the Tentative Map conditions 2, having to do with grading of the 50-foot street, and the grading of the 60-foot street from the northerly property line to the center of the street; 2, having to do with requirement for installation of Type G Portland cement curbs adjacent to the subdivision on the 50 and 60 foot streets, and their location; the requirement for paving the 50 foot and 60 foot streets, respectively, 15 feet and 18 feet wide adjacent to the curbs with pavement conforming to Schedule A, Sept. 1, 1951, which motion was seconded by Councilman Wincote.

Mr. Rick continued to review the conditions set forth in the recommendation and the proposed Resolution.

Councilman Schneider moved to adopt the Resolution suspending sections of the Municipal Code, and to adopt Resolution approving the Tentative Map with conditions 2, 5, and 6 excluded, which motion was seconded by Councilman Wincote.

RESOLUTION NO. 116480, recorded on Microfilm Roll No. 75, suspending Sections 102.18 and 102.17-c of the San Diego Municipal Code in connection with the Tentative Map of Muirlands Acres 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, Dail, Godfrey, Mayor Butler. Nays--Councilman Kerrigan. Absent--Councilmen None.

RESOLUTION NO. 116481, recorded on Microfilm Roll No. 75, approving the Tentative Map of Muirlands Acres Unit No. 2, a 3-lot subdivision of portion of Pueblo Lot 1256, subject to 7 conditions, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilman Kerrigan. Absent--Councilmen None.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 4 sections of the San Diego Municipal Code in connection with Tentative Map of Cook Manor, was presented.

RESOLUTION NO. 116482, recorded on Microfilm Roll No. 75, suspending Sections 102.07-6, 102.16-8, 102.18, 102.17-c of the Municipal Code, in connection with the Tentative Map of Cook Manor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Cook Manor, for resubdivision of Lots 1, 26, 27 and portion of Lot 2 Block 8 Sunset Cliffs, fronting on Tivoli, Santa Barbara and Granger Streets, subject to 4 conditions, was presented.

RESOLUTION NO. 116483, recorded on Microfilm Roll No. 75, approving Tentative Map of Cook Manor, subject to 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, recommending that Section 101.0405 of the Municipal Code be amended to provide in R-1 for single-family dwellings, provided that not more than 2 persons in addition to members of the family be boarded therein, and that all boarders and/or lodgers shall be housed in the permitted single-family dwelling, was presented.

The communication states that the City Attorney, in an opinion written December 30, 1953, held that said section permits usual single-family dwelling with detached building on the same premises could be used for rental purposes. It states that it was also pointed out that inasmuch as the present Ordinance permits 4 persons in addition to the family to be boarded or lodged therein, the boarders or lodgers could occupy detached and separate buildings from the main dwelling permitted. The communication says that the Planning Commission at the meeting of January discussed the matter and it was the unanimous opinion that R-1 zone should permit only 2 persons in addition to members of the family; and points out that by Ordinance No. 2275 dated October 21, 1941, prior to the second world war permitted only 2 boarders in addition to members of the family.

RESOLUTION NO. 116484, recorded on Microfilm Roll No. 75, adopting recommendation of the City Planning Department for adding sentence somewhat as follows to the San Diego Municipal Code known as Section 101.0405: Item "(1) Single-Family Dwellings; provided, however that not more than two (2) persons in addition to members of the family may be boarded or lodged therein;....." and "All boarders and/or lodgers shall be housed within the permitted Single-Family Dwelling", was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, stating that the Commission on January 27, 1954, after having conducted a public hearing on which 25 property owners were notified by postal card, recommending change of name of Jefferson Avenue to Alder Drive, was presented. It states that 6 agencies concerned have all approved the change, and that there were no protests at the hearing. The communication reports that the commission voted 5-0 for the change.

RESOLUTION NO. 116485, recorded on Microfilm Roll No. 75, adopting recommendation of the City Planning Commission for changing the name of Jefferson Avenue in Kensington Park to Alder Drive; directing the City Attorney to prepare and present to the Council the necessary Ordinance changing the name of the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from National Association of Supervisors, Department of Defense, Local No. 36, U.S. Naval Establishments, San Diego, dated 26 January 1954, signed by E. A. LaCamera, 4657 Judson Way, was presented.

Said communication refers to letter of 22 January 1954 in which it stated "...zoning action affecting land within the 12-mile radius" should read "2-mile radius". It also requests prompt attention to original letter.

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

Communication from Joseph Z. Caarzasty relative to the proposed closing of Stone Street, was presented.

Glenn A. Rick, City Planning Director, spoke of letter being on file. It is not here, but will be before the Council on Thursday relative to Stafford Subdivision, Resub Blk 191 Middletown & R. Merideath Jones Sub. He spoke of there not being street frontage if not on California Street.

Councilman Wincote wondered if the resubdivision matter would come first, then the Stone Street closing.

Mr. Rick said that the subdivider wants to do it that way. He started to say that closing should require...but conversation interrupted the statement. He continued by saying that so far there is just a communication.

Mr. Caarzasty spoke about subdividing property and the closing of Stone Street. He said that although he had checked before they bought their property, Stone Street closing keeps coming up time to time.

Councilman Wincote reviewed past actions in connection with effort to close the street. He said that Morey Levenson, the attorney for the closing petitioner was in the hospital at the time it was considered by the Council.

The Mayor said that the closing matter and the proposed subdivision should be referred to the City Manager, and all be considered together.

Mr. Caarzasty spoke of establishing San Diego as his home, although his Navy orders call for transfer elsewhere.

The Mayor, who had secured the Caarzasty letter from the Clerk, read it to himself. He said that the case was well presented in the letter. He said he felt the matter could be handled Thursday by the City Manager and by the Planning Department.

Councilman Kerrigan said he felt that if there is still access, objection would be removed. He said that the owner on both sides of the street in question wants to rearrange his property.

Mr. Caarzasty said that he wants to close Stone Street.

Councilman Wincote said that the Caarzasty house faces so they can get out. He spoke of an easement of 10 feet which would permit access. Mrs. Caarzasty refuses to go through the auto court, Councilman Wincote said.

There was discussion between Councilman Wincote and Mrs. Caarzasty who had come to the microphone.

Councilman Wincote referred to the garage being 8 feet below where it is intended to have the back yard.

Mr. Caarzasty said that it is about 6 feet.

Councilman Kerrigan said that the plan is to resubdivide, then grant the easement.

Councilman Wincote mentioned facing on Titus Street.

Councilman Burgener and Mrs. Caarzasty carried on a discussion in relation to the Stafford property.

Mayor Butler, speaking to Mr. and Caarzasty, said that there is need to consider the entire picture on Thursday. He said he felt that they should be here at that time.

Mrs. Caarzasty spoke of driving a truck up there now.

Mr. Caarzasty spoke of an open sewer later.

On motion of Councilman Schneider, seconded by Councilman Dail, said communication was referred to the City Manager for consideration on Thursday, together with the subdivision matter to be before the Council.

RESOLUTION NO. 116486, recorded on Microfilm Roll No. 75, directing notice of the filing of the Street Superintendent's Assessment No. 2203 made to cover the costs and expenses of the work done upon 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116487, recorded on Microfilm Roll No. 75, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise

improving of Wightman Street and Ogden Street; approving Plat No. 2498 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. 116488, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of 54th Street, Blackton Drive, 55th Street, Balboa Vista Drive, 56th Street, Olive Street, Seifert Street, Biloxi Street, Laurel Street, Faulconer Street, the Alleys in Blocks A, B, C, D, F, G, H, J Balboa Vista, the Alley in Balboa Vista Heights which lies easterly of and contiguous to Lots 4 to 12 inclusive, of said Balboa Vista Heights, the Alley lying easterly of and contiguous to Lots 4 to 9 inclusive Block 1 Balboa Vista, Lolly Circle, and the Alley in Block 3 C. C. Seaman's Subdivision, within the limits and as particularly described in Resolution of Intention No. 115896, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 116489, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of 68th Street, within the limits and as particularly described in Resolution of Intention No. 115632, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 116490, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of Ellison Place, within the limits and as particularly described in Resolution of Intention No. 115895, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 116491, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of Santa Isabel Drive and Olvera Avenue, within the limits and as particularly described in Resolution of Intention No. 115897, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116492, recorded on Microfilm Roll No. 75, directing Notice Inviting Sealed Proposals for the furnishing of electric current for the lighting of street lamps on mast arms in Mission Beach Lighting District No. 1, together with certain maintenance, for a period of one year from and including May 15, 1954, to and including May 14, 1955, in accordance with the Engineer's Report and Assessment, filed December 11, 1953, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 116493, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of the Alley in Block 45 Normal Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 116494, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of 35th Street, Webster Avenue, Pardee Street, 36th Street and Pardee Place, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 116495, 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, 1954, to and including June 14, 1955, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 116496, recorded on Microfilm Roll No. 75, 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, 1954, to and including June 30, 1955, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 116497, recorded on Microfilm Roll No. 75, 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, 1954, to and including July 15, 1955, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 116498, recorded on Microfilm Roll No. 75, 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, 1954, to and including July 31, 1955, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 116499, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of Wightman Street and Ogden Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116500, recorded on Microfilm Roll No. 75, ascertaining and declaring the wage scale for the paving and otherwise improving of Logan Avenue and Florence Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

In connection with the proposed Resolution approving diagram of the Assessment District, which had been continued to this meeting from the meeting of January 26, 1954, for installation of a Sanitary Sewer Main, Water Main and Steel Standpipe Water Storage Reservoir, in Kearny Mesa Improvement District, Mr. Nichols who did not give his first name or initials, spoke.

W.H. Nichols said that the Resolution calls for approving of the diagram, that edges are not of a definite size, and that he does not see how it will be possible to arrive at the assessment on its account.

The City Manager reported that the matters handled under the proceedings had been by special attorney and engineers - not the City of San Diego. The City Attorney advises that it is not a City problem, he stated. The City Manager said that the diagram has been made available for anyone to see. He said that he cannot answer questions, in that he does not know.

Mr. Nichols contended that the plat is not correct, and that maps do not agree.

Donald R. Short, engineer, representing the engineer for the work, was heard. He discussed with Mr. Nichols the question of the diagram.

The matter was held up temporarily, and will be found again on page 249 of these Minutes.

RESOLUTION NO. 116501, recorded on Microfilm Roll No. 75, approving the diagram of the property affected or benefited by the work of improvement to be done on paving of the Alley in Block 54 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 114059, 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 Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116502, recorded on Microfilm Roll No. 75, approving the diagram of the property affected or benefited by the work of improvement to be done on paving of Russell Street, within the limits and as particularly described in Resolution of Intention No. 113000, 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 Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116503, recorded on Microfilm Roll No. 75, adopting recommendation of the City Engineer filed in the office of the City Clerk on January 25, 1954, under Document No. 483934; authorizing the City Engineer to amend proceedings for improvement of Flicker Street and Jamacha Road, in accordance with said recommendation, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116504, recorded on Microfilm Roll No. 75, granting petitions contained in Document No. 483847 and Document No. 483848 for installation of sewers to serve Blocks 9, 10, 16 and portion of Block 8 Bungalow Park, and Blocks 4, 5, 10, 11 and 17 Swan's Addition; directing the City Engineer to furnish the Council with a plat

showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the installation of sewers to serve Blocks 6, 7, 8, 9, 10, et al Bungalow Park Addition, et al., was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116505, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 478948 for installation of sidewalks adjoining Lots 4 thru 31, 38 thru 50, 62 thru 66, 69 thru 73, and 74 thru 115 Cosgrove Mesa; directing the City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116506, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 483049 for paving and otherwise improving of the Alley in Block 3 Ocean Beach; directing the City Engineer to furnish description of 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, including sewer laterals if required, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116507, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 483559 for the paving and otherwise improving of the Alley in Block 20 Ocean Beach Park and Block 99 Ocean Bay Beach; directing the City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses thereof, including sewer laterals if required, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116508, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 482712 for paving and otherwise improving of Alleys in Block 4 Ocean View and Block 2 Sunset Grove; directing the City Engineer to furnish the Council with description of the assessment district, and a plat showing exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, including sewer laterals if required, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116509, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 483558 for the paving and otherwise improving of the Alleys in Block 35 Parish and Loomis Subdivision; directing the City Engineer to furnish description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said improvement, including installation of sewer laterals is required, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116510, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 482062 for the paving and otherwise improving of the Alley in Block 30 Park Villas; directing the City Engineer to furnish description of the assessment district, and plat showing exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses, including installation of retaining walls if required, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116511, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 483561 for the paving and otherwise improving of the Alley in Block 2 Swan's Addition, between Olive Street and the canyon to the north; directing the City Engineer to furnish description of assessment district, and plat showing exterior boundaries of the district or lands to pay the costs, damages and expenses thereof, including sewer laterals and water services if necessary, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116512, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 482994 for the paving and otherwise improving of the Alley in Block 11 Subdivision of Lots 20 to 50 inclusive Block N Teralta; directing the City Engineer to furnish description of the assessment district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116513, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 482106 for the paving and otherwise improving of the Alley in Block 31 University Heights; directing the City Engineer to furnish description of the

assessment district, and plat showing exterior boundaries of the district or lands to be affected and benefited by and to be assessed therefor, was on motion of Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116514, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 482993 for the paving and otherwise improving of Dudley 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 water services if required, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116515, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 482991 for paving and otherwise improving F Street; directing the City Engineer to furnish description of assessment district, and plat showing exterior boundaries of the district or lands to be affected and benefited by and to be assessed therefor, including sewer laterals if required, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116516, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 482990 for paving and otherwise improving of Kendall Street; directing the City Engineer to furnish description of assessment district, and plat showing exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, including installation of gutters if required, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116517, recorded on Microfilm Roll No. 75, granting petition contained in Documents Nos. 480038, 480622 and 481488 for paving and otherwise improving Lillian Street, Savannah Street in Overlook Heights Subdivision and Boulevard Heights Subdivision, and Buenos Avenue; directing the City Engineer to furnish description of assessment district, and plat showing the exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, including grading, paving and installation of curbs, gutters, guard fences, drainage structures, water services and sewer laterals as required, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116518, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 483562 for paving and otherwise improving Logan Avenue; directing the City Engineer to furnish description of assessment district, and plat showing exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, including gutters and water services if needed, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116519, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 482992 for paving and otherwise improving Newport Avenue; directing the City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, including sewers, sewer laterals, water services, and drainage structures if required, and on Venice Street near intersection with Newport Avenue if required, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116520, recorded on Microfilm Roll No. 75, granting petition for paving and otherwise improving of Quimby Street; directing the City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses, including water services, sewer laterals, guard fence and drainage structures as required, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116521, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 482188 for sidewalks in Richmond Hills Subdivision; directing the City Engineer to furnish plat showing exterior boundaries of 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.

RESOLUTION NO. 116522, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 482189 for the paving and otherwise improving of Roanoke Street; directing the City Engineer to furnish description of assessment district, and plat show-

ing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, including sewer laterals and water services as required, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116523, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 482714 and Document No. 482715 for the paving and otherwise improving of Upshur Street, Shafter Street, Scott Street; directing the City Engineer to furnish description of assessment district, and plat showing exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, including sewer laterals, water services and gutters as required, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116524, recorded on Microfilm Roll No. 75, approving Rules and Regulations governing Private Street Patrolmen, adopted by the Chief of Police and on file in the office of the City Clerk as Document No. 484123, dated January 27, 1954, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116525, recorded on Microfilm Roll No. 75, establishing parking time limit of two hours, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:
Both sides of Fourth Avenue between Thorn Street and Upas Street;
Both sides of Upas Street between Third Avenue and Fourth Avenue;
Both sides of Thorn Street between Third Avenue and Fourth Avenue;
Establishing Parking Meter Zone; directing the City Manager to cause Parking Meters to be installed and cause Parking Meter Spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116526, recorded on Microfilm Roll No. 75, establishing parking time limit of 36 minutes, between the hours of 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:
Both sides of Tenth Avenue between the south line of Market Street and the north line of Island Avenue;
Establishing Parking Meter Zone; directing the City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116527, recorded on Microfilm Roll No. 75, establishing parking limit of two hours, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:
Both sides of Kettner Boulevard between the north line of Ash Street and the south line of Beech Street;
establishing parking meter zone; directing the City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116528, recorded on Microfilm Roll No. 75, establishing parking time limit of two hours between 8:00 a.m. and 6:00 p.m., including Sundays and holidays:
Santa Clara Point, in the near vicinity of Driftwood Dining Room, to affect 15 to 20 parking stalls;
authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116529, recorded on Microfilm Roll No. 75, authorizing and empowering the City Manager to do all the work in connection with construction of two tractor sheds at sanitary fill sites, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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

RESOLUTION NO. 116530, recorded on Microfilm Roll No. 75, authorizing the City Manager to accept the work on behalf of The City - improvement required under Agreement No. 456696 - in Huntington Park Unit No. 2 Subdivision, and execute Notice of

Completion and have the same recorded, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116531, recorded on Microfilm Roll No. 75, authorizing and directing the City Auditor and Comptroller to honor requests of department heads for payment to employees service in each of the departments of the City, additional compensation up to but not in excess of time and one-half for overtime necessary under emergency conditions, in accordance with regulations and procedures prescribed by the City Manager and Personnel Director, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116532, recorded on Microfilm Roll No. 75, approving rentals or service charges for use of Balboa Park Club:

1. Where the lounge and ballroom are used for purposes other than, and not including the serving of any meal or food -

(a) For schools, colleges and other youth organizations, per day - \$75.00

(b) For charity, fraternal, and service organizations for charitable, fraternal, or service club purposes, per day - - - - 150.00

2. For use of lounge and ballroom for any activity which includes the serving of any dinner or other type of meal, the caterer for the activity or activities shall pay a rental of twenty-five cents (\$0.25) per plate, with a minimum of Two Hundred Dollars (\$200.00) per meal, or Three Hundred Dollars (\$300.00) per day, when more than one meal is served (regardless of the fact that the caterer may serve the meals to different groups or organizations or at different functions), and in addition to this rental charge, the caterer shall be required to replace all losses due to breakage.

For events conducted by the Armed Forces which include the serving of any dinner or other type of meal, the charge shall not exceed the above minimum if a work party is furnished the following morning, which under the direction of a representative of the Park and Recreation Department, cleans the premises and places the facilities in a condition satisfactory to the Park and Recreation Director.

For the use of the lounge alone, either in the morning, or afternoon, or evening, a charge per day - - - - - \$35.00; rescinding Resolution No. 110504 adopted February 5, 1953; and Resolution No. 116313 adopted January 19, 1954, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116533, recorded on Microfilm Roll No. 75, approving Change Order No. 3, dated January 22, 1954, heretofore filed with the City Clerk as Document No. 484382, issued in connection with contract between The City of San Diego and A. F. Anderson for construction of alterations at Sewage Treatment Plant, contract contained in Document No. 480215 on file in the office of the City Clerk; changes amounting to increase in contract price of \$57.94, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116534, recorded on Microfilm Roll No. 75, directing 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 Pueblo Lots 320 and 329, listed in said Resolution, requesting that all taxes against said property, together with penalties and other expenses in connection therewith be cancelled; that all deeds to The State of California for delinquent taxes of said property be cancelled; authorizing and directing the Property Supervisor to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116535, recorded on Microfilm Roll No. 75, directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

27th Street at E Street;
27th Street at G Street;
33rd Street at Collier Street;
Haller Street at Quince Street;
Nile Street at Quince Street;
Vancouver Street at Quince Street;
Maple Court west of 30th Street;

was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116536, recorded on Microfilm Roll No. 75, directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at

each of the following locations:

69th Street at Richard Street;
 Bocaw Street at Richard Street;
 Bocaw Street At Julie Street;
 Julie Street, between Bocaw and Richard Streets;
 Francis Street at Franklin Avenue;
 Euclid Avenue at Naranja Street;
 University Place at dead end west of Brant Street;
 Fieger Street at Hanna Street;
 Fieger Street at Timothy Drive, north intersection;
 Fieger Street at Timothy Drive, south intersection;
 Hanna Street approximately 300 feet south of 55th Street;
 Pirotte Street at Timothy Drive;
 55th Street at Faulconer Street;
 55th Street at Timothy Drive;
 Euclid Avenue at Logan Avenue;
 Logan Avenue east of Euclid Avenue;
 Euclid Avenue at Coban Street;
 Euclid Avenue at Palm Street;
 Euclid Avenue at Reynolds Street;
 Euclid Avenue at Solola Avenue;
 Euclid Avenue at Cervantes Avenue;
 Clairemont Avenue at Cervantes Avenue;
 Bonita Drive at Cervantes Avenue;
 Bonita Drive at Solola Avenue;
 Palm Street at Solola Avenue;
 Palm Street at Reynolds Street;
 Reynolds Street south of Coban Street;
 Reynolds Street at Coban Street;
 Coban Street east of Euclid Avenue;
 Encina Drive at Logan Avenue;
 Gwen Street at Logan Avenue;
 Encina Drive east of Logan Avenue;
 Santa Isabel Drive at Encina Drive;
 Bonita Drive at Coban Street;
 Bonita Drive north of Solola Avenue;
 30th Street and Adams Avenue;

was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116537, recorded on Microfilm Roll No. 75, granting to John J. Langford, 2676 Hornblend, San Diego, plumbing contractor for Pan American Trailer Park (Highway 395) to install over-sized lines at a .7% grade to carry sewage; also to install a system of 3-inch traps, wet-vented, to be in accordance with state and local recommendations, which will be safe and adequate; subject to approval of the Chief Plumbing Inspector and the City Manager, and upon conditions set forth therein, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116538, recorded on Microfilm Roll No. 75, authorizing O. W. Campbell, City Manager, and E. W. Blom, Assistant City Manager, to attend the annual Spring meeting of City Managers' Department of the League of California Cities, to be held in Santa Monica, California, February 25 through 27, 1954; authorizing incurring of all expenses necessary in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116539, recorded on Microfilm Roll No. 75, authorizing R. A. Hall, Assistant City Engineer, and Albert R. McKee, Associate Civil Engineer in the City Engineer's Office, to attend the California Street and Highway Conference, to be held February 3, 4, 5, 1954, and incur all the expenses necessary in connection with said trip - together with Richard Gallagher, Director of Public Works and V. A. Parker, Assistant Director of Public Works - whose names were added to the proposed Resolution at the request of the City Manager - was on motion of Councilman of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116540, recorded on Microfilm Roll No. 75, authorizing Aaron W. Reese, Deputy City Attorney to attend the California Municipal Utilities Association Conference, to be held in Riverside, California, February 3, 4, 5, 1954; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116541, recorded on Microfilm Roll No. 75, authorizing Paul Beerman, Director of the Water Department, and Fred Smith, Business Manager, Water Department, to attend the California Municipal Utilities Association to be held in Riverside, California, February 3 through 5, 1954; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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RESOLUTION NO. 116542, recorded on Microfilm Roll No. 75, approving claim of Mary F. Hecker, filed in the office of the City Clerk under Document No. 482207; directing the City Auditor to draw his warrant in favor of Mary F. Hecker and Joseph J. Hecker in said sum in full payment of the claim, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116543, recorded on Microfilm Roll No. 75, approving claim of Ralph Mendez, on file in the office of the City Clerk under Document No. 483504, in the amount of \$43.58; directing the City Auditor to draw his warrant in favor of Ralph Mendez in said sum in full payment of said claim, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116544, recorded on Microfilm Roll No. 75, authorizing the City Attorney to settle the case of Walker-Scott Corporation against The City of San Diego, Municipal Court Case 14022, for \$362.84; authorizing and directing the City Auditor to draw his warrant in favor of Walker-Scott Corporation in said sum in full settlement of said Case, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116545, recorded on Microfilm Roll No. 75, denying claim of Ruth B. Manning, on file in the office of the City Clerk under Document No. 482915, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116546, recorded on Microfilm Roll No. 75, denying claim of Selby C. Scott and David C. Tatman, on file in the office of the City Clerk under Document No. 482120, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116547, recorded on Microfilm Roll No. 75, denying claim of Ethel Irene Seymour, on file in the Office of the City Clerk under Document No. 483341, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116548, recorded on Microfilm Roll No. 75, 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 Contract and Grant of Easement conveying to the United States of America, its successors and assigns, an easement and right of way for construction, operation, and maintenance of pipe lines or conduits for transportation of water in, under, upon, and across a portion of Rancho San Bernardo, in the County of San Diego, State of California, which land is 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. 484515; rescinding Resolution No. 113068 passed and adopted July 9, 1953, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

ORDINANCE NO. 5951 (New Series), recorded on Microfilm Roll No. 75, amending San Diego Municipal Code by adding to Chapter II, Article 6 thereof, Section 26.80 Creating Mission Bay Park Commission and Section 26.81 creating position of Mission Bay Park Director, 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. 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 passage a written or printed copy.

ORDINANCE NO. 5952 (New Series), recorded on Microfilm Roll No. 75, authorizing The City Manager to lease portion of Pueblo Lot 1336 in The City of San Diego to L. W. Brawner for agricultural purposes for a period of 5 years, at an annual rental of \$50.00/- more particular description of property and terms and conditions set forth in Document No. 484516 on file in the office of the City Clerk, 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.

Prior to the final passage of said ordinance the reading was dispensed

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5951 N.S. - 5952 N.S.

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.

ORDINANCE NO. 5953 (New Series), recorded on Microfilm Roll No. 75, amending Section 1 of Ordinance No. 1736 (New Series), of the ordinances of The City of San Diego, entitled "An Ordinance Accepting the Gift of Five Hundred Dollars Toward the Construction of a new Main Library for The City of San Diego; creating a Special Fund in the Office of the Treasurer of the City of San Diego, to be known as the 'New Main Library Building Fund'; and providing for the use thereof," adopted January 9, 1940, 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.

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 passage a written or printed copy.

On motion of Councilman Burgener, seconded by Councilman Wincote, the next Ordinance was introduced:

ORDINANCE NO. 5954 (New Series), recorded on Microfilm Roll No. 75, appropriating the sum of \$18,500.00 from the Traffic Safety Fund, for the purpose of providing funds for installation of Traffic Signals and Safety Lighting Systems at the intersections of Laurel Street and India Street, University Avenue at 35th Street, and Fifth Avenue at Robinson Avenue, was on motion of Councilman 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 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.

On motion of Councilman Wincote, seconded by Councilman Burgener, the next Ordinance was introduced:

ORDINANCE NO. 5955 (New Series), recorded on Microfilm Roll No. 75, appropriating the sum of \$7,900.00 out of the Capital Outlay Fund for the purpose of providing funds for construction of a Storm Drain between Mar Avenue and Cabrillo Avenue northerly of Pearl 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.

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 passage a written or printed copy.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the next Ordinance was introduced:

ORDINANCE NO. 5956 (New Series), recorded on Microfilm Roll No. 75, appropriating the sum of \$7,800.00 out of the Capital Outlay Fund for the purpose of providing funds for improvement of 54th Street at Krenning Street, was on motion of Councilman Burgener, 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.

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 passage a written or printed copy.

On motion of Councilman Burgener, seconded by Councilman Schneider, the next Ordinance was introduced:

ORDINANCE NO. 5957 (New Series), recorded on Microfilm Roll No. 75, appropriating the sum of \$2,650.00 out of the Capital Outlay Fund for the purpose of providing funds for the purpose of providing funds for installation of acoustical material in the ceilings and walls of the Fire Alarm Station on Eighth Avenue Drive, in Balboa Park, was on motion of Councilman Burgener, 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 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.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance repealing Section 65 of Ordinance No. 2484 (New Series), and Section 31.0386 of the San Diego Municipal Code relating to license tax on the business of Night Watchman Service,

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 dedicating public land as and for portion of public highway in the northwest One-Quarter of Lot 39 Ex-Mission Lands of San Diego (Horton's Purchase), and naming the same 45th 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 Schneider, seconded by Councilman Wincote, Ordinance incorporating Lots 6, 7 and 8 Block 17 and Lots 6, 7 and 8 Block 18 Kensington Park into R-4 Z; repealing Ordinance No. 5919 (New Series) insofar as it conflicts - setting hearing thereon for Thursday, February 18, 1954, 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 Burgener, seconded by Councilman Wincote, Ordinance incorporating portion of Lot 47 Rancho Mission into R-1 Zone - setting hearing thereon for Thursday, February 18, 1954 - 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 Wincote, seconded by Councilman Burgener, Ordinance incorporating portion of Lot 72 Rancho Mission of San Diego into CP and M-1A Zones, and repealing Ordinance No. 5252 (New Series) insofar as it conflicts - setting hearing thereon for Thursday, February 18, 1954 - was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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

The Mayor said that a conference had been held with Convair, at which time he reviewed the proposed Resolution. It goes a little further than had been done before, he stated.

RESOLUTION NO. 116549, recorded on Microfilm Roll No. 75, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Said Resolution states that the Council recognizes the great importance of the F102 Air Force fighter plane program to the national defense; that the Council unqualifiedly endorses action of the United States, acting through the Department of Defense, in designating facility known as Plant 2 in The City of San Diego, operated by Consolidated Vultee Aircraft Corporation, as the primary manufacturing facility for production of said F102 aircraft; that the Council recognizes necessity that adequate provision be made for unrestricted movement of said F102 aircraft between Plant 2 facility and Lindbergh Field Airport. It recites that by its Resolution No. 116092 dated January 5, 1954, the Council in no manner intended to express or to imply any opinion or desire on its part that the said F102 production program at San Diego be limited or abandoned by the United States. Also, it says that the Council, reaffirming statements Resolution No. 116092 as to seriousness of traffic problem on Pacific Highway in the area south of Witherby Street, and as to existing plans to alleviate said problem by widening and improving said Pacific Highway, respectfully renews its request that careful and sympathetic consideration be given by the Department of Defense of the United States to the feasibility of providing required access between said Plant 2 facility and Lindbergh Field Airport by utilizing land presently owned by the United States and occupied by the Marine Corps, lying between the southerly end of the overpass over Pacific Highway from said Plant 2, with the objective in view of making fully operative both the F102 production program of the United States and the alleviation of the traffic problem of the City of San Diego; and, that in order to cooperate with the Air Force in the interim period while determination is being made as to the feasibility of use of Marine Corps land, the City Council will initiate action to give the Air Force and the Consolidated Vultee Aircraft Corporation exclusive right to use the present interplant road connecting Plant 2 and Lindbergh Field until such time as construction of proposed improvements in Pacific Highway is commenced. It directs the City Clerk to send copies of said Resolution to the Honorable Attorney General of the United States, the Honorable Secretary of Defense, the Honorable Secretary for Air, the Chief of U. S. Army Engineers, and General Joseph T. McNarney, President of Consolidated Vultee Aircraft Corporation, P.O. Box 1950, San Diego, California. In addition to the Resolution provisions set out, it contains a preamble referring to said Resolution No. 116092 which had been sent out as directed, and the Council's desire to amplify and clarify its statement of position.

116549

Ords. introduced, hearings set on Zoning s

(See also page 240)

At this time the Council returned to the matter which had been held over in connection with the diagram for installation of sanitary sewer main, water main and steel standpipe water storage reservoir, in Kearny Mesa Improvement District.

The Mayor pointed out that there will be a hearing under the proceedings. He asked Mr. Nichols if the matter he had been discussing with Mr. Short, the engineer representing Boyle Engineering, had been settled.

Mr. Nichols' reply was "no".

Councilman Dail declared that it is unfair to the contractor to continue to hold the assessment roll. He said that if the property is not listed on the roll originally, it should not be in it now. He stated that Mr. Nichols is ahead of time with his protest.

Mr. Nichols said that it is not the same as the Resolution of Intention. He said that he is protesting the diagram - not the assessment. He spoke of there being an arbitrary line.

Councilman Godfrey said that there will be a hearing on the assessment.

Councilman Dail spoke of having to lay out the district.

Mr. Short, the engineer, spoke of there having been an overlap.

Mayor Butler left the meeting at this time, and Vice Mayor Charles Dail assumed the duties of Chairman.

The engineer spoke of the district being identical with that in the Resolution of Intention.

Vice Mayor Dail said that if Mr. Nichols is not in the district, it is equitable.

Mr. Nichols said that the question is how much.

Douglas D. Deaper, Deputy City Attorney, spoke of the proposed resolution as being a preliminary step.

Councilman Wincote referred to responsibility regarding the point of the boundaries.

The City Manager referred to there being approval subject to boundary being identical.

Mr. Short told the Council that the contractor will be put to cost if held up, in that he pays interest on the hold-up.

The Vice Mayor spoke about not going to bond until after the assessment roll has been before the Council.

Councilman Schneider asked if the assessment roll is downstairs.

The Vice Mayor said "no".

Mr. Short referred to the plat attached to the Resolution of Intention.

John Thornton, from the City Attorney's office, was asked about the matter. Mr. Thornton told of the property owners having contracted with outside engineers. He spoke of at the time of approval it would be sent to the Assessment Department regarding the assessment spread. That is the time to protest, he declared.

The Vice Mayor wondered if at the time of the assessment it would be determined if the property was in or out.

Mr. Thornton said "yes".

The Vice Mayor declared that there is only one way to settle the problem. If the property was out of the district when started, it is right; if in at that time, that is right.

Mr. Nichols contended that the maps don't tally with those of surveys.

There was discussion between Mr. Nichols and various members of the Council relative to the survey on account of the "overlap".

Mr. Nichols asked that it be checked up, to see what is right.

Councilman Kerrigan spoke about there having been agreement regarding another district.

The Vice Mayor stated that Mr. Nichols will be given the opportunity to express himself at the proper time.

Councilman Kerrigan observed that the City has no right to get into this proceeding.

Vice Mayor Dail maintained that there will be legal notice.

Councilman Godfrey stated that the Nichols interests are protected.

Councilman Kerrigan pointed out that the Council does not have to confirm the assessment if it is not right.

The City Manager reminded the Council that the proposed Resolution had been delayed from last week as a courtesy to Mr. Nichols.

RESOLUTION NO. 116550, recorded on Microfilm Roll No. 75, approving diagram of the property affected or benefited by the work of improvement to be done on installing a Sanitary Sewer Main, Water Main and Steel Standpipe Water Storage Reservoir, in Kearny Mesa Improvement District, as described in Resolution of Intention No. 109064, and to be assessed to pay the expenses thereof, which diagram has been made by the Engineer of Work; 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 Wincote, seconded by Councilman Godfrey, adopted.

After said Resolution was adopted, a man appeared, and asked to be heard. He identified himself as Mr. Taylor of Taylor & Sloan, the contractors for said work. He spoke of the low bid which they had made, said that the work has been concluded, and that it costs money to continue the proceedings. He spoke about the bid being \$110,000. below the next bid. He spoke of being held up on account of the mechanics of operating the job. It is costing \$60.00 per day, he stated. There was no further action, beyond adoption of said Resolution No. 116550.

The following matters, which had been referred to Council Conference, were returned to the Clerk's office with the Council Conference Secretary's notes that they had been completed as of 2/2/54:

Petition of Leonard B. West and Marie W. West for hearing in connection with Zoning Committee denial of request to convert duplex at 1115 - 19th Street to a triplex; referring to the holidays which came during the 5-day appeal period.

Proposed Resolution in connection with providing access to improvement in connection with paving and otherwise improving of Frankfort Street, Erie Street and Denver Street, re Resolution of Intention No. 106324.

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned at the hour of 12:26 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Harkstrom
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, February 4, 1954

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

Petition of Phyllis Campbell, 3046 Lowell Street, San Diego 6, California, presented on an "appeal" form relative to previous effort to rezone from R-4 to C Zone of portions of Blocks 91, 92, 97 and 98 Roseville - at the intersection of Keats and Rosecrans Streets, was presented to the Council.

Also presented was a communication from Phyllis E. Campbell stating that she will be unable to appear before the Council, asking for a one month continuation.

The Mayor said that in fairness Mrs. Esther E. Bradberry - who appears to be the chief proponent of the requested zone change - had been provided adequate hearing before the Planning Commission.

Asked for a report, Douglas D. Deaper, Deputy City Attorney, said that if the Council does not have a hearing Mrs. Bradberry is not prejudiced against requesting another zone proceeding.

Several unidentified individuals who came before the microphone, but none of whom gave their names, said that they do not want to have to keep coming to the Council in connection with continued requests to rezone the property.

Among the individuals who came forward, three of the women identified themselves: Mrs. Henry Hester, Mrs. Riley Bush, and one whose name could not be understood.

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

Petition requesting the Council to put Leghorn Street, from Detroit Street to Division Street, into passable condition, was presented. An additional communication from Mrs. Lee A. Lane, 820 So. Woodman St., Encanto, pointing out that Woodman and Leghorn Streets are impassable.

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

Communication & petition
Conference matters filed

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

The Mayor stated that some ladies were present who wished to be heard.

Mrs. George Osborne and Mrs. C. C. Henry from the California Garden Society told the Council that they were here in connection with Mission Bay Park.

Mrs. Henry, of Escondido, who identified herself as being connected with the State Garden Clubs, asked for permission to develop a portion of the Mission Bay Park area relative to wild life. She asked for permission to present the City's approval to a meeting to be held in Visalia. Mrs. Henry referred to the Bird Sanctuary and to the Redwoods protection as being items of interest.

The Mayor told Mrs. Henry that he would write a letter of endorsement.

Answering Councilman Burgener, Mrs. Henry said that the area adjoins the bird sanctuary. She stated that the section near Pacific Beach.

Councilman Schneider wondered if it would be just a service.

Mrs. Henry said that there would be no expense to the City, that perhaps a plaque would be erected.

RESOLUTION NO. 116565, recorded on Microfilm Roll No. 75, authorizing the Mayor to write a letter of approval in connection with the California Garden Society request for permission to develop a portion of Mission Bay in connection with wild life preservation, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of storm drain between Mar Avenue and Cabrillo Avenue northerly of Pearl Street, received January 27, 1954, from 6 bidders, was presented. It recommends award to William H. Clint, low bidder, in the amount of \$7200.00 - 10.8% above the estimate.

RESOLUTION NO. 116551, recorded on Microfilm Roll No. 75, accepting bid of William H. Clint for construction of storm drain between Mar Avenue and Cabrillo Avenue northerly of Pearl Street; awarding contract, authorizing and instructing the City Manager to enter into and execute the said, 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, reporting on bids for installation of traffic signals and safety lighting systems at the intersections of Laurel Street at India Street, University Avenue at 35th Street, Fifth Avenue at Robinson Avenue, received from 5 bidders on January 27, 1954, was presented. It recommends award to Ets-Hokin & Galvan, low bidder, in the amount of \$16,824.00 - 27.6% below the estimate -

RESOLUTION NO. 116552, recorded on Microfilm Roll No. 75, accepting bid of Ets-Hokin & Galvan for installation of traffic signals and safety lighting systems at intersections of Laurel Street and India Street, University Avenue and 35th Street, 5th Avenue at Robinson Avenue; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of the City contract pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

The communication from Joseph Z. Czarzasty, et ux., which had been on the Council's agenda of February 2, 1954, and continued to this date, was presented.

Glenn A. Rick, City Planning Director, spoke about the item as being in opposition to the closing of Stone Street, and that the next item on the agenda is the subdivision of property - Stafford Subdivision, and subdivision of Block 191 Middletown and R. Meredeth Jones subdivision resubdivision. He said that the subdivision affects the street closing only incidentally.

The Mayor, addressing Mr. Czarzasty, said that there was no public objection to closing the street. He pointed out that in the closing there would be access rights to the property provided by easement.

Councilman Burgener said that if the Council adopts the subdivision matter it leaves the street "unclosed".

Fred Brauback told the Council of having property on Titus Street and on Stone Street. He stated that he opposes the closing. He told of having changed his mind which had previously been in favor of the closing - and spoke of the matter having originally being in connection with Kettner. Kettner Boulevard is a rat trap, and said that it costs him to keep up that street. Mr. Brauback told the Council that it should not close an 80-foot street "for the benefit of one".

Councilman Schneider spoke of the Council having come to no decision in the discussion. Before decision is made an easement is needed, he stated. (Decision to close, that is).

Councilman Wincote spoke about the affected property owners going through an auto court, which provides easier access. He referred to the area being a small creek during the rains. No emphasized that there is no thought of cutting of the access.

Councilman Kerrigan was excused from the meeting at this time.

Councilman Wincote declared that one can't take up a car, now.

Discussion took place between Councilman Wincote, a Mrs. White and Mr. and Mrs. Czarzasty. Councilman Wincote agreed that someone might be hurt by closing.

Mrs. White said that on account of heart condition she cannot walk up.

Councilman Wincote stated that Titus Street is a nasty hill.

Mr. Czarzasty stressed the point that he had built on the "other side" on account of the view afforded, although it cost additional money to do so.

Councilman Wincote spoke of there being very little view to be cut off for Mr. and Mrs. Czarzasty. He told them that they were cutting off their own view on account of a second floor on the garage.

Councilman Kerrigan returned to the meeting at this time.

Councilman Wincote asked the Council to look at the property. He said he thought the Councilmen should see it.

Councilman Schneider stated that if there is a reasonable protest, the Council will not close the street.

Mr. Braubach repeated that he is opposed to the closing.

Mrs. Czarzasty disputed the statement relative to car not being able to be driven up the hill.

Mr. Czarzasty stated that trucks loaded with cement drive up.

Councilman Schneider said that he will look at it.

Said letter of protest was filed, on motion of Councilman Wincote, seconded by Councilman Schneider.

As mentioned during discussion, this matter ties in with the subdivision listed next.

Communication from the Planning Commission, bearing the signature of Harry C. Haelsig, was presented. It recommends suspension of 4 sections of the Municipal Code in connection with Tentative Map of Stafford Subdivision.

RESOLUTION NO. 116553, recorded on Microfilm Roll No. 75, suspending Sections 102.18-5, 102.16-8, 102.18, 102.17-c in connection with the Tentative Map of Stafford Subdivision, a 2-lot subdivision of portion of Block 191 Middletown, and R. Merideath Jones Subdivision, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

(See also Stone Street matter on page 251 of these Minutes).

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Subdivision Map of Stafford Subdivision, for resubdivision and combining of Lots 1 and 12 Block 191 Middletown, and Lots 8 and 9 R. Merideath Jones Subdivision into 2 lots, each approximately 5' x 200' facing on California Street and adjacent to Stone Street. It states that the subdivision is apparently being filed to overcome some objections raised in connection with closing of Stone Street. In that the subdivision is closely related, a hearing was held by the Planning Commission and property owners again objected to the closing. The communication states that the Commission has recommended the Tentative Subdivision Map subject to setbacks, easements, and corner cutoffs, and points out that recommendations of various departments did not include improvement requirements for Stone and California Streets.

RESOLUTION NO. 116554, recorded on Microfilm Roll No. 75, approving Tentative Map of Stafford Subdivision, subject to the conditions named, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 6 sections of the Municipal Code in connection with Tentative Map of the Resubdivision of Lot B Block 3 Magnolia Park, was presented.

Resolution suspending the 3 sections was adopted, but not numbered inasmuch as the matter was reconsidered later in the meeting.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Resubdivision of Lot B Block 3 Magnolia Park, was presented.

Resolution approving said Tentative Map was adopted, but not numbered inasmuch as the matter was reconsidered later in the meeting.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 2 sections of the Municipal Code in connection with Tentative Map of San Rafael Unit No. 1, was presented.

RESOLUTION NO. 116555, recorded on Microfilm Roll No. 75, suspending Sections 102.18, 102.17-c of the Tentative Map of San Rafael Unit No. 1, a 6-lot subdivision of portion of Acre Lot 21 Pacific Beach, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Lots 1 to 6 of Unit 1 San Rafael, for subdivision of portion of Acre Lot 21 Pacific Beach, located on Beryl Street easterly of Lamont Street in Pacific Beach, was presented. It states that during processing of the Tentative Map the School Board indicated desire for portion of Lots 21 and 22 for an elementary school site, and the engineer for the subdivider has modified his tentative map several times.

RESOLUTION NO. 116556, recorded on Microfilm Roll No. 75, approving

Tentative Map of San Rafael Unit No. 1, subject to 11 conditions, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending reapproval of the Tentative Map of Vista Bahia, originally approved by Resolution No. 104867 and reapproved by Resolution No. 110939, was presented.

It states that petitioner has advised that some \$59,000 has been expended in preparation of maps, improvement plans and architectural plans for proposed multi-family development, but due to lack of proper financing, project has been held in abeyance and it is the hope of the developer to obtain adequate financing to build the proposed subdivision. The recommendation for reapproval is subject to conditions set forth in Resolution No. 104867 except that Item 6 be revised to further conform with sidewalk policy adopted by the Council.

RESOLUTION NO. 116557, recorded on Microfilm Roll No. 75, reapproving Tentative Map of Vista Bahia, subdivision of Lots 3 to 6 and Block C and portion of Block 7 Morena, into 44 lots lying easterly of Morena Boulevard and Edison Street - subject to conditions set forth in Resolution No. 104867, except that condition 6 be modified in accordance with wording contained in said Resolution - reapproving Resolution No. 110139 of January 20, 1953, reapproving Resolution No. 104866 of December 26, 1951, suspending certain sections of the Municipal Code insofar as suspensions listed relate to said Tentative Map, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Glenn Rick, forwarding letter from the Commandant of the Eleventh Naval District to the president of the City Planning Commission, was presented. It states that apparently said letter, which makes a suggestion that a building height limit of 50 feet be established above the elevation at the intersection of the runways at Miramar is to supercede the previous suggestion made by the Eleventh Naval District on March 23, 1953 at which time it was suggested that a limit on all construction be not over 30 feet above the ground. It states that a copy of former letter was attached to the Planning transmittal, also.

RESOLUTION NO. 116558, recorded on Microfilm Roll No. 75, referring communication from the City Planning Director submitting letter from the Commandant, Eleventh Naval District, suggesting height limit for buildings south of the Naval Air Station at Miramar, to Council Conference, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communications from National Association of Supervisors, Department of Defense, Local No. 36, U.S. Naval Establishments, dated 22 January 1954, signed by E. A. LaCamera, president; Victor Selten; and Union Title Insurance and Trust Company, by John D. Thompson, Jr. as Trustee and upon instructions of Linn Platner; H. M. Redfield - all having to do with zoning problem in the vicinity of Miramar Air Station - were presented to the Council.

RESOLUTION NO. 116559, recorded on Microfilm Roll No. 75, referring the several communications referred to above relative to zoning problem in vicinity of Miramar Air Station to Council Conference, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that proceedings for improvement of Wunderlin Avenue, under Resolution No. 108410 be amended so that Wunderlin Avenue be improved between the center line of 6th Street and Madera Street, and that cut-off walls be installed as required, was presented.

RESOLUTION NO. 116560, recorded on Microfilm Roll No. 75, authorizing the City Engineer to amend proceedings for improvement of Wunderlin Avenue easterly of 65th Street in accordance with his recommendation filed in the office of the City Clerk on February 2, 1954 under Document No. 484477, and adopting recommendation thereon, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that proceedings for improvement to consist of sewer system and water mains and appurtenances, gate valves and fire hydrants to serve Blocks 13, 14, 15, 18, 19 Swan's Addition, be amended to include Blocks 2, 12, 20 and Blocks A and B Swan's Second Addition, and that the job include cut-off walls, concrete cradle and concrete encasement as required, was presented.

RESOLUTION NO. 116561, recorded on Microfilm Roll No. 75, adopting recommendation of the City Engineer filed in the office of the City Clerk February 2, 1954, under Document No. 484479; authorizing and directing the City Engineer to amend proceedings on installation of sewer system and water mains and appurtenances, gate valves and fire hydrants to serve portion of Swan's Addition, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that proceedings for the paving and otherwise improving of Commercial Street between 29th and 30th Streets, be amended to extend from the southerly pro-

2/4/54

longation of the westerly line of 29th Street to 30th Street, and the job include grading, paving, surfacing and installing curbs, gutters as required, was presented.

RESOLUTION NO. 116562, recorded on Microfilm Roll No. 75, adopting recommendation of the City Engineer filed in the office of the City Clerk on February 2, 1954, under Document No. 484478; authorizing the City Engineer to amend proceedings for improvement of Commercial Street, between 29th Street and 30th Street, in accordance with said recommendation, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, reporting on petition to improve 72nd Street between El Cajon Boulevard and Amherst Street, plus others between El Cajon Boulevard and Saranac Street - signed by owners of 64.2% of the property frontage. It states that portion between El Cajon and Amherst is signed by owners of 50% of the frontage. The communication recommends granting, and that the proceedings be combined with those previously ordered by Resolution No. 111939 for improvement of Mohawk Street, 72nd Street and 71st Street, and recommends the improvements on the various streets.

RESOLUTION NO. 116563, recorded on Microfilm Roll No. 75, granting petition contained in Document No. 484251 for improvement of 72nd Street between El Cajon Boulevard and Amherst 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 him to further consolidate said assessment district with assessment district heretofore ordered by Resolution No. 111939 for improvement of Mohawk Street, 71st Street and 72nd Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Frank A. Gibson, County Supervisor, First District, dated January 29, 1954; communication from W. F. Chapman, Commercial Manager, San Diego Gas & Electric Company, endorsing proposal that the name of Sutherland Dam be changed to Fletcher Lake (honoring Colonel Ed and Mary Fletcher), were presented.

RESOLUTION NO. 116564, recorded on Microfilm Roll No. 75, referring communications from Frank A. Gibson, and from W. F. Chapman endorsing proposal that name of Sutherland Dam be changed to Fletcher Dam (or Lake), to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from (Mrs. N.) Dorothy R. Roberts, 3629 Louisiana St., San Diego 4, Calif., dated January 31, 1954, was presented. It thanks the Council for its stand in the matter of liquor licenses and in opposing sale of liquor at the Cafe Del Rey Moro (Balboa Park), was presented.

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

For RESOLUTION NO. 116565 see page 251

Communication from the Harbor Commission, signed by Carl F. Reupsch, Acting Port Director, dated 29 January 1954, attaching form of lease with High Seas Tuna Packing Company, Inc., covering premises which have been occupied by them for many years. It states that the new lease is for a term of 5 years with 3 five year options to renew. Rental subject to review every 2-1/2 years during the term of the lease and its options. The communication reports that in consideration for granting the lease, Lessee agrees to landscape the perimeter of certain lots in Roseville owned by them and to construct approximately 750' of 6' high fence on tidelands at the east end of their main plant. It also says that they have agreed to construct approximately 370' of 6' high fence and pave the area opposite their unloading docks. According to the report, the improvements were agreed upon by the Planning Commission of the City of San Diego.

Carl Reupsch told the Council, among other things, that there is a \$50,000.00 improvement involved in the project.

RESOLUTION NO. 116566, recorded on Microfilm Roll No. 75, ratifying, confirming and approving Lease, copy of which is on file in the Office of the City Clerk as Document No. 484565, between the City of San Diego, as Lessor, and High Seas Tuna Packing Company, Inc., a corporation, as Lessee, was on motion of Councilman Schneider, seconded by Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Harbor Commission, signed by Carl F. Reupsch, Acting Port Director, dated 29 January 1954, attaching form of lease with Hertz Stations, Inc., covering space in Lindbergh Field Terminal Building, presently occupied by J. W. Dowle, together with approximately 26,000 square feet of vacant tidelands on Pacific Highway at Palm Street. It states space in Lindbergh Field Terminal Building is to be used for rental of automobiles and operation of Western Union Agency. Rental has been established at \$500 per month or 10% of gross income derived from rental of automobiles, whichever is greater, according to the report. It says that unimproved area on Pacific Highway at Palm is to be used for service of rental cars and operation of parking lot, that rental of unimproved land was established at \$150 per month or 40% of the gross income from the parking of automobiles, whichever is the greater - lease term of 5 years with 2 5-year options to renew, subject to review every 2-1/2 years during term of lease and option periods. It states that the Commission decided that it would be more advantageous to enter into new lease with Hertz and agree to mutual cancellation of the J. W. Dowle

lease, which cancellation is also being submitted for Council approval, than to enter into consent of assignment of Dowdle lease to Hertz. The communication says that it is believed that the service rendered the traveling public will be improved as a result of change in operation.

Mr. Reupsch outlined, verbally, the provisions, and stated that Hertz had bought out Dowdle, to provide his own employees in connection with auto rental. His statement referred to the above-mentioned communication, and to the one which follows.

RESOLUTION NO. 116567, recorded on Microfilm Roll No. 75, ratifying, confirming and approving lease, copy of which is on file in the Office of the City Clerk as Document No. 484442, between the City of San Diego, acting by and through the Harbor Commission, as Lessor, and Hertz Stations, Inc., a corporation organized under the laws of the State of Illinois, as Lessee, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Harbor Commission, signed by Carl F. Reupsch, Acting Port Director, dated 29 January 1954, enclosing form of Cancellation of Lease covering premises in Airport Terminal Building occupied by J. W. Dodle, an individual doing business as Swift Air Service, was presented. It states that space is being surrendered by mutual agreement of Mr. Dowdle and the Harbor, and space is to be leased to Hertz Stations, Inc. Effective date of new lease will coincide with effective date of cancellation of the Dowdle lease in order that rental of automobiles to the public may be continued without interruption.

For verbal comment by Mr. Reupsch on this lease, see statement made in connection with the preceding lease.

RESOLUTION NO. 116568, recorded on Microfilm Roll No. 75, ratifying, approving and confirming cancellation of lease with J. W. Dowdle entered into the first day of May 1952 - Document No. 449304 on file in the Office of the City Clerk - was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Harbor Commission, signed by Carl F. Reupsch, Acting Port Director, dated 29 January 1954, submitting agreement for amendment of Tideland Lease amending the Sun Harbor Marina Lease located on Harbor Drive, adjacent to the Harbor Boat and Yacht Company, was presented. It states that Sun Harbor Marina recently purchased the adjoining property under lease to Svend Pedersen and rather than approve assignment of the old Svend Pedersen lease to Sun Harbor Marina, the Commission directed that the amendment be drawn.

RESOLUTION NO. 116569, recorded on Microfilm Roll No. 75, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 1, between the City of San Diego, as Lessor, and Sun Harbor Marina, a limited partnership composed of Merle B. Parke and Eleanor F. Parke, general partners, and Louis Fabri, Carol Fabri, Peter Fabri and Harry Fabri, limited partners, as Lessees, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Prior to adoption of the Council, Mr. Reupsch said that there is a combination with the Peterson lease which adjoins, avoids assignment; that it is a better lease, with one lease instead of 3 or 4.

Communication from the Harbor Commission, signed by Carl F. Reupsch, Acting Port Director, submitting form of sub-lease to be entered into between Sun Harbor Marina and Bruce K. Engelhorn, sub-lessee, was presented. It states that sub-lease covers building approximately 20 x 20, owned by Sun Harbor Marina at a rental of \$75.00 per month plus \$2.50 per month for utilities, building to be used for sale, service and repair of marine engines which is in conformance with terms of the original lease. The Harbor Department is to receive \$15.00 per month during the time the sub-lease is in effect, according to the communication.

Mr. Reupsch spoke of one small building left, being an out building to lease at \$75.00 per month, with the Harbor taking \$15.00 per month out of the sub-lease.

Councilman Schneider discussed with Mr. Reupsch the matter of bare land and building.

~~Mr. Reupsch said it is assigned for tax purposes, with the City coming out better.~~

RESOLUTION NO. 116570, recorded on Microfilm Roll No. 75, ratifying, confirming and approving sub-lease, copy of which is on file in the office of the City Clerk as Document No. 484571 between the Sun Harbor Marina, sub-Lessor, and Bruce K. Engelhorn, sub-Lessee, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Harbor Commission, signed by Carl F. Reupsch, Acting Port Director, submitting form of Assignment assigning the Harbor Boat and Yacht Company a California corporation, Lease to Harbor Boat and Yacht Company, a co-partnership consisting of Antone F. Jelusich, Harold Jacobsen, Arne Strom, David H. Carsten and Arnold J. Strom, was presented. It states that the Commission took under consideration assignment in their meeting of 28 January 1954, and due to fact that the partnership had assets greater than that of the corporation, the assignment was approved.

Mr. Reupsch said it is assigned for tax purposes, with the City coming out better.

RESOLUTION NO. 116571, recorded on Microfilm Roll No. 75, ratifying, confirming and approving Assignment, copy of which is on file in the office of the City Clerk as Document No. 484574, entered into between Harbor Boat and Yacht Company, a California corporation, Assignor, and Harbor Boat and Yacht Company, a co-partnership

consisting of Antone F. Jelusich, Harold Jacobsen, Arne Strom, David H. Carsten and Arnold J. Strom, Assignee, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Harbor Commission, signed by Carl F. Reupsch, Acting Port Director, submitting form of Agreement to sub-lease marine service station at 2401 Harbor Drive, granted to Lovelady by Signal Oil Company, and is identical to that formerly entered into between the Company and Frank J. Bettencourt and approved by the City Council 15 October 1953.

Mr. Reupsch said that it is a new man.

RESOLUTION NO. 116572, recorded on Microfilm Roll No. 75, ratifying, confirming and approving sub-lease, copy of which is on file in the office of the City Clerk as Document No. 484577 between the Signal Oil Company, sub-lessor, and George B. Loveday, sub-lessee, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

In connection with the next matter, Mr. Reupsch told the Council that there is a series of small items involved, that the land is not graded. He said that to correct the mudhole, property is to be graded, drain installed and paved; huts are to be moved into shops, and that little buildings are to be torn down. Also, that it is a long, continuing project.

RESOLUTION NO. 116573, recorded on Microfilm Roll No. 75, authorizing and empowering the Port Director to do all the work in connection with construction of Harbor Shop Buildings and paving of the Harbor Shop Yard, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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

RESOLUTION NO. 116574, recorded on Microfilm Roll No. 75, ratifying purchase of portion of Oak's Tract in Rancho San Bernardo, to be used for construction and development of Super Hodges dam and reservoir, which said purchase was accomplished by a Contract of Sale and Lease Agreement executed by the City and vendors on December 29, 1953, and which contract of sale and lease agreement is filed in the office of the City Clerk as Document No. 484481, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Said Resolution states that The City of San Diego has entered into and executed a contract of Sale and Lease Agreement with L. R. Green, Georgia H. Green, Hildreth von Kleinsmid, Helen G. Banister and Green Mutual Water Company of San Diego County whereby the City agreed to purchase and the said parties agreed to sell portions of Oak's Tract in Rancho San Bernardo, which property the City intends to use for construction and development of Super Hodges dam and reservoir. It says that it was necessary in order to obtain price terms and conditions in connection with the purchase and said which would be advantageous to the City, to enter into and execute said agreement without complying with provisions of Section 99 of the Charter relating to publication of notice; that the City Clerk has caused Notice of Ratification of Agreement to be published in the official newspaper of the City on January 21, 1954, and that the Council should now ratify the purchase of said property.

RESOLUTION NO. 116575, recorded on Microfilm Roll No. 75, 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 Lot B Kensington Heights Unit No. 3, 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 the 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 Schneider, adopted.

RESOLUTION NO. 116576, recorded on Microfilm Roll No. 75, 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 being Lot 16 Lemon Villa, 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 the 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 Schneider, adopted.

RESOLUTION NO. 116577, recorded on Microfilm Roll No. 75, 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, being Lots

3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 in Block 182 University Heights, 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 the 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 Schneider, adopted.

RESOLUTION NO. 116578, recorded on Microfilm Roll No. 75, 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, being Lots 15 and 16 Block 16 Electric Line Addition, 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 the 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 Schneider, adopted.

RESOLUTION NO. 116579, recorded on Microfilm Roll No. 75, granting revocable permit to Pearson Motor Company, 1202 Broadway, to install and maintain an electric cable over and across 12th Avenue, between 1042 12th Avenue and 1202 Broadway - providing that said permittee shall not be required to furnish bond in connection with the work - all on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116580, recorded on Microfilm Roll No. 75, granting permission to J.C. White Plumbing Co., plumbing contractor, to install a sand trap in a Paint Remover shop located in building at 3020 Kettner Boulevard, necessary in order to avoid line stoppage and consequent expense inasmuch as the material involved in the paint remover process is heavy and sticky and there is considerable volume of it; a sand trap would intercept said material before it enters the soil line, subject to approval of the Chief Plumbing Inspector and approval of the City Manager's office, and upon conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116581, recorded on Microfilm Roll No. 75, denying claim of Donald R. Preddy on file in the office of the City Clerk under Document No. 482980, was on motion of Councilman Schneider, seconded by Councilman Winco, adopted.

RESOLUTION NO. 116582, recorded on Microfilm Roll No. 75, accepting subordination agreement, executed by San Diego Broadcasting Company, beneficiaries, and United States Holding Company, trustee, bearing date January 19, 1954, wherein said parties subordinate all their right, title and interest in and to a portion of Pueblo Lot 1264 of the Pueblo Lands of San Diego, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said deed 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 Burgener, adopted.

RESOLUTION NO. 116583, recorded on Microfilm Roll No. 75, accepting deed of Raymond B. Talbot, as Tax Collector for the County of San Diego, bearing date January 26, 1954, conveying:

In Bayside: Lots 40 to 44 incl., Block 7

In City Gardens: Lot 26

In Electric Line Addition: Lots 19 & 20 Block 6

In Tract No. 1381: Lots 27 to 32 incl., Block 32;

authorizing and directing the City Clerk to file said deed 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 Burgener, adopted.

RESOLUTION NO. 116584, recorded on Microfilm Roll No. 75, accepting deed of Raymond B. Talbot, as Tax Collector for the County of San Diego, bearing date January 26, 1954, conveying:

In Sellar's Add.: Lot 9 Block 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 Burgener, adopted.

RESOLUTION NO. 116585, recorded on Microfilm Roll No. 75, accepting deed of Dudley S. Wetherbee and Harriet N. Wetherbee, bearing date January 26, 1954, convey-

ing Lot 7 Block 71 Campo Del Dios 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 Burgener, adopted.

RESOLUTION NO. 116586, recorded on Microfilm Roll No. 75, accepting deed of James Johnston and Dorothy Johnston, bearing date January 25, 1954, conveying Lot 3 Block 36 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116587, recorded on Microfilm Roll No. 75, accepting deed of Edith Kehry and Walter G. Kehry, bearing date January 25, 1954, conveying easement and right of way for street purposes in portion of Lot 14 Lemon Villa; authorizing and directing the City Clerk to file said deed 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 Burgener, adopted.

RESOLUTION NO. 116588, recorded on Microfilm Roll No. 75, accepting deed of Willard D. Olson, bearing date January 25, 1954, conveying easement and right of way for street purposes in portion of Lot 13 Lemon Villa; setting aside and dedicating the same to the public use as and for a public street, and naming the same Orange 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 Burgener, adopted.

RESOLUTION NO. 116589, recorded on Microfilm Roll No. 75, accepting deed of William Roemer and Mina Roemer, bearing date January 25, 1954, conveying easement and right of way for street purposes in portion of Lot 13 Lemon Villa; setting aside and dedicating the same to the public use as and for a public street, and naming the same Orange 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 Burgener, adopted.

RESOLUTION NO. 116590, recorded on Microfilm Roll No. 75, accepting deed of C. J. Paderewski and Cecilia M. Paderewski, bearing date January 18, 1954, conveying easement and right of way for street purposes; setting aside and dedicating the same to the public use as and for a public street and naming the same Soledad 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 Burgener, adopted.

RESOLUTION NO. 116591, recorded on Microfilm Roll No. 75, accepting deed of John P. Jones and Marvis E. Jones, bearing date November 9, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 15 Block 77 Villa Tract, La Jolla 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116592, recorded on Microfilm Roll No. 75, accepting deed of Richard L. Pinnell and Nettie M. Pinnell, bearing date January 18, 1954, conveying easement and right of way for storm drain purposes in portion of Lots 34 and 35 Block 3 First Addition to Ocean Spray 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116593, recorded on Microfilm Roll No. 75, accepting deed of W. D. Johnson, Jr. and Susan G. Johnson, bearing date January 12, 1954, conveying easement and right of way for water main purposes in portion of Pueblo Lot 1774; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The City Manager requested, and was granted, unanimous consent to present the next several Resolutions, all having to do with Mission Beach Amusement Center:

Prior to adoption, and as each was presented to the Council, the City Manager explained from a map relative to moving the roadway, and lease as part of the concession. He showed, further, on said map regarding parking, and the underpass. He said that the master plan referred to by him is on the colored pictures (which he did not file),

but which he exhibited to the Council and passed up to the Mayor. The Manager addressed several men who were seated in the audience, and who are evidently the new lessees.

RESOLUTION NO. 116594, recorded on Microfilm Roll No. 75, accepting and consenting to that Assignment of Lease Agreement wherein Roy E. Matheson and Roy J. Hurd assign to James T. Mitchell and John C. Ray all their right, title and interest in that Lease Agreement and amendments thereto whereby the City leased portion of Pueblo Lot 1803 known as Mission Beach Amusement Center to said assignors, which said Lease Agreement is filed in the office of the City Clerk as Document No. 368575, and which said executed agreement is filed in the office of the City Clerk as Document No. 484537; authorizing and directing the City Manager to evidence such consent and acceptance by signing said Assignment of Lease Agreement, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116595, recorded on Microfilm Roll No. 75, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego a Cancellation of Lease Agreement with James T. Mitchell and John C. Ray, which Lease Agreement covered a portion of Pueblo Lot 1803, known as Mission Beach Amusement Center, upon terms and conditions set out in form of Cancellation of Lease Agreement on file in the office of the City Clerk as Document No. 484538, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116596, recorded on Microfilm Roll No. 75, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, a Lease Agreement with James T. Mitchell, Louise E. Mitchell, John C. Ray and Eleanor M. Ray, leasing portion of Pueblo Lot 1803 known as Mission Beach Amusement Center, for the purpose of constructing, developing and operating said amusement center in accordance with master plan submitted by said parties, upon terms and conditions contained in said Lease Agreement, set out in form of said Lease Agreement on file in the office of the City Clerk as Document No. 484540, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116597, recorded on Microfilm Roll No. 75, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego an agreement in connection with Assignment of Mission Beach Amusement Center lease, by Roy E. Matheson and Roy J. Hurd, Assignor, to James T. Mitchell and John C. Ray, Assignee, providing for deposit of a new bond with the City Treasurer in amount of \$10,000.00, for the waiving of minimum rental under lease for the period January 3, 1954 to January 31, 1954, and for expenditure by the City of \$60,000.00 for improvement and maintenance work on the leased premises, as more particularly set forth in form of said agreement on file in the office of the City Clerk of said City as Document No. 484539, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The matters which had been shown on page 252 of these Minutes, but not numbered there, although adopted, were reconsidered at this time.

The communication from the Planning Commission recommending suspension of 3 sections of the Municipal Code in connection with Resubdivision of Lot B Block 3 Magnolia Park, was brought up again.

The communication from the Planning Commission recommending approval of the Tentative Map for Resubdivision of Lot B Block 3 Magnolia Park, being east of Dudley Street and south of Albion Street in Point Loma - in an R-1C Zone, subject to 10 conditions, was brought up again.

Max Zuest, 3020 Kellogg Street, spoke about the suspension and the conditions imposed in connection with the Tentative Map.

At Mr. Zuest's request, Glenn A. Rick, City Planning Director, reviewed provisions of Condition 10 of the report and the proposed Resolution. (It states "That the 10 foot parcel of land in Lot A shall be included in Lot 1, or sold to the adjacent owner in Lot A.")

Mr. Zuest said that he is concerned with the condition having to do with the paving of roads.

Mr. Rick told the Council that the land is on Point Loma. He referred to item 5 of the report and the proposed Resolution. (It reads "Pave Dudley Street half width adjacent to the subdivision with pavement conforming to Schedule "A", September 1, 1951").

Mr. Zuest said that paving would be done "when the time comes". The road is not through, and the only purpose would be for access to his own house, according to him. A half width street would be money out of his pocket, and would serve no purpose, Mr. Zuest said. He re-iterated that Dudley Street does not go through. He said that there is no pavement around there. Answering questions of the Council, Mr. Zuest stated that there is oil on Silvergate.

Councilman Wincote said that there is a petition pending in the Nelson Barker block.

Mr. Zuest told the Council that he would want the paving, if all goes through.

There was discussion between Councilman Schneider and Mr. Zuest regarding the cost of paving the 1/2-width street, during which it was said \$4,000.00 for the "whole thing".

Mr. Rick referred to there being not over 20 feet.

116594 - 116597
Reconsideration re
Magnolia Park

Councilman Kerrigan pointed out that in connection with work which had been done recently at his place, he had payed more for less.
Councilman Schneider said that it would be \$800.00 at most, under a private contract.

Mr. Zuest said that he was thinking about the neighborhood.

Councilman Schneider was excused from the meeting at this time.

Mr. Zuest declared that a 1/2-Street is not good.

Councilman Burgener agreed that there would be a little island of paving.

Councilman Kerrigan said that he does not want to engineer the job.

There was considerable discussion between several of the Councilmen.

Les Pendarvis, who had not been recognized by the Chair, spoke on the issue. It was not clear, until later, that he had a property interest.

Councilman Burgener moved to delete the 1/2-width Street paving from the Resolution, which motion was seconded by Councilman Wincote.

The roll was not called on the motion, but there was further discussion.

Councilman Kerrigan told the Council that he was not going to go for no paving, when the Engineer had recommended that there be paving.

Councilman Wincote and Burgener both said that the 1/2-Street, 200 feet long is not good.

Mr. Rick said that when there is property on the other side to subdivide, the City can't very well require this paving unless it requires the other.

Councilman Kerrigan spoke about the Corey and Wilhelm condition, with which the Council had dealt, in La Jolla.

Mr. Zuest repeated that the street doesn't go anywhere.

Councilman Schneider returned to the meeting.

Councilman Kerrigan said that Mr. Zuest should have proved his point to the City Engineer and to the Planning Commission.

Councilman Schneider wondered if the paving would call for higher price of lots.

Mr. Zuest said that it would improve.

Mr. Pendarvis was heard again when he told the Council that he wants to build on one lot.

Councilman Wincote stated that he believes that Mr. Zuest and Mr. Pendarvis will do as they say.

Councilman Kerrigan spoke of the City having the responsibility to keep the street in passable condition.

Councilman Wincote said that Mr. Rick had recommended that the Council look at it, and that he was willing to do so.

Mr. Rick said that the paving matter is one of policy.

Mr. Zuest spoke of his not trying to file by metes and bounds.

Councilman Burgener asked questions of Mr. Zuest regarding the cost of filing the subdivision, during which it developed that it was \$600.00 for 2 lots.

Mr. Rick said that he will be glad to go out with the Council regarding the making of a policy.

Councilman Schneider said that the City can establish conditions regarding the other subdivision.

Mr. Rick said that if the paving is not connected, he felt that it seems unfair to require it. If there is a 1911 Act proceeding pending in the next block, it should not be required.

Mr. Pendarvis showed to Councilmen the matter of residences, from a map which he did not file.

Councilman Wincote said he felt it was smart to go out and look at the whole area, for a policy.

Councilman Kerrigan said that if the Council approves a subdivision map without paving, it is getting the City into the same thing as the Demsted situation on Catocin Drive. He spoke of there being 1/3 to 1/2 mile of mud.

A conference was held between Mr. Rick and Mr. Pendarvis over the cost of the map, followed by general discussion on the same subject.

Councilman Kerrigan called the fee outrageous.

Councilman Burgener asked if a week's delay would hurt.

Mr. Pendarvis replied that he thought it would be well for the Council to look at it.

Mr. Zuest told about work not having been done on the engineering, and that the \$600.00 is an estimate on 5 lots.

The motion was withdrawn.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the matter was continued one week - to Thursday, February 11, 1954.

Councilman Kerrigan wondered if a report on the meeting held earlier this date would be wanted in connection with San Diego Bay annexation.

When it was indicated that members of the Council would like to hear about it, Councilman Kerrigan told about the meeting regarding 3 cities to proceed on annexation, by ordinance. He said that in the interim there would be no adoption until the boundaries have been determined.

There was general discussion over the annexation question.

Councilman Kerrigan stated that National City had indicated that if Chula Vista and San Diego go ahead with their plans, National City will protect themselves in

court. Councilman Kerrigan spoke of an agreement there would be no hitch regarding San Diego and Chula Vista annexations. There would be an adjustment of boundaries regarding corridor by 4 Cities, he said.

There was no action.

The following items were returned by the Council Secretary, which had been referred by the Council to Conference - with notations "completed 2/4/54" - which were filed by the Clerk:

Resolution 106994, re City Engineer securing outline of methods of levying assessments from other California cities under the 1911 Improvement Act, etc.;

Resolution 110540, together with City Attorney's opinion, re regulating or prohibiting construction in areas subject to flooding;

Resolution 114103, together with duplicated memorandum from the City Manager addressed to the Mayor and Council relative to notices of change or established grade for 1911 Act Projects;

Resolution 115250, together with duplicated communication from the City Manager addressed to the Mayor and Council relative to Health Permit fees for Apartment Houses and Hotels, Trucks and Vending Machines;

Resolution No. 115548, together with communications from Byron G. Starren, Chairman, Recreation Committee, Linda Vista Co-ordinating Council and from David L. Bratton, president of Linda Vista Co-ordinating Council regarding Linda Vista Community Center;

Resolution No. 115702, together with communication from Paul M. Phillips, Pres., Apartment Association of San Diego, Inc., recommending appointment of Col. Thomas D. Drake, USA ret. to Mission Bay Advisory Committee;

Resolution No. 115788, together with communication addressed to the Mayor and Council of Long Beach, and many others, over the typewritten signature of Craig Hosmer, Member of Congress, 18th Dist. of Calif., regarding the narcotics problem;

Resolution No. 115879, together with communication from San Diego Chamber of Commerce, signed by C. T. Leigh, President, urging appointment of a Mission Bay Commission and Mission Bay Director.

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 Wuncote, at the hour of 11:35 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

REGULAR MEETING

Chamber of the Council of The City of San Diego, California, Tuesday, February 9, 1954

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.
Absent---Councilmen None
Clerk----Fred W. Sick

Eagle Boy Scouts attended the meeting, and acted as "City officials".
Mayor Butler introduced to the Council Mr. Ray Grable, who was in charge of the Scouts.

Mr. Grable, in turn, responded by expressing in behalf of the "officials" their gratitude for the honor in being permitted to be present in their various capacities. He introduced each of them, and the honorary position assumed by each.

The Minutes of the Regular Council Meetings of Tuesday, February 2, 1954, and of Thursday, February 4, 1954, were presented to the Council by the Clerk.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids - Specification No. 58, Small Water Main Replacements, Group No. 11, 1953-54 - the Clerk reported that 6 bids had been received, which bids were presented to the Council.

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

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of 10% of the aggregate sum of the bid, which bid was given Document No. 484775;
The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company of Baltimore in the sum of 10% of Amount of Bid, which bid was given Document No. 484776;

The bid of W. A. Robertson, S. E. Robertson, M. L. Robertson, B. W. Robertson and D. V. Upshaw, doing business as V. 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. 484777;

The bid of Royal Pipeline Construction Co., accompanied by bond written by The Home Indemnity Company in the sum of 10% of bid, which bid was given Document No. 484778;

The bid of Dan E. Pace dba Pace Construction Company, accompanied by bond written by American Surety Company of New York in the sum of ten per-cent amount of bid, which bid was given Document No. 484779;

The bid of Cameron Bros. Construction Co., accompanied by bond written by Glens Falls Indemnity Company in the sum of 10% of the amount bid, which bid was given Document No. 484780.

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 of the Alley in Block 66 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 115493, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion made and seconded, said bids were publicly opened and 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. 484781;

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$800.00, which bid was given Document No. 484782;

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. 484783;

The bid of Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$700.00, which bid was given Document No. 484784;

The bid of Gilman Grading Company, accompanied by bond written by The Phoenix Insurance Company of Hartford, Connecticut, which bid was given Document No. 484785.

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 Linda Rosa Avenue and La Jolla Mesa Drive, within the limits and as particularly described in Resolution of Intention No. 115494, the Clerk reported that 6 bids had been received, which bids were presented to the Council.

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

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1,000.00, which bid was given Document No. 484786;

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. 484787;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$1,500.00, which bid was given Document No. 484788;

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. 484789;

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. 484790;

The bid of M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$900.00, which bid was given Document No. 484791.

On motion of Councilman Wincote, 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 paving and otherwise improving of Shafter Street and Carleton Street, within the limits and as particularly described in Resolution of Intention No. 115495, the Clerk reported that 6 bids had been received, which bids were presented to the Council.

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

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1,000.00, which bid was given Document No. 484796;

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. 484797;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$1,300.00, which bid was given Document No. 484798;

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. 484799;

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. 484800;

The bid of M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$1,000.00, which bid was given Document No. 484801.

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 Wrelton Drive, within the limits and as particularly described in Resolution of Intention No. 115393, the Clerk reported that 6 bids had been received, which bids were presented to the Council.

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

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. 484802;

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. 484803;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$700.00, which bid was given Document No. 484804;

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. 484805;

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. 484806;

The bid of M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$300.00, which bid was given Document No. 484807.

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 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, 1954, to and including March 4, 1955, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion made and seconded, said bid was publicly opened and declared.

Said bid was as follows:

The bid of San Diego Gas and Electric Company, accompanied by certified check in the sum of \$64.80 written by San Diego Trust and Savings Bank, which bid was given Document No. 484792.

On motion made and seconded - Councilman Dail, and Councilman Kerrigan - said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Hermosa Lighting District No. 1, for a period of one year from and including May 1, 1954, to and including April 30, 1955, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion made and seconded, said bid was publicly opened and declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$20.40 written by San Diego Trust and Savings Bank, which bid was given Document No. 484793.

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 Talmadge Park Lighting District No. 4, for a period of one year from and including April 1, 1954, to and including March 31, 1955, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion made and seconded, said bid was publicly opened and declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$136.68 written by San Diego Trust and Savings Bank, which bid was given Document No. 484794.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for 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, 1954, to and including March 15, 1955, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion made and seconded, said bid was publicly opened and 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, which bid was given Document No. 484795.

On motion of Councilman Burgener, seconded by Councilman Dail, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed annexation of portions of the Tidelands of San Diego Bay to the City of San Diego, to be known and designated as "San Diego Harbor Tidelands", 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, the hearing was closed.

It was pointed out by the Clerk that the ordinance approving the annexation was listed on the agenda under "Ordinances to be introduced", and that it was to be presented to the Council later in the meeting.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 116054 for the paving and otherwise improving of the Alley in Block 3 Normal Heights, the Clerk reported that written protests had been received from Clara L. Alden, Gdn. Est. of Ellen Conway, which protest was presented to the Council.

Thereupon, the Mayor inquired if any interested affected property owners

were present who desired to be heard.

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

RESOLUTION NO. 116598, recorded on Microfilm Roll No. 75, overruling and denying the protest of Clara L. Alden, Adm. Estate of Ellen Conway, against the improvement of the Alley in Block 3 Normal Heights, within the limits and as particularly described in Resolution of Intention No. 116054; overruling and denying all other protests thereon, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 116055 for the paving and otherwise improving of the Alley in Block 50 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 Burgener, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 116056 for the paving and otherwise improving of Del Rey Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

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

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

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

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on Resolution of Intention No. 115496 - having been continued from week-to-week to this date from January 12 - the Mayor stated that the matter had been considered by the Council in conference.

A. J. Jenson, who told the Council that he was appearing in behalf of property in Jackson-Scott 2, and related conference and meeting in the City Manager's office. He declared that a protest was not being made against the work, but it was thought the storm drain work should be done in the area. He referred to what Hubner had done, and that he was trying to find some written statement on what he was to have done, but that he had been unable to. He said that he was retracting a former statement on that account. He asked to have Jackson-Scott Additions 1 and 2 removed from the assessment.

Councilman Kerrigan pointed out that it had been ascertained in a meeting with the City Attorney that the property would have to be included in the assessment if the work is done.

Douglas D. Deaper, Deputy City Attorney, spoke about the Council being able to change the district.

Mr. Jenson referred to the \$150,000.00 project, split up with the City paying half. He maintained that the terrain had been changed by Hubner. If the land had not been changed, there would not be the drainage problem. He spoke of road having been moved, and drain put into the center of the road. Mr. Jenson told the Council that residents constituted a community before the subdivision was made. The storm drain was adequate then, he declared. Answering Councilman Burgener, Mr. Jenson said that the situation would not be improved. Hurbner charged for the previous drainage system, Mr. Jenson stated.

Councilman Dail spoke of its being a storm drain emptying into a flood control. He expressed the belief that the property would have to be included in the assessment.

The City Engineer, answering the Mayor, said that the Jenson property would be assessed about \$75.00 per lot. He said that he had refigured the possible assessment, and that if changed it would be more to the frontage - a 70% - 30% basis. On that basis it would be \$430.00 per lot on district frontage on Streamview, with \$44.00 on the others. He said he would recommend the second method.

Councilman Burgener wondered if property would be depreciated if there is a storm.

Mr. Jenson said "no; there would have no effect".

The Mayor said that the question involved in this hearing is if the City should go ahead with the project, or abandon it.

Mr. Jenson asked that the project be not abandoned, but that the proceeding be left in effect.

Councilman Dail said that all the members of the Council have seen the area. It is in a drainage area, he declared. He said that the City has a precedent in Nordica Heights. The assessment will be worked out in an equitable manner, Councilman Dail stated.

Councilman Dail moved adoption of "the resolution", which motion was seconded by Councilman Winote.

Answering Councilman Schneider, Mr. Jenson said that he would not go along on its being a "community benefit".

The motion for adoption of Resolution was withdrawn.

Councilman Dail moved to overrule the protest, when he was advised by the Mayor that was the proper action. Councilman Wincote seconded the motion.

Councilman Burgener pointed out that the cost distribution had not yet been determined.

The roll was called, resulting in

RESOLUTION NO. 116599, recorded on Microfilm Roll No. 75, overruling and denying the protest of Coughlin L. Inabinett and Joanne E. Inabinett; protest of Francis B. Rose et al., protest of Douglas C. Schacht, et al., against the proposed improvement of Streamview Drive, 54th Street and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 115496; overruling and denying all other protests, was adopted.

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

After the preceding action had been taken, Councilman Kerrigan thanked Mr. Jenson and the committee for their attitude.

Mr. Jenson replied that it is a congenial neighborhood. He added that he hopes the Council will take the Engineer's recommendation regarding the figuring of the assessment.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Resolution of Preliminary Determination No. 115803 - which the Council had determined on January 19 to continue from week to week until February 16, 1954) -

RESOLUTION NO. 116600, recorded on Microfilm Roll No. 75, continuing the hearing on the proposed improvement of Olney Street, Grand Avenue, Kendall Street, Morrell Street, Noyes Street, Garnet Street, Diamond Street, Lamont Street, Chalcedony Street, Academy Street, Beryl Street and Public Rights of Way in Acre Lots 21 and 51 Pacific Beach, within the limits and as particularly described in Resolution of Intention No. 115803, to the hour of 10:00 o'clock A.M., Tuesday, February 16, 1954, 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 Street Superintendent's Assessment No. 2196 made to cover the costs and expenses of the paving and otherwise improving of Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 112025, 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. 116601, recorded on Microfilm Roll No. 75, confirming and approving the Street Superintendent's Assessment No. 2196 made to cover the cost and expenses of the paving and otherwise improving of Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 112025; confirming and approving said assessment; 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.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2197 made to cover the costs and expenses of the work done upon 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 written appeals had been received from Wm. H. and Gladys K. Smith and others, Mrs. Jennie C. McKinnon, which appeals were presented to the Council.

Asked for a report, the City Engineer told the Council that there was a 37.7% appeal - regarding the inclusion of the storm drain in the assessment. He explained the situation over a map, and told about the storm drain which had been installed, from a map which he had. He explained the assessment. Asked about assessment against school property, the City Engineer said that they have the same as others.

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

Foster Parrent, 4051 Promontory, owner of Lot 8 and 1/2 of 9, spoke.

Councilman Burgener asked the City Engineer about the natural drainage.

The Engineer, who produced a profile, explained the matter from it, to the Council.

Mr. Parrent spoke of the rain from Jewell Street.

The Engineer said that the drain is to take care of said drainage, pointing out the area on the map. If the Council can appropriate funds toward the drain he recommended that it do so.

Douglas D. Deaper, Deputy City Attorney, declared that it is too late to do so now.

Mr. Parrent said that Pacific Beach Drive between Promontory and Ingraham did not have the hole before, but it does not, and a problem has been created thereby.

There was discussion between Mr. Parrent and the City Engineer.

The City Engineer repeated that he recommended an appropriation.

Councilman Wincote said that the Attorney had just told the Council that it cannot make such an appropriation.

The City Engineer advised that there was \$10,000.00 for the drain.

Councilman Burgener spoke of there being a 2-block district.

Mr. Parrent said that "all protest".

The Eagle Scouts left the meeting at 11:00 A.M., at which time the Mayor announced that they were to be taken out on the fire boat.

The Mayor said that the only appeal at this time is regarding the equity of distribution of the assessment.

Mr. Deaper said that the City can't delete the drain from the job.

Mr. Parrent spoke of Councilman Burgener having seen it.

The City Engineer discussed for the Council's benefit, the spread of the assessment.

Mr. Parrent said that the Ingraham flow did not contribute to the situation. He told of the existing flow. He said that water from his place drains to Fortuna.

Councilman Kerrigan asked if there is a fair distribution of assessment.

Mr. Parrent said that he was getting no benefit, that it drains only the whole which had been created. It was not engineered right, Mr. Parrent contended, but he was being stuck for the drain. He declared that the drain should not have been put in.

Councilman Dail said that the street assessment has been pretty well standardized.

Councilman Schneider was excused from the meeting at this time.

Mr. Parrent spoke regarding the various assessments.

Councilman Burgener referred to the 70% - 30% as being for paving.

H. C. Bernard, owner of Lots 5 and 6 Block 3, told of an assessment of \$362.80.

Several persons spoke at once, so nothing was heard for the record.

Mr. Bernard stated that he had not received a notice.

The Clerk related, from the record, where the Bernard notice had been mailed. He showed a copy of the notice to Councilman Wincote at his request.

Mrs. Lucille Hedges asked about the assessment amount.

Councilman Kerrigan told Mrs. Hedges that she could get a break-down on assessment from the City Engineer.

Councilman Schneider returned to the meeting at this time.

Mr. Parrent declared that the drain was mistake, it should not have been installed. He asked for a delay.

Councilman Kerrigan said that the question is not new; it comes up regularly.

Councilman Wincote said that all was in the notice.

Councilman Godfrey said that the main point of contention is regarding the alleged mistake.

Mr. Parrent said that it insults him to know that the drain was installed.

The City Engineer wanted to get some of his people who were familiar with the situation to come up and explain it.

The Mayor asked a Mr. Casey if he was interested.

Mr. Casey, who did not give his first name or initials, came to the microphone, and stated that he was interested regarding the cost. He spoke of Promontory having been paved several years ago. He wanted the street paved, but said that this cost is too much.

(See also Page 275 of these minutes)

Petition of Paul C. Loeber, being application for permission to operate 4 Ambulances, address American Rent-A-Car, Broadway, with the name La Jolla Ambulance 1125 Wall St., La Jolla, also shown, was presented.

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

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing 20 tons copper sulphate, large crystals, for Water Department, received January 25, 1954 from 3 bidders, was presented. It recommends award to McKesson & Robbins, Incorporated, low bidder, at \$11.15 cwt., plus sales tax.

RESOLUTION NO. 116602, recorded on Microfilm Roll No. 75, accepting bid of McKesson and Robbins, Inc. for furnishing 20 tons Copper Sulphate, large crystals; 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 Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116603, recorded on Microfilm Roll No. 75, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for repair of the Bulkhead Wall Along Harbor Drive between the foot of Columbia Street and Eighth Street, bearing Document No. 484682; 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. 116604, recorded on Microfilm Roll No. 75, approving plans and specifications for the furnishing of all labor, material, tools, equipment, trans-

portation and other expenses necessary or incidental for Fire Damage Repairs to Sheds at Fish Market Building, bearing Document No. 484751; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of Allied Gardens Unit No. 2, subject to posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 116605, recorded on Microfilm Roll No. 75, approving and ratifying action of the City Manager in executing contract on January 28, 1954, on behalf of The City of San Diego with Maxson Corporation, a corporation, Bonwood Corporation, a corporation and Fineview Corporation, a corporation, subdividers of Allied Gardens Unit No. 2, whereby said subdividers agree to repay the City for any expense not exceeding \$10,000.00 which the City may incur in the acquisition of a superior title to the easement of the San Diego Gas & Electric Company in the streets of said subdivision, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116606, recorded on Microfilm Roll No. 75, adopting Map of Allied Gardens Unit No. 2, being subdivision of portion of Lot 1 of Allied Gardens Unit No. 1; accepting on behalf of the public Twain Avenue, Estrella Avenue, Glacier Avenue, Clara Lee Avenue, Vandever Avenue, Winona Avenue, 49th Street, 50th Street, Danbury Way, and unnamed easements shown thereon for public purposes; declaring them to be public streets and easements and dedicated to the public use; rejecting dedication for public street land shown as "Reserved for Future Street"; authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council, that said streets and easements are accepted on behalf of the public as hereinbefore stated; and that the Council rejects as dedication 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, California, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Assistant City Planning Director, recommending suspension of 4 sections of the Municipal Code, in connection with Tentative Map of Cosgrove Rancho Estates, was presented.

RESOLUTION NO. 116607, recorded on Microfilm Roll No. 75, suspending Sections 102.11.2, 102.11-1, 102.18, 102.17-c of the Municipal Code, insofar as they relate to the Tentative and Final Maps of Cosgrove Rancho Estates, a 35-lot subdivision of portion of Lot 67 Rancho Mission, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Cosgrove Rancho Estates, 35 lot subdivision in portion of Lot 67 Rancho Mission, located immediately north of Alvarado Freeway and adjacent to the easterly boundary of the City of San Diego, subject to 10 conditions, was presented.

RESOLUTION NO. 116608, recorded on Microfilm Roll No. 75, approving Tentative Map of Cosgrove Rancho Estates, subject to conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Harry H. Horton, Jr., Chairman, Mexico Committee of the San Diego Chamber of Commerce, dated February 4, 1954, was presented. It thanks the Council for its participation in the recent goodwill tour to Baja California of the south and west coast of Mexico, and for representation by Councilman Clair Burgener. The communication states, among other things, that the City could not have hoped for, or found a better ambassador of good will.

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

Communication from S. O. Novack, Manager Household Advertising Services, 520 E Street, San Diego, question an alleged variance with the Federal Constitution in connection with sales of subscriptions to publications, was presented. It says that the overall effect is to further limit methods by which Navy wives may earn an honest salary. The communication says that it believes the Council is anxious to carry out provisions of the spirit of the Federal Constitution, which clearly states that there shall be no burden or restriction on people engaged in legitimate interstate commerce.

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

Communication from South Bay District Chamber of Commerce, Box 11 Nestor, California, signed by P. W. Kreinberg, Secretary, dated February 1, 1954, was presented. It quotes from the record of the Board of Directors: "That a preliminary survey to future annexations be prepared by the proper authorities of the City of San Diego of that area including Imperial Beach, Palm City, Nestor and the Tia Juana Valley". The communication states that in view of the great amount of interest various persons and groups of individuals

are showing toward annexation in recent weeks, they ask that appropriate steps be taken without delay as outlined.

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

Communication from W. W. Crawford, Mrs. W. W. Crawford (M.D. at 861 Sixth Avenue, Electric Building) and communication from Milton M. Small, 1419 Dale Street, both protesting the issuance of a liquor license for the premises located at 2969 Beech Street, were presented. They refer to the objectionable features, and to the fact that they reside in a residence zone where it is felt that The Dug causes a great deal of nuisance and that it is near the Brooklyn School and a couple of churches.

Councilman Dail said that the Dr. Crawford letter had been sent to the Council office as a protest, and that protest had been made to the State. He read the Crawford letter, which he filed. He said that he does not know if the City of San Diego has jurisdiction.

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

Several petitions and communications favoring the change of the name of Sutherland Dam to Fletcher Dam, were presented.

Also many signatures on petition objecting to the proposed change were presented.

C. M. Sutherland, of Ramona, appeared.

The Mayor said that the Council will file the suggestions as of both ways. They will be on file for future reference, he stated. The Mayor asked Mr. Sutherland if he was a descendant of the Sutherland for whom the dam was named, and that if he objected to the change.

Mr. Sutherland replied "yes" to both questions.

On motion of Councilman Wincote, seconded by Councilman Dail, all the communications and petitions on the subject - both for and against a change - were ordered filed.

Communication from Stone & Youngberg, investment securities, Russ Building, San Francisco, dated February 4, 1954, signed by Don M. Davis, was presented. Said communication, from purchasers of unpaid assessments and sewer and water improvements in the Kearney Mesa Improvement, referring to the controversy involving land zoning in the Improvement District, and the way in which the matter affects them since the improvements were apparently installed for residences and now a zoning is proposed to accommodate the Navy.

On motion of Councilman Wincote, seconded by Councilman Schneider, said communication was referred to the City Manager for report to the Council on Thursday.

RESOLUTION NO. 116609, recorded on Microfilm Roll No. 75, directing Notice of the filing of the Street Superintendent's Assessment No. 2204 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Beaumont Avenue, within the limits and as particularly described in Resolution of Intention No. 113131, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116610, recorded on Microfilm Roll No. 75, directing Notice of filing of the Street Superintendent's Assessment No. 2208 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Francis Street, and public rights of way, within the limits and as particularly described in Resolution of Intention No. 110164, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116611, recorded on Microfilm Roll No. 75, directing Notice of the filing of the Street Superintendent's Assessment No. 2205 made to cover the costs and expenses of the work done upon 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116612, recorded on Microfilm Roll No. 75, directing Notice of filing of the Street Superintendent's Assessment No. 2207 made to cover the costs and expenses of the work done on 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116613, recorded on Microfilm Roll No. 75, directing Notice of filing of the Street Superintendent's Assessment No. 2208 made to cover the costs and

expenses for the work of paving and otherwise improving of Tonopah Avenue, Asher Street, Lieta Street, Littlefield Street and Morendi 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 OF AWARD NO. 116614, recorded on Microfilm Roll No. 75, accepting bid of Gilman Grading Co., a co-partnership, and awarding contract for the paving and otherwise improving of the Alleys in Block 55 Normal Heights, within the limits and as particularly described in Resolution of Intention No. 115259, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

A communication from the City Engineer reports that the low bid is 12.5% below the estimate.

RESOLUTION OF AWARD NO. 116615, recorded on Microfilm Roll No. 75, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract for the paving and otherwise improving of the North and South Alley in Block 119 University Heights, within the limits and as particularly described in Resolution of Intention No. 115261, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

A communication from the City Engineer reports that the low bid is 12.5% below the estimate.

RESOLUTION OF AWARD NO. 116616, recorded on Microfilm Roll No. 75, accepting bid of R. E. Hazard Contracting Co., a corporation, and awarding contract for the paving and otherwise improving of Keating Street and Linwood Street, within the limits and as particularly described in Resolution of Intention No. 115262, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

A communication from the City Engineer reports that the low bid is 33.0% below the estimate.

RESOLUTION OF AWARD NO. 116617, recorded on Microfilm Roll No. 75, accepting bid of Griffith Company, a corporation, and awarding contract for the paving and otherwise improving of Mason Street, within the limits and as particularly described in Resolution of Intention No. 115263, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

A communication from the City Engineer reports that the low bid is 27.8% below the estimate.

RESOLUTION NO. 116618, recorded on Microfilm Roll No. 75, approving plans, drawings, typical cross-sections, profiles and specifications for the installation of improvements to street lights on Broadway, between Pacific Highway and Eighth Avenue; approving Plat No. 2567 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 Schneider, adopted.

RESOLUTION NO. 116619, recorded on Microfilm Roll No. 75, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Jamacha Road and Flicker Street; approving Plat No. 2520 showing the exterior boundaries of the district to be included in the assessment; 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 OF INTENTION NO. 116620, recorded on Microfilm Roll No. 75, approving plans, drawings, typical cross sections, profiles and specifications for the installation of sewers in Klauber Avenue, Pierino Drive, Zeller Street, Plover Street, Hilger Street, Gibson Street, Tarbox Street, Madera Street, and public rights of way; approving Plat No. 2523 showing the exterior boundaries of the district to be included in the assessment; 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 OF INTENTION NO. 116621, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of Logan Avenue and Florence 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. 116622, recorded on Microfilm Roll No. 75, for the closing of Bangor Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 116623, recorded on Microfilm Roll No. 75, for the removal of certain existing ornamental lighting standard shafts, transformers and luminaires from Broadway; and conversion standards, connections, ballasts and luminaires, complete, be installed therein, and that the existing bases for conversion standards be painted, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 116624, recorded on Microfilm Roll No. 75, for the paving and otherwise improving of Jamacha Road and Flicker Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 116625, recorded on Microfilm Roll No. 75, for installation of sewer mains, etc., in Klauber Avenue, Pierino Drive, Zeller Street, Plover Street, Hilger Street, Gibson Street, Tarbox Street, Madera Street and public Rights of Way, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116626, recorded on Microfilm Roll No. 75, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Blocks 199 and 220 Pacific Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116627, recorded on Microfilm Roll No. 75, ascertaining and declaring the wage schedule for the paving and otherwise improving of Congress Street and Hortensia Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116628, recorded on Microfilm Roll No. 75, ascertaining and declaring the wage scale for the paving and otherwise improving of Wells Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116629, recorded on Microfilm Roll No. 75, ascertaining and declaring the wage scale for the paving and otherwise improving of Wunderlin Avenue, and 60th Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116630, recorded on Microfilm Roll No. 75, 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 15 and 42 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 112504, and to be assessed to pay the expenses thereof; 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116631, recorded on Microfilm Roll No. 75, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 178 Pacific Beach, within the limits and as particularly described in Resolution of Intention No. 113263, and to be assessed to pay the expenses thereof; 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116632, recorded on Microfilm Roll No. 75, 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 Catoctin Drive, within the limits

and as particularly described in Resolution of Intention No. 114249 and to be assessed to pay the expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116633, recorded on Microfilm Roll No. 75, 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 Nashville Street, Morena Boulevard, Lehigh Street and Tonopah Avenue, within the limits and as particularly described in Resolution of Intention No. 114360 and to be assessed to pay the expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116634, recorded on Microfilm Roll No. 75, 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 Poe Street and Evergreen Street, within the limits and as particularly described in Resolution of Intention No. 114500 and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116635, recorded on Microfilm Roll No. 75, 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 33rd Street, within the limits and as particularly described in Resolution of Intention No. 114137 and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116636, recorded on Microfilm Roll No. 75, declaring it to be the intention of the Council to follow the recommendation of the City Manager and Director of the Water Department and award contract for construction of Catalina Street Pumping Plant (Specification No. 67, Housing and Home Finance Agency Project Calif. 4-CF-27) to William H. Clint, the lowest, responsible and reliable bidder for said work, at the unit prices set forth in his bid, which unit prices amount to a total estimated sum of \$21,832.00, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116637, recorded on Microfilm Roll No. 75, establishing parking time limit of two hours, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted, on:

Both sides of Girard Avenue, between Silverado Street and Kline Street;
authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116638, recorded on Microfilm Roll No. 75, directing the Property Supervisor to request a direct payment to Fred I. Gray of \$308.75, and the City Auditor and Comptroller is directed to pay such amount to said Fred I. Gray as a refund of sum deposited in connection with auction sale; authorizing and empowering the Mayor and City Clerk, for and on behalf of, and as the act and deed of The City of San Diego, a quitclaim deed quitclaiming to Joseph Whiser, Lots 39, 40, 41, 42 Block C Alta Vista Suburb; directing the City Clerk to deliver said deed to the Property Supervisor with instructions to deliver the deed to the grantee when he shall have received \$4,375.00 on behalf of The City of San Diego from said grantee, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Said Resolution states that Resolution No. 116338 authorized public auction for selling said property; that the Joseph Whiser bid was accepted; that Fred I. Gray was an unsuccessful bidder and had deposited with the City \$308.75 to cover cost of such sale in the event that no bids were made by prospective purchasers equal to or exceeding \$4,175.00, and that said sum should be refunded to Gray.

RESOLUTION NO. 116639, recorded on Microfilm Roll No. 75, authorizing and empowering the City Manager if, as, or when The City of San Diego is in need of services of expert appraisers to appraise real property, either for the purpose of purchase or sale by the City, to add to the list of those appraisers already authorized to be employed and to employ as an expert appraiser of real property, Mr. Amos B. Root, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116640, recorded on Microfilm Roll No. 75, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego an Amendment To Lease between the City and the San Diego Veterans War Memorial Building, Inc., on

file in the office of the City Clerk under Document No. 4199157, proposed amendment filed with the City Clerk as Document No. 484753, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116641, recorded on Microfilm Roll No. 75, authorizing the City Manager to employ Griffith Company to do work in connection with improvement of Fortuna Avenue, Honeycutt Street, Morrell Street, et al., as shown on Drawings 10755-L and 10757-L, at prices totaling \$853.81, payable from funds heretofore appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Said Resolution states that the City of San Diego on December 1, 1953, awarded contract to Griffith Company for paving and otherwise improving of said streets, under a 1911 Street Improvement Act Proceeding; that drawings show certain work to be constructed by the City, that the contractor has offered to do the work at the sum of \$853.81 and the City Manager has recommended that the offer be accepted and work be done.

RESOLUTION NO. 116642, recorded on Microfilm Roll No. 75, approving request of H. H. Peterson, dated January 22, 1954, contained in Change Order No. 1, for extension of 30 days to and including February 21, 1954, heretofore filed with the City Clerk as Document No. 484756, in which to complete contract for installation of drain in Pirotte and 54th Streets, contract contained in Document No. 480932 on file in the office of the City Clerk; extending time of completion under contract to February 21, 1954, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116643, recorded on Microfilm Roll No. 75, approving request of W. A. Robertson Construction Co., dated January 26, 1954, contained in Change Order No. 1, for extension of 30 days to and including February 25, 1954, heretofore filed with the City Clerk as Document No. 484758, in which to complete contract for installation of Baltic Street Pipeline, contract contained in Document No. 477289; extending time of completion under contract to February 25, 1953, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116644, recorded on Microfilm Roll No. 75, approving Change Order No. 2, dated February 4, 1954, heretofore filed with the City Clerk as Document No. 484760, issued in connection with contract between The City of San Diego and H. H. Peterson for construction of drain in 54th and Pirotte Streets, contract contained in Document No. 480932 on file in the office of the City Clerk; changes amounting to increase in contract price of approximately \$1,023.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116645, recorded on Microfilm Roll No. 75, granting permission to Marion Morgan Winters, 1046 Leroy Street, San Diego 6, to install a 27-foot driveway, as measured at the top of the full-height curb on the north side of Ventura Boulevard, between Mission Boulevard and Bayside Lane, adjacent to Lot R Block 97 Mission Beach; to provide access to off-street parking area for 3 cars, subject to conditions set forth in said Resolution, was on motion Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116646, recorded on Microfilm Roll No. 75, authorizing and directing the City Attorney to file an Answer in the quiet title action filed by C. G. Starke against The City of San Diego and others, Superior Court No. 185818, and to approve a decree quieting title in the aforementioned plaintiff, and accept \$585.97 as compensation to The City for the City's interest in and to Lots 12 to 14, 35 and 36 Fairmount Addition, and Lot 24 Block 39 Fairmount Addition, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116647, recorded on Microfilm Roll No. 75, 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 Coast Security Corporation, Inc.: Lot 4 Block 38 Western Addition; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions that the same be delivered to Coast Security Corporation, Inc., the grantees therefor, upon receipt by the City of deed of portion of Lots 7 and 8 Block 38 Western Addition, as required by the City, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Said Resolution states that The City is desirous of acquiring portion of Lots 7 and 8 Block 38 Western Addition for drainage improvement purposes; that the owner of said lots are willing to deed said land to The City of San Diego in exchange for

quitclaim deed from the City of portion of Lot 4 Block 48; that value of property to be granted to the City, as determined by a qualified real estate appraiser, is \$172.45; the City is owner of an undivided one-half interest in Lot 4 Block 38 Western Addition, which is no longer required by the City, and that the value of said City property is \$172.45.

RESOLUTION NO. 116648, recorded on Microfilm Roll No. 75, authorizing O. W. Campbell, City Manager, to go to Sacramento on February 10, 1954, for the purpose of conferring with state officials and League of California Cities' representatives; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116649, recorded on Microfilm Roll No. 75, authorizing Edwin J. Cooley, Director of Social Service, and Mrs. G. D. Edwards (member of the Social Service Commission) to attend the conference called by Governor Knight on California's Children and Youth, to be held in Sacramento, California, February 25 and 26, 1954; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, 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 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. 5958 (New Series), repealing Section 65 of Ordinance No. 2484 (New Series), and Section 31.0386 of the San Diego Municipal Code relative to License Tax on the business of Night Watchman Service, 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 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 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. 5959 (New Series), dedicating public land as and for a portion of public highway in the Northwest One-Quarter of Lot 39 Ex-Mission Lands of San Diego (Horton's Purchase), and naming the same Forty-Fifth Street (45th Street), was on motion of Councilman Burgener, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilman Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Burgener, seconded by Councilman Wincote, the next Ordinance was introduced.

On motion of Councilman Burgener, 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 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. 5960 (New Series), recorded on Microfilm Roll No. 75, appropriating \$50,000.00 from the Capital Outlay Fund, for the purpose of providing funds for construction of a picnic area at the Mission Beach Amusement Center - in accordance with terms and provisions of Section 5 of the Supplementary Agreement in connection with assignment of the Mission Beach Amusement Center Lease, between The City of San Diego and Roy E. Matheson and Roy J. Hurd, partners in the Mission Beach Company, a co-partnership, designated as "Assignor", and James T. Mitchell and John C. Ray, designated as "Assignee", on file in the office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the next Ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the reading of said ordinance in full prior to its 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. 5961 (New Series), recorded on Microfilm Roll No. 75, appropriating \$10,000.00 from the Unappropriated Balance Fund, for the providing of funds to cover the cost of surface preparation and painting of existing buildings at the Mission Beach Amusement Center, in accordance with terms and provisions of Section 5 of Supplementary Agreement in connection with assignment of the Mission Beach Amusement Center Lease, between The City of San Diego, and Roy E. Matheson and Roy J. Hurd, partners in the Mission Beach Company, a co-partnership, designated as "Assignor," and James T. Mitchell and John C. Ray, designated as "Assignee" on file in the office of the City

Clerk, 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. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Wincote, seconded by Councilman Burgener, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Burgener, the reading of said ordinance in full was dispensed with 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.

ORDINANCE NO. 5962 (New Series), recorded on Microfilm Roll No. 75, appropriating the unexpended balances of the funds heretofore appropriated by Ordinance No. 4506 (New Series) and Ordinance No. 4624 (New Series), and the surplus amounts in the Sutherland Dam Bond Fund of The City of San Diego, for the purpose of providing additional funds for completion of Sutherland Dam, 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 Schneider, seconded by Councilman Wincote, Ordinance approving annexation to The City of San Diego of certain portions of the Tidelands of San Diego Bay, in the County of San Diego, State of California, known and designated as "San Diego Harbor Tidelands", more particularly described in said proposed Ordinance, 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.

On motion of Councilman Burgener, seconded by Councilman Wincote, Ordinance amending Section 63.17.3 of The San Diego Municipal Code relating to speed regulations in San Diego Bay, 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 Wincote, seconded by Councilman Burgener, Ordinance amending The San Diego Municipal Code by adding Section to be numbered Section 66.11 Regulating Sanitary Fills and by Re-Numbering Section 44.0109 as Section 66.07, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

(Said renumbered section was adopted and ratified April 18, 1919 as "People's Ordinance", being Ordinance No. 7691).

On motion of Councilman Burgener, seconded by Councilman Wincote, Ordinance changing the name of Hempstead Place to Wesleyan 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.

On motion of Councilman Schneider, seconded by Councilman Burgener, Ordinance repealing Sections 22.1504 and 22.1505 of the San Diego Municipal Code relating to the duties of the Superintendent of Parks and Superintendent of Recreation, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

(See also Page 266 of these Minutes for earlier consideration)

At this time the Council returned to the hearing on the Street Superintendent's Assessment No. 2197 re paving etc. Pacific Beach Drive.

The City Engineer reported that people in his office who are familiar with the drainage situation are out in the field checking plans.

The Mayor told those interested that the City Engineer will go into individual assessments.

It was suggested that the hearing be continued to a week from Thursday, which would be February 25. There was discussion on that date, and the following resulted:

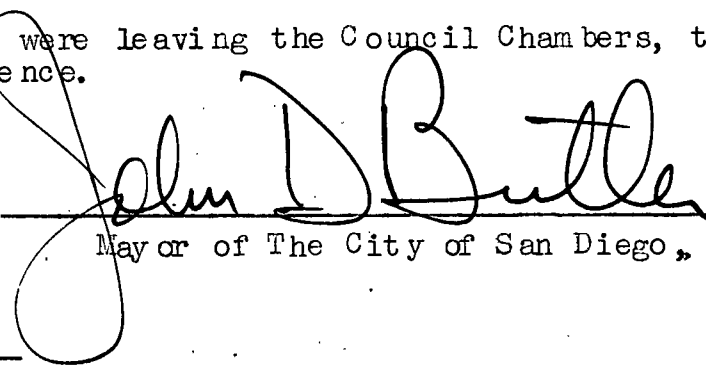
RESOLUTION NO. 116650, recorded on Microfilm Roll No. 75, continuing the hearing on the Street Superintendent's Assessment No. 2197 made to cover the costs and expenses of the paving and otherwise improving of Pacific Beach Drive until the hour of 10:00 o'clock A.M., Tuesday, February 16, 1954.

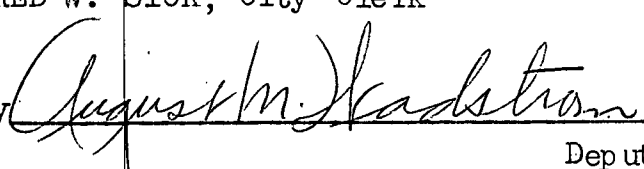
116650
5962 N.S. -
Ords. introduced.

There being no further business to come before the Council, the meeting was adjourned, on motion of Councilman Wincote, seconded by Councilman Dail, at the hour of 11:27 o'clock A.M.

As members of the Council were leaving the Council Chambers, the Mayor announced that they would go into Conference.

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, February 11, 1954

Present---Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Absent---Councilmen None.
Clerk---Fred W. Sick

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

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing on appeal of Glenn O. Hellyer from the decision of the Zoning Committee in denying permission to himself and to Norma I. Hellyer for permission to erect and operate a trailer of 500 units on portions of Joseph Reiner Addition, Bay View Quarter Acres and Bay View Addition, known as the Polo Grounds, in Zone R-1A - which had been referred to Conference January 28, 1954, at which time the hearing was closed, the Council considered the appeal. Mayor Butler opened the matter by stating that the hearing had been closed, that the Council had discussed it in Conference, and that it was not up for Council decision.

Answering the Mayor, Glenn A. Rick, City Planning Director, spoke about the area involved. He referred to the Trailer Park Zone. There was originally an alternate with the original turned down, then "this one". He spoke about contiguous property not being in Trailer Park District.

There was discussion between Councilmen Schneider, Kerrigan and Mr. Rick over the district.

Mr. Rick, referring to the map, reviewed for the Council's benefit the area. He explained further to Councilman Wincote about the black line to which he spoke. The answer to the question was that the black line put property outside the district.

Councilman Schneider related having looked at the area, including the view from the College. He said that he can understand their overlooking some of the property, but contended that they cannot control all area over which they look. He had also looked down on the property from Mission Hills, Councilman Schneider stated. It was his contention that if the developer were to make a handsome, presentable thing of the proposal (as he had proposed), that he could not see where it will hurt the protectants. He pointed out that all of Hellyer's previous use proposals have been turned down by the Council.

Mr. Rick, answering Councilman Schneider agreed that the Council can grant conditional approval, setting up specified conditions.

Councilman Schneider said that the conditions should be written out, to provide the protection.

Councilman Burgener said that there is a most difficult decision involved, and referred to a long-range problem problem. He spoke of it seeming like up-grading on account of new developments. Councilman Burgener declared that the main entrance into

Hearing - Trailer Court, Polo Grounds

the City. He said he felt that it is in the City's interest to oppose the appeal from the denial.

There was discussion between Councilmen Schneider, Kerrigan and Rick over a previous vote.

Councilman Kerrigan said that the City is concerned with legislation regarding Trailer Parks.

Councilman Godfrey said that Mr. Miller had suggested possible purchase of the property in question for use as playing field for the University. He said that he had been contacted by people on both sides of the question. He told of having looked at it from various angles. He said that the question remains "How to use the property; efforts have always been denied". Councilman Godfrey related that Mr. Hellyer can't get financing for residences on account of the property being in the flood area. He asked if there was proof that the proposal was inconsistent with the long-range development of the City.

The Mayor said that the property has always been in a "marginal zone".

Councilman Godfrey declared that there is economic reasoning behind financing. He said that Mr. Hellyer is left with the prospect of raising chickens and goats. The zoning Committee often disagrees between its own members, Councilman Godfrey stated, and added that there is nothing sacred with its findings.

The Mayor spoke of treating the matter as an initial request.

Councilman Burgener asked if when individuals buy they have the right to expect a zone change. He said he thinks "no".

There was discussion between Councilman Burgener and Mr. Rick regarding the zoning.

Mr. Rick said that when the property was bought it was in an R-1A Zone, with zone variance for use as a polo field.

Councilman Wincote asked Mr. Rick about the new Town & Country Motel which is in the Valley, also.

Mr. Rick's reply was that it is R-1A, under variance.

Councilman Wincote stated that his mind was made up, bearing in mind that Mr. Hellyer has ~~and has~~ had difficulty with his property. He spoke of the Trailer Court on the City-owned DeAnza Point. Relating to having voted for DeAnza Point, he spoke of not having changed his opinion on the Hellyer property.

The Mayor said that, looking at the separate areas, they are different situations. He wondered how it would be possible to turn down another trailer park on adjoining property in the same flood area (if the Hellyer request is granted).

Councilman Wincote said that the proposed Trailer Park would hurt no one. With regulations it would be a vast improvement over what is there now, he declared.

The Mayor said that looking at the matter on a long-range basis, he cannot agree.

Councilman Schneider spoke of a group having referred to the purchase of the land for playing field.

At the Mayor's invitation, Mr. Miller, who had made the statement two weeks ago, said that there is a possibility that it could be purchased for the University. That cannot be decided until the Council has made its decision, he declared. If Mr. Hellyer has a burden, Mr. Miller said he thought it can be done.

There was discussion between Councilman Wincote and Mr. Miller regarding use of the property, and the price thereof.

Mr. Miller replied that a group would be ready to consult with Mr. Hellyer regarding the property and the sewer costs.

Councilman Wincote asked if they would consider \$90,000.00.

Mr. Miller said "no; \$30,000."

The Mayor maintained that the price was not material.

Councilman Wincote entered into discussion with the Mayor on that point.

Councilman Burgener told the Council that he objected to the statement that the land is useless. It still has many uses, but it is not the Council's affair, he stated.

There was discussion between Councilmen Burgener and Godfrey over the point of reasonable use, and regarding the financing.

Councilman Burgener said that the Council should not help regarding the financing.

Councilman Godfrey maintained that the owner (Hellyer) has property rights, and that the Council has the responsibility of protecting those property rights.

Councilman Schneider said that if left as of now the net control of the development would be better.

Councilman Dail said that in view of the fact that the property is in a district for trailers, the Council has made indications in the past that the City can grant in proximity - as in the past.

Councilman Dail moved to grant the variance and overruling the decision, which motion was seconded by Councilman Wincote.

The Mayor said he does not agree, and that the use still comes by variance.

At this point Councilman Godfrey asked Ewart Goodwin, who was in the audience, regarding the effect on his property.

Ewart Goodwin stated that if the Council were to accept the reasoning regarding obligation of the City it would be inaugurating a fine thing for real estate businesses. He said that such reason being voiced is a dangerous thing. He stated that if every fellow who has R-1 use property thinks he should have C, it would be dangerous. Mr. Goodwin maintained that the City has no obligation to persons who buy property knowing in what zone it exists. He said that he did not come down before, thinking that he should keep his hands off. He maintained that the University rights should be protected. He spoke of many kids having come up to his property from the trailer courts below.

Councilman Godfrey spoke of wanting to protect both sides, and that he was not trying to bail anyone out. He referred to the request for zone change (now under consideration) regarding the Navy on Miramar. He told, also, of previous discussions.

Councilman Dail stated that it was defeating the purpose of the motion to have these arguments and questions. He said all that had been had at the hearing. It is

not fair to request and permit Mr. Goodwin to make a long statement.

Councilman Godfrey pointed out to Councilman Dail that members of the Council have the right to ask questions.

Councilman Dail reported that the question should be kept to the point.

Councilman Godfrey said that he had asked Mr. Goodwin for statements on use. Next he asked Mr. Goodwin if he could assist regarding the use.

Mr. Goodwin answered that the University could use the property, regarding what Hellyer "has in it".

Councilman Godfrey said that Mr. Miller does not have the money.

Councilman Burgener pointed out that the Council was getting on dangerous ground regarding real estate deals.

Next, there was discussion between Councilman Godfrey and Councilman Burgener regarding bailing the Navy out (in connection with the Miramar, Camp Kearny land for Airport use as opposed to residence use on some of the property).

Councilman Burgener said that is related to all the people, and that it is quite different from this.

Councilman Winote talked to Mr. Goodwin regarding use of property, sales, etc.

Whenever there is a major development, Councilman Godfrey said, the Council action is anticipated on zones regarding residences.

Discussion developed between Councilmen Burgener and Godfrey over reasonable use of the property.

Councilman Burgener stated that it is not up to the Council to determine regarding the reasonable use.

Councilmen Schneider and Burgener entered into discussion regarding the business zone change in the Clairemont property - the "C" Zone.

Councilman Burgener said, sympathetically, that it is no fun to vote against personal friends.

The roll was called on the motion to sustain the appeal and overrule the Committee's decision, resulting in Yeas--Councilmen Winote, Schneider, Dail, Godfrey. Nays--Councilmen Burgener, Kerrigan and Mayor Butler. Absent--Councilmen None.

Following the roll call, the Mayor announced that the vote to sustain the appeal, which would have permitted the Trailer Park, had lost inasmuch as 5 favorable votes were needed.

Following the Mayor's statement, Cornelius Butler spoke about the sewer bonds on the property, which Mr. Hellyer had bought would be about \$12,000.00. The City Engineer had said that he thought they would be \$8,000.00 or \$10,000.00. However, the final assessment was \$17,000.00.

Communication from San Diego County Heart Association, signed by George E. Leonard, General Chairman, 1651 Fourth Avenue, San Diego 1, dated February 6, 1954, was presented. The petition requests permission for a group of high school students to solicit on street corners, 11:00 A.M. to 4:00 P.M., Saturday, February 13, was presented.

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

Petition from Luminal Corporation, 452 8th Avenue, San Diego, for a special Neon Sign permit on Lots 1 and 2 Pacific Vista Tract in commercial zone - for sign 24 ft long and 10 ft wide, overall height from ground to be 18 ft, was presented.

Mr. Rick reported verbally to the Council that in effect the petition was in the nature of a request for overruling the Planning Commission.

Inasmuch as there was still spirited discussion going on in connection with the trailer park matter while this subject was before the Council, Councilman Dail moved at 10:50 o'clock A.M. to recess the meeting for 5 minutes, which motion was seconded by Councilman Burgener.

The roll was called and the meeting recessed.

The meeting reconvened at 10:55 o'clock A.M., with all members of the Council present.

Mr. Rick continued. He said that there had been a misunderstanding. He reviewed minutes of the meeting, and stated that Mr. Harper (San Diego Neon Sign Co.) was satisfied to have the matter go back.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the petition was referred to the Architectural Review Board.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing steel office furniture for the new Public Library, received December 29, 1953, from 7 bidders. It recommends award to Nelson-Thomas & Company, low bidder meeting specifications: Item 1, 33 ea., Posture Chairs @ \$40.30 each; Item 2, 10 High Swivel Posture Chairs @ \$34.30 each; Item 3, 6 large size Posture Chairs @ \$53.40 each; Item 4, 3 - 45x30" Typewriter Desks @ \$132.75 each; Item 5, 1 - 60x30" Secretarial Desk @ \$189.89; Item 6, 1 - 60x30" Executive Desk @ \$154.00; Total \$2,735.44, Terms Net, plus State Sales Tax - and award to Parron-Hall Corporation, low bidder on Item 7, for 17 Typewriter Stands @ \$10.95 each; Total \$186.15, Terms Net, plus State Sales Tax.

RESOLUTION NO. 116651, recorded on Microfilm Roll No. 76, accepting bid of Nelson-Thomas & Company for furnishing Items 1, 2, 3, 4, 5, 6, was on motion of Coun-

Kerrigan, seconded by Councilman Schneider, adopted. Said Resolution also awards contract, and authorizes and instructs 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 Purchasing Agent.

RESOLUTION NO. 116652, recorded on Microfilm Roll No. 76, accepting bid of Parron-Hall Corporation for furnishing Item 7; awarding contract, authorizing and instructing the City Manager to enter into and execute on behalf of The City a contract therefor, pursuant to specifications on file in the office of the Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for improvement of Hughes Street at the easterly line of Waterville Heights, received January 28, 1954, from 7 bidders; recommending award to M. H. Golden Construction Company, low bidder, in the amount of \$5797.04 - 24.2% below the estimate - was presented.

RESOLUTION NO. 116653, recorded on Microfilm Roll No. 76, accepting bid of M. H. Golden Construction Company for improvement of Hughes Street; 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 Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for improvement of the Median Area of Harbor Drive between Laurel Street and Wake Taxiway, received February 2, 1954, from 8 bidders, was presented. It recommends award to R. E. Hazard Contracting Company, low bidder, at \$40,927.41 - 18.1% below the estimate. The communication states that the Harbor Department has previously deposited \$15,115.08 received from Ryan Aeronautical Company in Fund No. 302 Account 751 toward the cost of the job, and that the Harbor Commission has agreed to share equally with the City the remainder of the cost of the work, which will be approximately \$13,000.00 each for the City and the Harbor Department.

RESOLUTION NO. 116654, recorded on Microfilm Roll No. 76, accepting bid of R. E. Hazard Contracting Company for Improvement of the Median Area of Harbor Drive between Laurel Street and Wake Taxiway; awarding contract, authorizing 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 Godfrey, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent reporting on bids for furnishing 4,800 lineal feet of Structural Select Douglas Fir from 4 companies, was presented. It recommends purchase from Dixie Lumber & Supply Company at \$129.00 per M Ft., plus \$2.50 per M Ft. cartage, plus State Sales Tax, less 2% discount, making Net Total of \$3,190.05.

RESOLUTION NO. 116655, recorded on Microfilm Roll No. 76, accepting bid of Dixie Lumber & Supply Company for furnishing 4,800 lineal feet of Structural Select Douglas Fir; 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 specifications on file in the office of the Purchasing Agent, 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 the subdivision of College Manor, subject to posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 116656, recorded on Microfilm Roll No. 76, authorizing and empowering the City Manager, for and on behalf of The City of San Diego, to execute contract with Frank Manescalchi and Tommasa Manescalchi and Charles R. Cono and Anita A. Cono, for installation and completion of unfinished improvements and setting of monuments required for College Manor 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 Kerrigan, adopted.

RESOLUTION NO. 116657, recorded on Microfilm Roll No. 76, adopting Map of College Manor, subdivision of all of Lot 21 Oakemere; accepting on behalf of the public Rose Street, Rose Place and unnamed easements shown for public purposes; declaring said streets and unnamed easements to be dedicated to the public use; rejecting dedication for public street land shown as "Reserved for Future Street"; authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council that said streets and unnamed easements are accepted on behalf of the public; rejecting dedication of 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 Schneider, seconded by Councilman Kerrigan, adopted.

The next two matters, which had been held over from the meeting of February 4, 1954, were presented, and resolutions, adopted. They were not numbered, however, ahead of the preceding two items inasmuch as the Council reconsidered its action and brought up the matter for consideration again.

In connection with the Resubdivision of Lot B Block 3 Magnolia Avenue, a

tentative map was submitted again. Communication from the Planning Commission, signed by Harry C. Haelsig, was presented. It recommended suspension of 3 sections of the Municipal Code.

RESOLUTION NO. 116658, recorded on Microfilm Roll No. 76, was adopted.

Also presented, was communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Magolia Park, subject to 10 conditions.

Glenn A. Rick, City Planning Director, reported regarding discussion between himself and Councilman Wincote over condition (5) which provided for paving Dudley Street half width adjacent to the subdivision with pavement conforming to Schedule "A". He said he felt a deviation was justified. Answering Councilman Wincote, he said that there was a water main requirement in the recommendations and in the Resolution, also.

Councilman Wincote spoke of Mr. Laucher having been permitted to have a 1" line (in the Point Loma area).

The City Manager said that when a temporary 1" line is granted, it is subject to future development and water line.

Councilman Wincote maintained that the "first lot" can be served from Albion.

Mr. Rick said that people on the other side are coming in to subdivide, and that the Water Department thinks there should be a 6" main. Rick

There was discussion between Councilman Wincote and Mr./regarding paving, from a map.

Councilman Kerrigan spoke about adequate water line on account of fire.

Max Zuest spoke of the fire plug, from a 6" main.

It was moved to adopt the recommendation, deleting therefrom condition (5) which calls for the paving of Dudley Street half width adjacent to the subdivision with pavement conforming to Schedule "A", September 1, 1954. The motion carried, resulting in

RESOLUTION NO. 116659, recorded on Microfilm Roll No. 76, approving the Tentative Map of Magnolia Park (Resubdivision of Lot B Block 3), subject to 9 conditions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Raymond Krah, Personnel Director, requesting approval of an ordinance establishing new classification of Policewoman, Standard Rate of Pay No. 19 - \$327 to \$397 per month - was presented. It states that the class was recommended by the Chief of Police and approved by the City Manager. Also, it advises that the Civil Service Commission has approved the establishment of the class and authority for request is to be found in the Rules of the Commission.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Ordinance creating the position of Police Woman in the Classified Services of The City of San Diego, and establishing a schedule of compensation therefor, was introduced, by the following vote, Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Communication from Malcolm A. Love, Temporary Chairman, Joint Committee on Preventive Services, dated February 5, 1954, in addition to referring generally to the number of individuals falling victim to family disorganization and behavior disorders, etc., it invites the Council to appoint a representative to serve on the committee and, if possible to attend the next meeting which will be held at 11:00 A.M., Monday, February 15, in Room A San Diego Club, at which it is hoped a meeting will be conducted before lunch.

RESOLUTION NO. 116660, recorded on Microfilm Roll No. 76, referring communication from the Joint Committee on Preventive Services, Malcolm A. Love, Temporary Chairman, requesting the Council to appoint a representative to serve, and if possible to attend the next meeting to be held at 11:00 A.M. February 15, 1954 in Room A San Diego Club, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from J. Karn, 3758 Fifth Avenue, San Diego 3, California, dated February 4, 1954, referring to the method of handling street improvement proceedings, was presented. It protests the "high handedness on the part of the City Engineering Department re not notifying property owners of intentions and cost of projects (copies of notices of passage of the resolution of intention are mailed).

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

Communication, being a multigraphed copy of communication bearing the typewritten signature of Mark Beresford, Executive Secretary, of the Presidents Advisory Council, San Diego County Horsemen, was presented. The writer's address is 520 Tyrine St., El Cajon, Calif., and the regular meeting referred to was held at the Aztec Riders Club House. Among other things contained in the submitted minutes was one under "New Business" concerned with recently-enacted City Ordinance regarding keeping and maintaining of domestic or large animals in the City.

It was moved by Councilman Kerrigan, seconded by Councilman Schneider, to refer the matter to Council Conference.

The Mayor and the City Clerk reviewed the minutes which were submitted.

The motion was changed, resulting in

Referral of said matter to the City Manager was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Southwest Business and Industry, 1629 Sixth Avenue, San Diego, dated February 4, 1954, signed by Bert Eifer, Publisher, was presented.

The communication, referring to zoning in the Kearny area, states that the 11,000 foot arbitrary zoning recommendation of the City Planning Commission was not only illogical but of great detriment to San Diego's future economy. It urges no further delay in zoning the disputed area unless the delay were to accomplish zoning the entire Mesa for light industry.

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

Communication from Jerry Valero, address not shown, dated Feb. 8, 1954, was presented. It transmits a news clipping about himself relative to his proposal to conduct a rowboat race from San Diego to New York City, (with the City of San Diego as sponsor), which outlines the proposal. The communication says the idea may sound "impossible" but the journey is not as dangerous as people make it believed to be. The communication asks if the City would be interested in acting as sponsor for the event, in that it would be good for the City and the name of San Diego would spread far.

Mr. Valero appeared and spoke of his experiences, including having rowed 200 miles in the ocean. He spoke of several being interested in entering such a contest.

Councilman Kerrigan moved to refer the communication and clipping to Council Conference.

Mr. Valero stated that the venture would be an asset to the City.

The Mayor said that there is no necessity for the City to sponsor the project.

Councilman Burgener seconded the motion to refer the matter to Conference.

Speaking again, Mr. Valero told the Council that 8 people are interested.

RESOLUTION NO. 116661, recorded on Microfilm Roll No. 76, referring communication from Jerry Valero on a row boat race from San Diego to New York City to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication ~~from~~ from residents, being a protest against further excavating being done in Quarter Section 103 Rancho de la Nacion, was presented.

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

The Mayor reviewed the contents of the communication.

Various communications - being a large quantity - both favoring the changing the name of Sutherland Dam, and opposing such a move - were presented.

(The communications were so many in number that they were not listed).

Councilman Kerrigan moved to file said communications, which motion was seconded by Councilman Schneider.

The Mayor said that the dam site had never been owned by the Sutherland family, according to a letter from a director of a bank.

Councilman Wincote said that the letters should be answered, regarding the policy of the Council. He said that he wants it in Conference on Tuesday.

Councilman Dail said that the Council could make a policy statement now to the effect that the City does not name any monument, etc. after any living person.

Councilman Kerrigan moved to reaffirm the policy.

Councilman Wincote moved to refer the letters to the Mayor for answer, which motion was seconded by Councilman Schneider.

At this point Estelle Henderson appeared, to tell the Council that she opposed the proposal. She termed it a disgrace, and stated that Col. Fletcher had been paid for everything he had sold.

The roll was called on the motion, resulting in

RESOLUTION NO. 116662, recorded on Microfilm Roll No. 76, referring to the Mayor the several communications which have been received in favor of renaming Sutherland Dam "Fletcher Dam, or Lake", honoring Col. Ed Fletcher, and Mrs. Fletcher, and communications opposing such a move, requesting the Mayor to write to them regarding the City's policy of not naming any monuments and edifices in favor of living persons, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116663, recorded on Microfilm Roll No. 76, authorizing Councilman Kerrigan to represent the City of San Diego at dedication ceremonies at Fire Engine Company No. 26, to be constructed at 2850 54th Street, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116664, recorded on Microfilm Roll No. 76, accepting bid of Lee J. Morgan for construction of Fire Station Building for Fire Engine Company No. 26, at 2850 54th Street, at \$39,763.00; awarding contract; authorizing and empowering the City Manager to execute for and on behalf of the City a contract therefor upon execution by said Lee J. Morgan of the contract, and upon execution, delivery, filing and approval of the bonds required thereunder, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116665, recorded on Microfilm Roll No. 76, stating that it is the intention of the Council to follow the recommendation of the City Manager and Director of the Water Department of the City and award contract for installation of the Redwood Village Pipeline (Specification No. 72, Housing and Home Finance Agency Project Calif. 4-CF-18) to L. B. Butterfield, the lowest, responsible and reliable bidder, at the unit prices set forth in his bid, which unit prices amount to a total estimated sum of \$36,414.75, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116666, recorded on Microfilm Roll No. 76, stating that the University Heights Elevated Water Tank, now empty, requires immediate re coating to its interior surface and that the condition constitutes a public calamity threat to citizens and property in The City of San Diego; that the public interest demands the immediate expenditure of public money to safeguard life, health and property of citizens of The City of San Diego; authorizing and directing the City Manager to enter into contract without advertising for or receiving bids, involving expenditure of money required to repair forthwith said University Heights Water Tank as mentioned, and in accordance with specifications on file in the office of the City Clerk as Document No. 484969 with funds available in the office of the City Treasurer for such purposes, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution goes into detail relative to purposes and uses of said elevated tank, etc., and the emergency resulting from the condition.

Proposed Resolution determining that from and after adoption none of the waters of The City of San Diego obtained from the Colorado River shall be sold or delivered to any of the other member agencies of San Diego County Water Authority except under and pursuant to agreement for the payment directly to the City of San Diego of \$22.00 per acre foot for each acre foot of water sold and delivered by the City of San Diego, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, the proposed Resolution was referred to the City Manager and to the City Attorney.

RESOLUTION NO. 116667, recorded on Microfilm Roll No. 76, authorizing and empowering the City Manager to employ professional services of a publicity and public information nature at a cost not to exceed \$600.00, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The Clerk reported that the Resolution the City Manager had asked to have listed on the Agenda, turned out to be an Ordinance.

The City Manager reviewed the subject having to do with cold storage plant lease in Pueblo Lots 1311 and 1314, and cancellation of said lease with Five Star Cold Storage Company.

Councilman Godfrey said that he wants to review the picture.

The City Manager spoke of having searched to see if anyone was interested.

Councilman Wincote said he had talked with Mr. Williams (one-time lessee) and that he thought Mr. Williams would be interested in going back into the proposition.

The City Manager told the Council about the original plan, and the Navy's use which he described as having "dipped".

There was general discussion.

Councilman Godfrey spoke of having been sub-bid, and that sometimes the bids reverse the operation.

Councilman Wincote asked the City Manager if Mr. Williams is interested.

The City Manager stated that he thought Hodges had such a refrigeration service.

Councilman Godfrey moved to hold the matter to Tuesday.

RESOLUTION NO. 116668, recorded on Microfilm Roll No. 76, continuing the proposed Ordinance authorizing cancellation of lease agreement with Five Star Fish and Cold Storage affecting cold storage plant located on Pueblo Lots 1311 and 1314, cancellation of lease agreement filed in the office of the City Clerk under Document No. 4 - directing that the matter be listed under ordinances on the agenda for Tuesday; referring it to Council Conference of Tuesday, February 16, 1954, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116669, recorded on Microfilm Roll No. 76, authorizing and directing the City Treasurer to exchange \$1,000,000 par value 2-1/4% United States Treasury Certificates purchased from inactive funds in the City Treasury, due February 15, 1954, for \$1,000,000 1-5/8% United States Treasury Certificates due in one year; authorizing and directing the City Treasurer to sell all or such amount of said investments whenever additional cash is required for the purpose for which said funds were originally accumulated and placed in the Treasury of said City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116670, recorded on Microfilm Roll No. 76, accepting subordination agreement, executed by Samuel C. Karzen and Anne L. Karzen, beneficiaries,

and Union Title Insurance and Trust Company, trustee, bearing date January 27, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Lot 1 Block 12 Lexington Park, 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 Kerrigan, adopted.

RESOLUTION NO. 116671, recorded on Microfilm Roll No. 76, accepting subordination agreement, executed by San Diego Federal Savings and Loan Association, beneficiary, and Security Title Insurance Company, trustee, bearing date January 12, 1954, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 11 Block 8 Point Loma 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 deed 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. 116672, recorded on Microfilm Roll No. 76, accepting Deed of Jake T. Chapman and Ruth P. Chapman, bearing date February 2, 1954, conveying Lot 6 Block 72 Campo del Dios Unit 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 Kerrigan, adopted.

RESOLUTION NO. 116673, recorded on Microfilm Roll No. 76, accepting Deed of Hollis D. Gilbert and Marian R. Gilbert, executed in favor of The City of San Diego, bearing date December 15, 1953, conveying easement and right of way for street purposes; setting aside and dedicating the same to the public use as and for a public street, and naming the same Winona 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 Kerrigan, adopted. (portion Lot 11 Block 8 Pt. Loma Heights).

RESOLUTION NO. 116674, recorded on Microfilm Roll No. 76, accepting Deed of Ulyses Liga Simon and Myrtle E. Simon, bearing date January 22, 1954, conveying easement and right of way for sewer purposes in portion of Lots 37, 38, 39, 40 Block 142 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116675, recorded on Microfilm Roll No. 76, accepting Deed of Soledad Realty and Development Company, bearing date January 20, 1954, conveying easement and right of way for storm drain purposes in portion of Acre Lot 21 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. 116676, recorded on Microfilm Roll No. 76, accepting Deed of Martin N. Sousa, bearing date January 19, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 13 Beacon Hill; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116677, recorded on Microfilm Roll No. 76, accepting Deed of Jesus Wilson and Mercy C. Wilson, bearing date January 19, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 12 Beacon Hill; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Schneider, seconded by Councilman Burgener, the next Ordinance was introduced.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of said Ordinance in full prior to its final passage by a vote of not less than 4 members of the Council, There was a available for consideration of each member of was dispensed with

116671 - 116677
Ord. introduced, & reading dispensed

prior to the day of its final passage a written or printed copy.

ORDINANCE NO. 5963 (New Series), recorded on Microfilm Roll No. 76, appropriating \$45,000.00 from the Capital Outlay Fund, for the purpose of providing funds for construction of a Fire Station Building for Fire Engine Company No. 26, to be located at 2850 54th Street, and for purchase of required Fire Alarm Receiving Equipment and Fire Alarm Cable necessary at said location, 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--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the next ordinance was introduced.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the reading of said Ordinance 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. 5964 (New Series), recorded on Microfilm Roll No. 76, appropriating \$15,000.00 from the Capital Outlay Fund, for the purpose of providing funds to pay the City's share of the cost of the improvement of the median area of Harbor Drive, between Laurel Street and Wake Taxiway, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilman Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the next ordinance was introduced.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the reading of said Ordinance 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. 5965 (New Series), recorded on Microfilm Roll No. 76, appropriating \$6,400.00 from the Capital Outlay Fund, for the purpose of providing funds for improvement of Hughes Street, at the easterly line of Waterville Heights, 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.

The Mayor requested, and was granted, unanimous consent to present the next matter, not listed on the agenda:

RESOLUTION NO. 116678, recorded on Microfilm Roll No. 76, appointing the citizens listed below to the Mission Bay Park Commission, established by Section 26.80 of the San Diego Municipal Code, their terms to expire at the dates set following their names:

Richard E. Shea - December 31, 1956;
Muriel Tolle - December 31, 1956;
George A. Scott - December 31, 1955;
Richard A. Nelson - December 31, 1955;
C. Harry Burnaugh - December 31, 1955;

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

The Mayor requested, and was granted, unanimous consent to present the next matter, not listed on the agenda:

On motion of Councilman Schneider, seconded by Councilman Godfrey, ordinance amending Section 24.0301 of the San Diego Municipal Code to provide for membership in the City Employees' Retirement System, 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 its introduction, Douglas D. Deaper, Deputy City Attorney, told the Council that said ordinance would put the retirement back to the same state as it was formerly - before the "whole business started".

There was discussion over another Ordinance having been adopted on the same subject, purporting to do the same thing.

The Clerk reported that this ordinance was to repeal an ordinance which was an emergency and that it had gone into effect too early.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned, at the hour of 11:33 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Kadstrom
Deputy

John D. Butler
Mayor of The City of San Diego, California

116678

5963 - 5965 N.S.

Ord. introduced

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, February 16,
1954

Present--Councilmen Burgen er, Wincote, Schneider, Kerrigan, Mayor Butler
Absent---Councilmen Dail, Godfrey
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.

The Minutes of the Regular Meetings of Tuesday, February 9, 1954, and of Thursday, February 11, 1954, were presented to the Council by the Clerk. On motion of Councilman Schneider, seconded by Councilman Burgen er, said Minutes were approved without reading, after which they were signed by the Mayor.

The Mayor welcomed visitors to the meeting from the Basic Citizenship Class of the San Diego High School, whose teacher is Mr. Patton. At the invitation of the Mayor the class members arose. He explained to them, briefly, the Council's procedure and invited them to visit his offices.

Councilman 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 Redwood Village Standpipe, Housing and Home Finance Agency, Project CALIF 4-CF-18 - Specification No. 54, the Clerk reported that 10 bids had been received, which bids were presented to the Council.

On motion made and seconded, said bids publicly opened and 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 10% of the total amount of the bid, which bid was given Document No. 485092;

Councilman Godfrey entered the meeting at this time.

The bid of L. C. Anderson Co., accompanied by bond written by Fire Association of Philadelphia, in the sum of 10% of amount of bid, which bid was given Document No. 485093;

The bid of Nielsen Construction Company, 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. 485094;

The bid of Pittsburgh-Des Moines Steel Company, a co-partnership, comprised of John E. Jackson, Ruth H. Jackson, Ivan A. Bickelhaupt and William R. Jackson, which bid was accompanied by bond written by Federal Insurance Company in the sum of \$15,000.00, which bid was given Document No. 485095;

The bid of Lacy Manufacturing Company, accompanied by bond written by Pacific Indemnity Company in the sum of ten per cent of accompanying bid, which bid was given Document No. 485096;

The bid of American Pipe and Steel Corp., with no accompanying bond but "Guaranty of Bonds" by The Aetna Casualty and Surety Company written in, which bid was given Document No. 485097;

The bid of Southwest Welding and Manufacturing Company, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of 10% of the total amount of the bid, which bid was given Document No. 485098;

The bid of Consolidated Western Steel Division, United States Steel Corporation, accompanied by bond written by Industrial Indemnity Company in the sum of \$10,000.00, which bid was given Document No. 485099;

The bid of Chicago Bridge & Iron Company, accompanied by bond written by Federal Insurance Company in the 10% of the amount of the bid, which bid was given Document No. 485100;

The bid of Rogers Construction Company, 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. 485101.

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 Alleys in Block 45 W. P. Herbert's Subdivision, within the limits and as particularly described in Resolution of Intention No. 115391, the Clerk reported that 4 bids had been received, which

bids were presented to the Council.

On motion made and seconded, said bids were publicly opened and 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 \$500.00, which bid was given Document No. 485103;

Councilman Dail was excused from the meeting at this time.

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$500.00, which bid was given Document No. 485104;

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. 485105;

The bid of Gilman Grading Co., accompanied by bond written by Continental Casualty Company in the sum of \$550.00, which bid was given Document No. 485106.

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 Everts Street, within the limits and as particularly described in Resolution of Intention No. 116630, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

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

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$500.00, which bid was given Document No. 485107;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$500.00, which bid was given Document No. 485108;

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. 485109;

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. 485110;

The bid of M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$550.00, which bid was given Document No. 485111.

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 of 44th Street and Olive Street, within the limits and as particularly described in Resolution of Intention No. 115631, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

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

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$700.00, which bid was given Document No. 485112;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$650.00, which bid was given Document No. 485113;

Councilman Dail returned to the meeting at this time.

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$900.00, which bid was given Document No. 485114;

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. 485115;

The bid of M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$750.00, which bid was given Document No. 485116.

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 installation of sewer mains in Roanoke Street, Rachael Avenue and Morningside Street, within the limits and as particularly described in Resolution of Intention No. 115633, the Clerk reported that 7 bids had been received, which bids were presented to the Council.

On motion made and seconded, said bids were publicly opened and 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 \$2500.00, which bid was given Document No. 485117;

The bid of Beason Construction Company, accompanied by bond written by Great American Indemnity Company in the sum of \$3500.00, which bid was given Document No. 485118;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$3,200.00, which bid was given Document No. 485119;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of \$3000.00, which bid was given Document No. 485120;

The bid of Charles J. Dorfman, accompanied by bond written by Peerless Casualty Company in the sum of \$3,000.00, which bid was given Document No. 485121;

The bid of W. V. Hutchison, accompanied by bond written by Fireman's Fund Indemnity Company in the sum of \$3,300.00, which bid was given Document No. 485122;

The bid of Camron Brothers Construction Co., accompanied by bond written by Glens Falls Indemnity Company in the sum of \$3,500.00, which bid was given Document No. 485123.

On motion of Councilman Kerrigan, seconded by 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 between the bids of Dorfman and Hutchison on the above item.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current, for the lighting of the ornamental street lights located in Kensington Manor Lighting District No. 1, for a period of one year from and including May 1, 1954, to and including April 30, 1955, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion made and seconded, said bid was publicly opened and 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 \$168.00, which bid was given Document No. 485102.

On motion of Councilman Burgener, seconded by Councilman Dail, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2198 made to cover the cost and expenses of 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 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 presented.

RESOLUTION NO. 116679, recorded on Microfilm Roll No. 76, confirming and approving the Street Superintendent's Assessment No. 2198 for the paving and otherwise improving of Vista Del Mar Avenue, within the limits and as particularly described in Resolution of Intention No. 110355; 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 the continued hearing on the Street Superintendent's Assessment No. 2200, for sewers in Old San Diego, J. P. Jones Sub., P/O 1101, Bay View Quarter Acres, Bay View Addition, Joseph Reiner's Sub., Addition to Silver Terrace, Amended Map of Silver Terrace and certain Pueblo Lands of San Diego, within the limits and as particularly described in Resolution of Intention No. 109063, 7 written protests were presented.

The City Engineer said that there was a 11% appeal, being for a variety reasons: high assessment cost, among others.

Councilman Godfrey returned to the meeting at this time.

The City Engineer explained to members of the Council the protests, from a map which he exhibited. Answering the Mayor, the Engineer said that \$262.71 would be an average assessment on each 50-foot lot. He showed from map unsubdivided property, etc. From the map he explained the method of levying the assessment.

Willard Olson, from the City Engineer's office, told of the assessment at a "reduced rate" on portion of the property involved in the assessment.

There was discussion between members of the Council, the City Engineer, and Mr. Olson over a map.

Glenn O. Hellyer, owner of the Polo Grounds, entered a verbal protest. He told of having given a trunk line easement, but is assessed \$5,000.00 although he cannot use it. He spoke of a \$10,000.00 assessment on property where he is raising corn and horses. His total assessment is nearly \$17,000.00, Mr. Hellyer said. He told the Council that he had signed for the sewer originally, but had protested later, because he could not use the property. He explained, further to Councilman Burgener, over a map.

There was discussion between Councilman Burgener and the City Engineer over questions put by Councilman Burgener.

Bids
Hearing

The City Engineer stated that connections were put in only where streets are paved, and where individuals want to build.

There was discussion between the Mayor and Councilman Schneider over the assessment on the Hellyer property.

Answering Councilman Burgener, Mr. Hellyer said that he had owned his property about 8 years.

Mr. Hellyer stated that a large portion of the property is not subdivided, but that he was charged for what he termed "streets" any way.

Mr. Olson showed the Council various territories from the map, again, and he told of the character of the property.

Next there was discussion between Councilman Kerrigan and Mr. Hellyer over zoning, at Councilman Kerrigan's request for information.

Mrs. C. Martin, 5615 Gaines Street, protest the condition of the road - not the assessment. She told of having had a 3" road mix previously. Mrs. Martin said that the tearing up for a water main in 1951 was the City's fault.

Councilman Burgener stated that there were 2 contractors: 1 each for the sewer and water. He said that he had been told there was no legal compulsion to resurface the street.

Mrs. Martin contended that the contractor was supposed to put the street back into the condition it had been when he entered.

The Mayor, who had been having a private conversation with the City Manager, announced that the City Manager had stated that the City will fix up the street.

Councilman Burgener said that Mr. Hellyer has 10% of the assessment.

Councilman Wincote expressed the belief that Mr. Hellyer should get it for nothing, in that he can't use the property. He told of being not able to finance it for houses on account of the drain area.

Councilman Kerrigan disagreed by saying that Mr. Hellyer can build houses and use the sewer.

Councilman Godfrey pointed out that the Council was not discussing last week's affair (Mr. Hellyer's application which had been denied by the Council under appeal for permission to put in a trailer park). He maintained that it would make a passable horse barn, and that it is on a dead-end.

Councilman Schneider spoke about the easement having been given without cost.

The City Engineer agreed that the statement was true; the easement had cost nothing.

Councilman Dail said that the improvement and the easement over which it was put are beneficial to Mr. Hellyer.

Councilman Wincote pointed out that there is no street to the East of the easement. He said that the City first ruined Mr. Hellyer and is now "socking him".

Councilman Burgener asked if Mr. Hellyer is in the minority.

Councilman Godfrey replied that he always is.

Councilman Burgener reminded the Council that it is supposed to be considering the sewer matter, now.

Councilman Wincote maintained that the Council can hark back to problems, and added that Mr. Hellyer needs some protection.

Councilman Dail said that maybe Mr. Hellyer can get further variance - unless he loses the land.

Councilman Godfrey asked that if the committee which had been represented by Mr. Miller at the trailer park hearing had approached Mr. Hellyer with an offer to buy.

Mr. Hellyer replied "No".

Councilman Dail said that there is only one course, but that he does sympathize with Mr. Hellyer.

Councilman Kerrigan moved to overrule the the protests, which motion was seconded by Councilman Schneider.

Councilman Godfrey spoke directly to Mr. Hellyer regarding the sewer installation having been made at the request of a majority of property owners. He said that he wanted to be sure the assessment is spread equitably.

Councilman Burgener spoke to Councilman Godfrey over the assessment. He asked if a policy or law regarding the spread was being pursued.

The City Engineer answered by saying that it was a matter of judgment.

Councilman Wincote declared that from time to time the land had been rendered useless as far as utilizing the sewer is concerned.

Councilman Dail reviewed Mr. Hellyer's several attempts to put his property to various uses, under a number of proposed variances.

Councilman Wincote said that maybe Mr. Hellyer should make another try to get over the trailer court matter again.

Councilman Dail and Wincote entered into discussion.

Next, a discussion was held between Councilman Burgener and Mr. Hellyer regarding the assessment on the unsubdivided land.

Councilmen Burgener and Kerrigan discussed the boundaries.

Councilman Schneider said that the Council has to levy the assessment.

Councilman Godfrey agreed that the Council must approve the assessment, and pointed out that the City Engineer has tried to give full and proper consideration to the situation.

Councilman Schneider declared that the Engineer has the duty to levy.

A discussion was held between Councilman Burgener and Mr. Hellyer.

Councilman Burgener, as a result, stated that the City Engineer had said that the assessment would be around \$7,000.00.

Councilman Wincote said this is a demonstration of what the Council has done.

The Mayor disagreed with the statement made by Councilman Wincote.

The City Engineer, answering Councilman Godfrey, said that if the Council thinks that the assessment is not fair, it can re-assess it.

Mr. Hellyer insisted that the streets ought to be excluded from the assessment.

The City Engineer pointed out that the "streets" are not in, and the property is unsubdivided, which is the reason the assessment was reduced.

Councilman Dail said that he does not want to do the assessing.

Councilman Godfrey pointed out that concessions had been made.

The City Engineer told the Council that he had tried for 2 weeks to explain the matter to Mr. Hellyer, and that he does not want to try to do so here in 10 minutes.

The roll was called on the question, resulting in

RESOLUTION NO. 116680, recorded on Microfilm Roll No. 76, overruling and denying the appeals of M. G. Osborn, K. F. Benne t and Lois Bennett, Gene Dodge and Sue Dodge, C. W. Osborn, Glenn O. Hellyer, various Property Owners, Harry A. Abbe, from the Street Superintendent's Assessment No. 2200, for installation of Sewer Mains in Old San Diego, J. P. Jones Sub., P/L 1101, Bay View Quarter Acres, Bay View Addition, Joseph Reiner's Sub., Addition to Silver Terrace, Amended Map of Silver Terrace and Certain Pueblo Lands of San Diego, under Resolution of Intention No. 109063; overruling and denying all other appeals thereon; confirming and approving the Street Superintendent's said Assessment No. 2200; authorizing and directing him to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Kerrigan, 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. 2199 made to cover the costs and expenses of the work done on 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 written appeals had been received from Maude MacArthur Gibbons and from Mary Robinson, which appeals were presented to the Council.

The City Engineer reported protests of 11.8%, on the basis that they cannot afford the assessment.

A. A. Kuhlen spoke in behalf of Mrs. Gibbons, who he said is concerned over the assessment. He pointed out to the Council that she had adequate sewer connection prior to this new sewer.

The City Engineer replied that does not shown on the plans.

Mr. Kuhlen spoke of protest regarding the paving - Shafter and Scott Streets which adjoin. He spoke of them and of Keats Streets in connection with types of their improvements.

Councilman Schneider spoke to Mr. Kuhlen regarding the type of paving used, which Mr. Kuhlen had contended was needlessly expensive.

Mr. Kuhlen said that a dead-end street adjoins City-owned property.

The City Engineer explained that the street was on a flat grade, and that concrete pavement was needed.

The Mayor told Mr. Kuhlen that all the streets are engineered as to needs, and that there was a definite reason for the specifications.

RESOLUTION NO. 116681, recorded on Microfilm Roll No. 76, overruling and denying the appeal of Mary Robinson and Maude MacArthur Gibbons from the Street Superintendent's Assessment No. 2199 made to cover the costs and expenses of the work of paving and otherwise improving of Keats Street and Scott, within the limits and as particularly described in Resolution of Intention No. 111209; confirming and approving said Assessment; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 116284 of Preliminary Determination for the paving and otherwise improving of Birch Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 116682, recorded on Microfilm Roll No. 76, determining that the improvement of Birch Street, within the limits and as particularly described in Resolution No. 116284 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 116285 of Preliminary Determination for the improvement of Camino del Collado, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 116683, recorded on Microfilm Roll No. 76, determining that

the improvement of Camino del Collado, within the limits and as particularly described in Resolution No. 116285 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. 116286 of Preliminary Determination for installation of street light standards and appurtenant work on 30th 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, and no written protests were presented.

RESOLUTION NO. 116684, recorded on Microfilm Roll No. 76, determining that the installation of street light standards and appurtenant work on 30th Street, within the limits and as particularly described in Resolution No. 116286 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 the hearing (Continued week-to-week from January 19, 1954) on Resolution No. 115803 of Preliminary Determination for construction of storm drains and appurtenances in Olney Street, Grand Avenue, Kendall Street, Morrell Street, Noyes Street, Garnet Street, Diamond Street, Lamont Street, Chalcedony Street, Academy Street, Beryl Street, and Public Rights of Way in Acre Lots 21 and 51 Pacific Beach, the City Engineer made a verbal report on protest which he stated was 68%.

Councilman Dail asked the City Engineer if it was a "storm drain", and not a "flood control" project.

The City Engineer replied "Yes".

Councilman Kerrigan asked the City Attorney if the Council would have to abandon the proceedings in view of the protest.

Before he was able to answer, Alfred Hochrean, who had been heard at the initial hearing, spoke. He said that the question is one of dumping water on someone else. Why not run the drain on the street, he asked. He spoke of being supposed to get a drain when he signed (presumably a petition for another improvement). He said that when the street went in, there were no storm drains provided. Reed Street paving has dumped the Lamont Street water on him and the property of 3 others, he contended. He added that now he gets all the water. He asked for a letter from the City Engineer and the City Attorney relative to the problem being the City's, so he could use it in a case for suing the City. He declared that the whole thing is the City's fault.

The Mayor stated to Mr. Hochrean that he can sue the City at any time.

Councilman Godfrey observed that somebody thinks something is wrong, saying that it is a question of engineering.

The City Engineer entered the discussion, stating that he is familiar with the situation. He told the Council that the water comes down through the "little area", in which houses have built in the storm drain path. The water will continue to come down there until there is a major storm drain installed, he declared. He amplified his statement by saying that the property will continue to be damaged unless the storm drains are put in. If the Noyes Street drain were put in, it would carry 5% or 10% of the water. The property owners will be stuck until the matter is taken care of. They used to get 1/2 the water, he said. He pointed out that Mr. Hochrean has been a thorn in his flesh for the last 3 years. The Engineer spoke of the protestants against the water having put in apartments, then saying they they are being flooded out.

Mr. Hochrean said that they are being flooded more, now.

There was discussion between the City Engineer and Mr. Hochrean over the existing conditions.

The City Engineer told the Council that the water used to run across the vacant lots, but that houses are there now.

Councilman Wincote said that the property owners have the right to come down to tell of their troubles.

Councilman Burgen asked if the City contributed to the bad situation.

Mr. Hochrean said "Yes".

Councilman Dail said that on a participating basis of 50-50 jobs (City contribution through the bond fund) that the residents could be helped to drain the property.

The City Engineer said that Noyes Street drain would intercept this water above Grand Avenue. If the project is abandoned, the water will continue to come down. The drain installation could be done on Noyes Street for a few blocks, he stated. He amplified the statement by saying that it could come up Noyes Street instead of Olney, as far as Reed with a 60" drain, and bring in a connection. That would flood out the houses in the natural drain, he added. Whenever the area gets a storm it will continue to flood out, unless a major drain is installed.

Councilman Wincote said he presumed the "other" drain would be built, and

the situation would be removed. That, however, would put the Council in trouble regarding the protest on this hearing.

Councilman Godfrey observed that this has always been a drainage problem. The project under consideration today is a major project to solve the situation, he stated. Nevertheless, the Council has a 68% protest, he added. In his opinion there is only one way to solve the problem, and that is to put in the drain.

Councilman Burgener asked how many are affected.

Mr. Hochrean's reply was "3". They get twice the amount of water, now. He said that they could put in a back of cement.

Councilman Wincote said that in Conference today a matter of "changing around" had been raised.

Councilman Burgener said that he does not know if the statements are true, but if so, the City has increased the water.

Mr. Hochrean said that he is not trying to sue the City, and spoke of plan having been changed (apparently, again, about another improvement).

Carl Hochrean, who had talked through his brother's earlier presentation, had been stopped on his several attempts, and finally gained the floor. He told of the water starting by the Military Academy, and illustrated through use of his hands, the way the water runs. He told of the flow, and the drainage onto the residents in his area. He spoke of the water continuing in the same way, and that a ditch digger could be used to cure.

Councilman Dail moved to sustain the protest, and a bandon the project, which motion was seconded by Councilman Wincote.

The roll was not called on the motion, at this point, however.

Councilman Godfrey said that the motion affects the whole area; and declared that there were more people present who wished to appear and speak to the Council on the issue.

Councilman Wincote said he felt it would be smart not to call for the question. There might be suggestions, he stated.

Richmond Jackson told the Council that in appearing he was not doing so in an official capacity, but as an individual. He stated that he was speaking in behalf of himself and neighbors. Mr. Jackson stated that he would not go into reasons for opposing the project. He said that a committee which he represented invites the opportunity to sit with the Council, the City Manager or City Engineer to consider suggestions. Some have considered the problem since 1928, Mr. Jackson stated. He declared that something should be done, and that his group wants to co-operate. Much can be done to stop the drain, he said, and added that it comes from tile pipes as from a reservoir overflow. Some of the water is coming from a man-made situation, according to the speaker. Mr. Jackson stated that basins could be built, which would be used as setting basins, and for fishing, etc. That could be paid for by the Federal and State agencies, he declared. He told the Council that the State can spend for new installations. Another idea, he declared, would be the possibility of having surface drainage, instead of underground drains. He told of the many problems which arise throughout the City of a similar nature. "Let 's keep top side", he asked the Council. Many streets in the proposed assessment district are already paved, and have surface drains, he stated. He told about Academy Drive, as being successful.

Councilman Schneider was excused from the meeting at this time.

Mr. Jackson continued speaking, saying that he wanted to explore and discuss with City officials the questions of basins and surface drains.

The Mayor stated that the matter should be referred to the City Engineer. Ellen Jarvey, 4662 Noyes Street, spoke about the 68% protest, on account of the cost. She asked if the Engineer could give an estimate.

The City Engineer stated that it is a project under the bond issue, to which the City would contribute \$110,000.00.

The Mayor said that the City would pay half.

The City Engineer said that \$105.00 would be the average for a 50-foot frontage, with \$73.00 on the outer lots, and an average of \$146.00 on the lots within 1/2 block.

Mrs. Geo. E. Honner, 4605 Olney Street, said she went around with the petition. She declared that she had been told that the assessment would be \$97.00. Mrs. Honner said that they don't need the storm drain, and that they can't get paving on account of the storm drain. Mrs. Honner spoke very critically to Councilman Burgener about La Jolla (where Councilman Burgener resides) as being a "child", and Pacific Beach being a "step child". She said that it was his duty to look out for the "step child" also.

Councilman Godfrey said that Mrs. Honner was out of order, and that the meeting was getting out of hand. He said that in view of comments made, it would appear that there is a need for solution to the problem. When it comes to the item of cost, he would be reasonable to delay the hearing, he declared.

Councilman Wincote felt that it might be possible to arrive at an amicable solution.

Councilman Burgener said that if each gets an estimate, it might prove to be a solution.

The City Engineer said that over 1,000 are involved.

Councilman Wincote said that Councilman Godfrey was right about cards. A group is interested, and would like to talk to the Engineer, he said. He said that the City Engineer could say if the reservoirs (proposed by Mr. Jackson) are feasible.

The motion was withdrawn.

Councilman Burgener re-iterated that each should be notified of the estimate.

Councilman Godfrey moved to continue the hearing for 2 weeks - 1 week at the time.

Mr. Jackson stated that some might be misinformed regarding the cost. He

thought it would be \$150.00 to \$75.00 for a 50-foot lot.

Councilman Wincote spoke about saving time by continuance, rather than abandonment as of now, and possibly re-engineering.

Councilman Godfrey said that if it is handled in an orderly manner, interested property owners can get the answer quicker.

Mr. Jackson said that the Brown Military Academy, one of the large owners, signed the protest.

Councilman Wincote carried on a discussion with Mr. Jackson over the feasibility involved in the project.

Councilman Wincote asked if many people have contributed to the drain situation below. He related the drain problem originating on the upper areas, where the run off is natural. That water, in turn, is dumped on the property below, he declared. Amplifying the statement, he referred to Mission Hills as an example, dumping the storm waters on the lower properties and streets. He said that the Council should look at the overall problem.

Mr. Jackson told the Council that people on top of the hill say that the assessment boundaries are inequitable. He declared that much of the water comes from up the canyon.

RESOLUTION NO. 116685, recorded on Microfilm Roll No. 76, continuing the hearing on the proposed improvement of Olney Street, Grand Avenue, Kendall Street, Morrell Street, Noyes Street, Gamet Street, Diamond Street, Lamont Street, Chalcedony Street, Academy Street, Beryl Street and Public Rights of Way in Acre Lots 21 and 51 Pacific Beach, under Resolution of Preliminary Determination No. 115803, to the meeting of Tuesday, February 23, 1954, at the hour of 10:00 o'clock A.M. (to be continued at that time for another week), was on motion of Councilman Godfrey, 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 the Street Superintendent's Assessment No. 2197 made to cover the costs and expenses of the paving and otherwise improving of Pacific Beach Drive, which had been continued from the meeting of February 9, 1954, Councilman Burgener said that the City should absorb the cost of the drain.

Douglas D. Deaper, Deputy City Attorney, said that under new legislation it is now a possibility that the City might be able to contribute to the cost - with the consent of the contractor. If that phase should be looked into, the proceedings ought to be referred back to the City Engineer regarding the assessment on account of the storm drain.

Mr. Dillion, representing Griffith Co., the contractor, referred the matter to Kenneth Mark, who has to do with the bonds.

Mr. Mark told the Council that he would make no comment in the matter.

Councilman Wincote made reference to the recent legislation providing for the City to go in and pay part, or to change the district.

Councilman Godfrey said that the point in a delay is to give the contractor an opportunity to discuss the matter with its attorneys and the City attorney.

As a result of comments made by the Council, Mr. Mark suggested a continuance.

Councilman Godfrey moved to continue the hearing 1 week, which motion was seconded by Councilman Kerrigan.

Mr. Foster Parrent, who had spoken at the earlier hearing wants to know what Councilman Burgener has found relative to his investigations. He then spoke about the drains.

Councilman Burgener said that a way to absorb the cost or portion of it, is being explored.

In reply to a question put by Councilman Wincote in connection with the storm water, Mr. Parrent said "Haines Street". He added that it would be no help to Haines Street.

Discussion followed between Councilman Wincote and Mr. Parrent over streets and drains.

Councilman Burgener said that the arguing had been, originally, as to why not surface the drain. If the drain is to help Jewell Street, the Jewell Street people should help pay.

The Mayor stated that the hearing should be continued one week.

Mr. Deaper said that the continuance should include reference to the City Engineer regarding a contribution and the spread of assessment.

RESOLUTION NO. 116686, recorded on Microfilm Roll No. 76, continuing the hearing on the Street Superintendent's Assessment No. 2197 made to cover the costs and expenses of the paving and otherwise improving of Pacific Beach Drive, until the hour of 10:00 o'clock A.M., Tuesday, February 23, 1954; referring to the City Manager and to the City Engineer the matter of the City making a contribution toward the cost and the spreading of the assessment, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, stating that contract had been awarded to McKesson & Robbins, Inc., for furnishing 20 tons of Copper Sulphate, was presented. It states that upon reviewing the bid it was discovered that whereas City specification required delivery f.o.b. Chollas Station, San Diego, said company had inserted a clause reading "f.o.b. Rail Car,

San Diego". It states that the second bidder was Los Angeles Chemical Company, Inc., of 3790 Imperial Avenue, San Diego, at a total difference of \$22.72 higher, and that the McKesson & Robbins bid was irregular in that specifications for deliver were changed. It says that it would require more than the difference in the two bids to transport the purchased material from rail car at San Diego to Chollas Station. It recommended rescinding Resolution No. 116602, and a new Resolution awarding contract to Los Angeles Chemical Company, Inc., at \$11.32 per cwt., terms 1% - 20 days, plus State Sales Tax, f.o.b. Chollas Station, San Diego.

RESOLUTION NO. 116687, recorded on Microfilm Roll No. 76, rescinding Resolution No. 116602 which awarded contract for furnishing Copper Sulphate to McKesson and Robbins, Inc., was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116688, recorded on Microfilm Roll No. 76, accepting bid of Los Angeles Chemical Company, Inc., for furnishing 20 tons of Copper Sulphate (large crystals) at \$11.32 cwt., terms 1% - 20 days, plus State Sales 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 Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received February 5, 1954, for furnishing 21 items of Valves and Copper Fittings for Central Stores, for use by Water Distribution Department, was presented. It states that of the 4 bids received, the low bidder was Western Metal Supply Company of San Diego, \$4,637.15 terms 2% - 10th prox., plus State Sales Tax, and it recommends award to said Company.

RESOLUTION NO. 116689, recorded on Microfilm Roll No. 76, accepting bid of Western Metal Supply Co. for the furnishing of 21 items of Valves and Copper Fittings; 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 Burgener, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, reporting that he had advertised for sale and sold the Airport Manager's House, 2775 Pacific Beach, that 8 bids had been opened January 28, 1954 - John Hanson high bidder at \$1,750.00, was presented. It states that money received has been deposited with the City Treasurer.

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

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of several sections of the Municipal Code in connection with the Tentative Map of Linda Vista Unit No. 3, was presented.

RESOLUTION NO. 116690, recorded on Microfilm Roll No. 76, suspending Sections 102.09 1 & 2, 102.-08.1, 102.05, 102.07-5, 102.11-2, 102.11-3, 102.11-1, 102.12-2, 102.16-2, 102.18, 102.16-6, 102.17-c of the San Diego Municipal Code in connection with Tentative Map of Linda Vista 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 Linda Vista Unit No. 3, for subdivision consisting of 350 lots, containing 423 units of housing, 3 churches and an elementary school, was presented. It states that adjacent to the unit are unsubdivided lands that could be subdivided into 30 lots. It describes the land as being located in the southerly portion of the PHA project of that name, bounded by Linda Vista Road on the west, Ulric Street on the east, Tait Street on the north, and unsubdivided property to the south. It attaches 11 conditions to the approval. Mr. Haelsig recommended, verbally, an addition to the last item. The Council then added a 12th condition to the Resolution.

RESOLUTION NO. 116691, recorded on Microfilm Roll No. 76, approving the Tentative Map of Linda Vista Unit No. 3, subject to the conditions contained therein, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of several sections of the Municipal Code in connection with the Tentative Map of Linda Vista Unit No. 6, was presented.

RESOLUTION NO. 116692, recorded on Microfilm Roll No. 76, suspending Sections 102.05, 102.07-5, 102.11-2, 102.11-3, 102.12-8, 102.18, 102.16-6, 102.17-c of the San Diego Municipal Code in connection with the Tentative Map of Linda Vista Unit No. 6, 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 Tentative Map of Linda Vista Unit No. 6, for subdivision consisting of approximately 230 lots, in which are located 432 units of housing - around

the periphery of which unit it is possible to develop 325 addition lots which would be served by streets in said unit. It states that Unit 6 is located in the northwesterly portion of the Government Housing Project, isolated from the existing City street system, and is served by one principal feeder street, Comstock Street. The communication points out that as there are no public streets to provide access to the unit, prior to the filing of the final map and sale of the property, some type of arrangement will be required to provide access to the area. Also, the communication points out, the Planning Commission in considering the problems in the Unit was agreeable to the roadway and right-of-way widths as shown on the original plat submitted by the Public Housing Administration with the exception that Osler Street roadway, between Comstock Street and Quillan Street, be widened to 40'. Mr. Haelsig recommended, verbally, an addition to the last item. The Council then added the 10th item to the proposed Resolution.

RESOLUTION NO. 116693, recorded on Microfilm Roll No. 76, approving the Tentative Map of Linda Vista Unit No. 6, subject to the conditions contained therein, was on motion of Councilman Kerrigan, seconded by Councilman Burgen er, adopted.

After the Linda Vista Units 3 & 6 Tentative Maps had been approved, the Mayor recognized Mrs. Faye Hartman, Special Field Representative, Public Housing Administration, Housing and Home Finance Agency, 2100 Linda Vista Road. He asked if she wished to be heard.

Mrs. Hartman thanked the Council for its action.

The Mayor then commended Mrs. Hartman for her efforts, and said he felt that she had done a good job.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on the question of a proposed street name, in lieu of Landon Street, was presented. It states that the Commission received reports from the County Street Address Coordinator, the City Engineer, the Traffic Engineer, the Chief of the Fire Department, the Water Department, and the Superintendent of Mails of the United States Post Office. Each of the agencies recommended approval of changing the name of Landon Street to one of the three names: Lancaster Street, Larrabee Street, Lovelock Street. It states that the Planning Commission considered the names, and voted 4-3 to recommend change to Lovelock Street. The communication states that Mr. Mohr, representing the M. H. Golden Construction Company appeared and offered objections on the cost of changing stationery and other printed matter when the name of the street had been adopted only in the latter part of 1953. It says that the Commission was unanimous in its position that they should not change their recommendation, and advised Mr. Mohr to appear before the Council when the matter is considered by the Council.

RESOLUTION NO. 116694, recorded on Microfilm Roll No. 76, adopting recommendation of the City Planning Commission for changing name of Landon Street to Lovelock Street; directing the City Attorney to prepare and present the necessary Ordinance changing the name, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Dean E. Howell, Supervisor, Fifth District, County of San Diego, submitting 2 communications addressed to him, both protesting changing the name of Sutherland Dam to Fletcher Dam or Lake, was presented.

Said communication of transmittal was ordered filed on motion of Councilman Wincote, seconded by Councilman Godfrey, together with the 2 to which it refers: from John & May (Sutherland) Albionco and from Charles E. Jones.

(The matter was sent by the Clerk to the Mayor's office for reply, inasmuch as the several others on the subject had been so referred by the Council).

RESOLUTION NO. 116695, recorded on Microfilm Roll No. 76, directing Notice of Filing of Assessment and of the time and place of hearing thereof, on the Street Superintendent's Assessment No. 2209 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 Burgen er, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116696, recorded on Microfilm Roll No. 76, directing notice of Filing of Assessment and of the time and place of hearing thereof, on the Street Superintendent's Assessment No. 2211 made to cover the costs and expenses of the work done upon 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 Burgen er, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116697, recorded on Microfilm Roll No. 76, directing Notice of Filing of Assessment and of the time and place of hearing thereof, for the paving and otherwise improving of the Alley in Block 52 Park Villa, was on motion of Councilman Burgen er, seconded by Councilman Godfrey, adopted. Assessment No. 2210.

RESOLUTION NO. 116698, recorded on Microfilm Roll No. 76, directing notice of Filing of Assessment and of the time and place of hearing thereof, on the Street Superintendent's Assessment No. 2212 for the paving and otherwise improving of 51st Street and

the Alley in Block 42 Tract 1368, within the limits and as particularly described in Resolution of Intention No. 108554, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116699, recorded on Microfilm Roll No. 76, directing notice of Filing of Assessment and of the time and place of hearing thereof, on the Street Superintendent's Assessment No. 2213 made to cover the costs and expenses of the work done upon the installation of an ornamental lighting system in Kingsley Street, James Street, Oleander Drive, Poinsettia Drive, et al., 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 OF AWARD NO. 116700, recorded on Microfilm Roll No. 76, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract for the paving and otherwise improving of the Alley in Block 66 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 115493, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The City Engineer reported in writing that the low bid is 17.4% below the estimate.

RESOLUTION OF AWARD NO. 116701, recorded on Microfilm Roll No. 76, accepting bid of Griffith Company, a corporation, and awarding contract for the paving and otherwise improving of Linda Rosa Avenue and La Jolla Mesa Drive, within the limits and as particularly described in Resolution of Intention No. 115494, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The City Engineer reported in writing that the low bid is 27.5% below the estimate.

RESOLUTION OF AWARD NO. 116702, recorded on Microfilm Roll No. 76, 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 Shafter Street and Carleton Street, within the limits and as particularly described in Resolution of Intention No. 115495, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The City Engineer reported in writing that the low bid is 21.2% below the estimate.

RESOLUTION OF AWARD NO. 116703, recorded on Microfilm Roll No. 76, accepting bid of Griffith Company, a corporation, and awarding contract for the paving and otherwise improving of Wrelton Drive, within the limits and as particularly described in Resolution of Intention No. 115393, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The City Engineer reported in writing that the low bid is 22.6% below the estimate.

RESOLUTION OF AWARD NO. 116704, recorded on Microfilm Roll No. 76, accepting bid of San Diego Gas & Electric Company, and awarding contract, for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 2, for a period of one year from and including March 5, 1954, to and including March 4, 1955, in accordance with plans and specifications contained in Engineer's Report and Assessment for El Cajon Boulevard Lighting District No. 2, filed November 6, 1953 in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 116705, recorded on Microfilm Roll No. 76, accepting bid of San Diego Gas & Electric Company, and awarding contract for the furnishing of electric current for the lighting of the ornamental street lights located in Hermosa Lighting District No. 1, for a period of one year from and including May 1, 1954, to and including April 30, 1955, in accordance with Engineer's Report and Assessment filed November 25, 1953 in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 116706, recorded on Microfilm Roll No. 76, 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*, for a period of one year from and including April 1, 1954, to and including March 31, 1955, in accordance with the Engineer's Report and Assessment filed November 20, 1953,

*Lighting District No. 4

in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 116707, recorded on Microfilm Roll No. 76, 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, for a period of one year from and including March 16, 1954, to and including March 15, 1955, in accordance with Engineer's Report and Assessment filed November 6, 1953 in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116708, recorded on Microfilm Roll No. 76, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Commercial Street, under Document No. 484716; approving Plat No. 2513 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 therefor, to file said plat in the office of the City Engineer, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116709, recorded on Microfilm Roll No. 76, approving plans, drawings, typical cross-sections, profiles and specifications for the installation of sewer mains in Maple Street, Laurel Street, 44th Street, Alley in Block 19 Swan's Addition, et al., under Document No. 484720; approving Plat No. 2519 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 therefor, to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116710, recorded on Microfilm Roll No. 76, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Mohawk Street, 71st Street and 72nd Street, under Document No. 484718; approving Plat No. 2507 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 therefor, to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 116711, recorded on Microfilm Roll No. 76, for the paving and otherwise improving of the Alley in Block 3 Normal Heights, within the limits and as particularly described in Resolution of Intention No. 116054, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 116712, recorded on Microfilm Roll No. 76, for the paving and otherwise improving of the Alley in Block 50 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 116055, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 116713, recorded on Microfilm Roll No. 76, for the paving and otherwise improving of Del Rey Street, within the limits and as particularly described in Resolution of Intention No. 116056, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 116714, recorded on Microfilm Roll No. 76, for the installation of storm drains, connections and appurtenances, and other improvements in Streamview Drive, 54th Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 115496, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION CHANGING GRADE NO. 116715, recorded on Microfilm Roll No. 76 on portion of Anna Avenue, in accordance with map between termination at Sherman Street and the easterly line of the Atchison, Topeka and Santa Fe Railroad right of way", signed A. K. Fogg, City Engineer, filed under Document No. 480819 in the office of the City Clerk on November 25, 1953, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116716, recorded on Microfilm Roll No. 76, 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, 1954, to and including May 31, 1955, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116717, recorded on Microfilm Roll No. 76, 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, 1954, to and including May 31, 1955, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 116718, recorded on Microfilm Roll No. 76, for the paving and otherwise improving of the Alleys in Blocks 199 and 220 Pacific Beach, 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. 116719, recorded on Microfilm Roll No. 76, for the paving and otherwise improving of Congress Street and Hortensia 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. 116720, recorded on Microfilm Roll No. 76, for the paving and otherwise improving of Wells 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. 116721, recorded on Microfilm Roll No. 76, for the paving and otherwise improving of Wunderlin Avenue and 60th Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 116722, recorded on Microfilm Roll No. 76, for the closing of the Alley adjacent to Lot 1 Block D Resubdivision of portion of Villa Tract, La Jolla Park, as more particularly described in said Resolution, determining that it is not necessary that any land be taken therefor; setting forth the exterior boundaries of the district of lands to be affected and to be assessed therefor; electing to proceed under the provisions of the "Street Opening Act of 1889", was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 116723, recorded on Microfilm Roll No. 76, for the closing of portion of Myrtle Avenue, as more particularly described in said Resolution, determining that it is not necessary that any land be taken therefor; setting forth the exterior boundaries of the lands to be affected and to be assessed therefor; electing to proceed under the provisions of the "Street Opening Act of 1889", was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 116724, recorded on Microfilm Roll No. 76, for the paving and otherwise improving of Commercial Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 116725, recorded on Microfilm Roll No. 76, for the installation of sewer main in Maple Street, Laurel Street, 44th Street, the Alleys in Blocks 19, 14 and 15 Swan's Addition, 45th Street, Highland Avenue; Public Rights of Way in Lots 33 to 44 inclusive Block 14, Lots 20 to 24 inclusive Block 15, Lots 25 to 27 inclusive Block 19 Swan's Addition; Alley in Block B Swan's Second Addition; Alley in Block 2 Swan's Addition; Olive Street, Alley in Block 20 Swan's Addition, and Fairmount Avenue, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 116726, recorded on Microfilm Roll No. 76, for the paving and otherwise improving of Mohawk Street, 71st Street and

72nd Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116727, recorded on Microfilm Roll No. 76, determining that an acute water shortage in San Dieguito Water System exists, that the City of San Diego will not be able to obtain sufficient water to supply the maximum needs of the San Dieguito Irrigation District, the Santa Fe Irrigation District and the Del Mar Water, Light and Power Company, as provided under contracts heretofore assumed by the City of San Diego; and that it will be necessary to reduce the amounts of water to be supplied in proportions and amounts and to the extent authorized by the contracts; directing the City Clerk to serve or cause to be served on the officers of the San Dieguito Irrigation District, Santa Fe Irrigation Distr, and the Del Mar Water, Light & Power Company a certified copy of said Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted. (At suggestion of the City Attorney, copies were sent to Water Director for transmittal).

RESOLUTION NO. 116728, recorded on Microfilm Roll No. 76, authorizing the City Manager to execute on behalf of The City of San Diego an agreement (identified as Contract NOy(U)21828), between the City and the United States of America, Department of the Navy, for furnishing the latter with water, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116729, recorded on Microfilm Roll No. 76, authorizing and directing the City Manager to make application to the Water Resources Board for reallocation of flood control funds to the City of the sum of \$53,182.63; and that he further is authorized and empowered to submit claims to said Board for reimbursement of expenditures made by the City, as authorized in Chapter 1514 Statutes of 1945 and acts amendatory thereof and supplemental thereto, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Said Resolution states that funds have been appropriated by the Legislature to the State Flood Control Fund of 1946 under Chapter 1942 enacted at the last Extra Session of the 56th Legislature of the State of California, and in subsequent actions allocated to the Water Resources Board for reallocation to The City of San Diego in payment for land, etc., and for other obligations of the City in connection with channel improvements constructed by the United States on the San Diego River and Mission Bay Project; that the City has expended \$28,221.37 for relocation of the 16" water main along the detour and for installation of main on the Midway Drive Bridge; that The City has expended the further sum of \$24,961.26 for removing and installing the main on Morena Boulevard Bridge; that cost of relocating and installing said mains, chargeable to Flood Control on the San Diego River has been determined as \$53,182.63.

RESOLUTION NO. 116730, recorded on Microfilm Roll No. 76, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, a Supplementary Sewage Agreement between The City of San Diego and the City of National City, providing for rates to be paid per month per trailer space, whether occupied or not; said rates to be retroactive to July 1, 1953, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116731, recorded on Microfilm Roll No. 76, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, a Lease with Foster & Kleiser Company of portion of Lots 15 and 16 Judson's Orange Hills Sub. and portion of Fairburn's Sub., located at 18th and Broadway and at 18th and C Street, for term of 5 years, at an annual rental of \$480.00, more particular description of property and terms and conditions set forth in form of lease filed in the office of the City Clerk under Document No. 485299; property has value of \$39,000.00, as disclosed by report of last appraisal made by the Auditor and Comptroller, leased for the reason that the City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116732, recorded on Microfilm Roll No. 76, authorizing and empowering the City Manager to execute, for and on behalf of the City, a lease with Claude O. Scrivner and Phoebe Scrivner of portion of Section 32 Town 12 South Range 1 West in San Pasqual Valley, for 5 years at annual rental of \$900.00; more particular description of property and terms and conditions set forth in form of lease filed in the office of the City Clerk under Document No. 485300, which real property has value of \$16,500.00 as disclosed by report of last appraisal made by the Auditor and Comptroller, which is leased for the reason that the City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116733, recorded on Microfilm Roll No. 76, granting permission to Fritz A. Nachant, 1864 National Avenue, San Diego, 13, California, to install a 4" cast iron sewer line at said location at a minimum 1/8" fall per foot (instead of the 1/4" grade required by ordinance; height of building and depth of sewer main in alley make it

impossible to install line at full 1 1/4" inch; subject to approval of the Chief Plumbing Inspector, the City Engineer's Office (Sewer Division) and Property Department and City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116734, recorded on Microfilm Roll No. 76, granting permission to San Diego Unified School District (George R. Saunders, Construction Engineer) to install a one-piece 2" brass vent from free standing sink in island-counter in Kindergarten located at Ellen Browning Scripps Elementary School, subject to approval of the Chief Plumbing Inspector and the City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116735, recorded on Microfilm Roll No. 76, granting San Diego Unified School District (George R. Saunders, Construction Engineer) permission to install a 5" soil pipe line, with 1/8" grade per foot from Building 6 of the 45th and Market Street Elementary School to the northeastern corner of the property; subject to approval of the Chief Plumbing Inspector and the City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116736, recorded on Microfilm Roll No. 76, accepting quitclaim deed, executed by M. H. Golden Construction Company, a corporation, on the 4th day of February, 1954, quitclaiming one (1) 10-inch Trident Protectus Meter No. 11393591, now installed on a 10-inch fire service at 980 Sherman Street, located in Pueblo Lot 283; 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.

Proposed Ordinance approving the annexation to The City of San Diego of certain portions of the Tidelands of San Diego Bay, in the County of San Diego, State of California, known and designated as "San Diego Harbor Tidelands", was presented.

By common consent, the matter was held for one week - to the meeting of February 23, 1954.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the reading of the next ordinance prior to its 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. 5966 (New Series), recorded on Microfilm Roll No. 76, amending Section 63.17.3 of the San Diego Municipal Code relating to the Speed Regulations in San Diego Bay, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, 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 Burgener, seconded by Councilman Kerrigan, the reading of the next ordinance prior to its 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. 5967 (New Series), recorded on Microfilm Roll No. 76, adding thereto a section to be numbered Section 66.11 - "Sanitary Fills, Regulations" - and by re-numbering Section 44.0109 as Section 66.07, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, 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 Burgener, seconded by Councilman Godfrey, the reading of the next ordinance prior to its 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. 5968 (New Series), recorded on Microfilm Roll No. 76, changing the name of Hempstead Place to Wesleyan Place, was on motion of Councilman Burgener, 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.

116734 - 116736
5966 N.S. - 5968 N.S.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of the next ordinance prior to its 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 a written or printed copy prior to the day of its final passage.

ORDINANCE NO. 5969 (New Series), recorded on Microfilm Roll No. 76, repealing Section 22.1504 and 22.1505 of the San Diego Municipal Code relating to the duties of the Superintendent of Parks and Superintendent of Recreation, was on motion of Councilman Burgener, seconded by Councilman Wincote, 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 Burgener, seconded by Councilman Godfrey, the next ordinance, amending Section 86.05 of The San Diego Municipal Code, regulating parking time limits in specified places (as set out in detail therein), was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Dail, Schneider.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the next ordinance, amending Chapter V Article 2 of the San Diego Municipal Code, by adding Sections prohibiting use of or addition to Narcotics or being under the influence of dangerous drugs, except when administered by a licensed person, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Dail, Schneider.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the next ordinance, dedicating portions of Lots 14 and 15 Cave and McHatton Subdivision, for portions of a public highway and naming the same 61st Street, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Dail, Schneider.

On motion of Councilman Burgener, seconded by Councilman Wincote, the next ordinance, changing the name of Boston Street to Boston Avenue, and changing the name of portions of Alta Way to Electric Avenue, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Dail, Schneider.

The City Manager requested, and was granted unanimous consent to present the next matter - which had been on an agenda of last week as a Resolution (but developed to be an Ordinance when it arrived) - then referred to Conference this date.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the next ordinance, authorizing the cancellation of lease agreement with Five Star Fish and Cold Storage affecting cold storage plant located on Pueblo Lot 1311 and 1314 - as contained in form of cancellation of lease agreement filed in the office of the City Clerk as Document No. 484980 - was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Dail, Godfrey.

At this time the Mayor referred to the great amount of time being taken up in Council meetings with the reading of bids. He thought that the matter should be discussed in Conference relative to having lump bids, in lieu of the itemized bids.

RESOLUTION NO. 116737, recorded on Microfilm Roll No. 76, referring to Council Conference for consideration on Thursday, February 18, 1954, the matter of receiving lump sum bids, to save time, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at the hour of 11:27 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

Mayor of The City of San Diego, California

116737

5969 N.S.

Ords. introduced

REGULAR MEETING

Chamber of the Council of The City of San Diego, Calif-
ornia, Thursday, February 18
1954

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

A Regular meeting of the Council was held this date, and was called to order by Vice Mayor Dail, at the hour of 10:03 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portions of Blocks 17 & 18 in Kensington Park into R-4 Zone, and repealing Ordinance No. 5919 (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.

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

ORDINANCE NO. 5970 (New Series), recorded on Microfilm Roll No. 76, incorporating Lots 6, 7 and 8 Block 17 and Lots 6, 7 and 8 Block 18 in Kensington Park into R-4 Zone as defined by Section 101.0408 of the San Diego Municipal Code, and repealing Ordinance No. 5919 (New Series) insofar as the same conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent--Councilman Godfrey, Mayor Butler.

Prior to the final reading of said ordinance the reading of said ordinance in full was dispensed with, on motion of Councilman Kerrigan, seconded by Councilman Burgener, 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.

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 Ordinance incorporating portion of Lot 47 Rancho Mission in San Diego into R-1 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, and no written protests were presented.

On motion of Councilman Wincote, seconded by Councilman Burgener, the reading of the next ordinance in full was dispensed with prior to the final reading, 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.

ORDINANCE NO. 5971 (New Series), recorded on Microfilm Roll No. 76, incorporating portion of Lot 47 Rancho Mission in San Diego into R-1 Zone, as defined by Section 101.0405 of the San Diego Municipal Code, 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. Nays--Councilmen None. Absent--Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portion of Lot 72 Rancho Mission of San Diego into CP and M1-A Zones, as defined by the Municipal Code, 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.

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

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the next ordinance in full was dispensed with prior to the final reading, 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.

ORDINANCE NO. 5972 (New Series), recorded on Microfilm Roll No. 76, incorporating portion of Lot 72 Rancho Mission of San Diego into CP and M-1A Zones, as defined by Sections 101.0410 and 101.0412.1 respectively of the San Diego Municipal Code, and repealing Ordinance No. 5252 (New Series) insofar as the same conflicts, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by the following: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Petition of J. R. Nuchols, 420 Slauson Ave., Los Angeles, being an application for license to operate truck leasing and rental, was presented.

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

Petition of W. F. Pitzer, 6654 Pacific Blvd., for change of the name of Balboa Avenue, from Pendleton Street to Pacific Highway to GARNET, was presented.

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

Petition of George Todd, 5665 La Jolla Blvd., La Jolla, for acceptance of portion of Block 3 Buena Vista for street purposes, was presented.

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

The Mayor entered the meeting and took the Chair.

Communication from the Planning Director forwarding request from Land Survey Service, by Thomas H. Shuttleworth, suggesting amendment to the subdivision ordinance, was presented. It states that the suggestion was indorsed by the Planning Commission, and endorsed. If approved by the Council, it states that it will permit the title sheet of subdivision maps to be largely printed instead of hand lettered as at present, and would result in savings on the cost of filing maps.

RESOLUTION NO. 116738, recorded on Microfilm Roll No. 76, referring communication from the Planning Director, bearing Document No. 485090, for preparation of an ordinance to amend the Municipal Code relative to Subdivision Maps, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Glenn A. Rick said that it may not be necessary to refer the matter to the Planning Commission, further, inasmuch as it has been discussed.

Communication from Peter G. Kerr, 1420 Dale Street, dated 5 February 1954 protesting issuance of a license under the Alcoholic Beverage Control Act to William J. Burrows for the premises at 2969 Beech Street, on the grounds that license would be contrary to the best interests of the public morals and welfare, was presented.

Wanda Sankary, attorney, representing the owner of the establishment spoke in relation to her client having a sale for his premises contingent upon license being granted as a transfer to the new owner.

The Mayor stated to Mrs. Sankary that the Council has already entered to the State Board of Equalization a written protest.

In that case, said Mrs. Sankary, the seller has a license which would have to be revoked.

Douglas D. Deaper, Deputy City Attorney pointed out that the protest has been held.

Councilman Kerrigan asked if a hearing had been held by the State board. Mrs. Sankary declared that her client had not been notified of any such hearing.

The Mayor declared that the City has no jurisdiction, except as to the elimination of nuisances.

Councilman Burgener stated to Mrs. Sankary that there had been protests. Mrs. Sankary asked if there had been petitions in favor of the license, speaking about petitions which she was familiar.

Councilman Dail replied that there had been no petitions filed in favor. There had, instead, he pointed out been protests by letters regarding a nuisance.

Mrs. Sankary spoke of protestants having been declared crackpots.

Councilman Dail re-iterated that no petitions favoring the license at said address had been received.

Councilman Wincote stated that the Social Service Dept. had investigated, and had found the situation unsatisfactory.

The Mayor told Mrs. Sankary that the protest was in line with the Council's policy. He declared that the Council cannot help Mrs. Sankary, and that he would have to go to the Board of Equalization.

Councilman Wincote said that if the protest had been made on the basis of distance from the school it is in line with the existing policy.

The Mayor spoke of having protested continuance of the license at said address.

Councilman Wincote said that the owner can sell his license to another person at another address. He spoke of the probability of license being bought.

Councilman Godfrey declared that the protest had been based on information furnished to the Council. However, action that has been taken is not the end, and that it will be handled by the State Board, he stated.

Mrs. Sankary asked how long.

Councilman Kerrigan said that the State Board sets the hearing.

Mrs. Sankary asked why the matter was listed on the agenda.

Councilman Burgener pointed out that anyone can write to the Council on any subject, and said that it had been considered previously.

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

No action was taken on the Sankary appearance.

Communication from Pacific Nik-O-Lok Co., Inc., 27853 766 Pacific Electric Building, Los Angeles 14, signed by Wm. W. Dennin, was presented. Said communication was addressed to Charles "Daile", Vice-Mayor. It states that Mr. McKee had reported his conversation with the Vice-Mayor and advises that it was his suggestion that proposal be placed before the Council. It refers to arrangements made to appear.

W. W. Dennis spoke to the Council, and passed out books, one of which was filed with the Clerk. He told of wanting to install locks on proposed re-installation of doors on public comfort stations. He spoke of doors having been removed on account of problems - in Los Angeles. He referred to photographs, which he showed.

The Mayor told Mr. Dennin that the presentation should be made to the City Manager and to the Park and Recreation Director.

Councilman Kerrigan moved to refer the matter to the City Manager for report.

Councilman Dail said that Mr. Dennin and the gentleman who accompanied him wanted to talk to the Council regarding a policy.

Councilman Schneider seconded the motion, upon which the roll was called - and the matter referred to the City Manager.

Councilman Burgener was excused from the meeting at this time.

Communication from Procopio, Price, Cory & Schwartz, 420 San Diego Trust & Savings Building, San Diego 1, dated February 15, 1954, signed by Sol Price, was presented.

It refers to being representative of a syndicate which is interested in submitting for consideration plans for civic auditorium and convention hall to be privately erected on privately owned property in neighborhood of 36th Street and Market and Federal Boulevards. Among other things, it says that if in the opinion of the Council and City Manager the location is worthy of consideration, they should be happy to submit formal and specific proposal within 45 days from the time the Council or Manager has indicated any interest in such proposal.

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

Communication from San Diego Junior Chamber of Commerce, 947 Columbia at Broadway, San Diego 1, dated 15 February 1954, signed by Marvin W. Moar, Manager, was presented. It lists change in dates of the San Diego Junior Chamber of Commerce-sponsored Harbor Days and port and Industrial Exposition, to May 28, 29, 30, and 31. It requests \$1300.00 appropriation for the program.

RESOLUTION NO. 116739, recorded on Microfilm Roll No. 76, referring communication from San Diego Junior Chamber of Commerce, under Document No. 485272, to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from The United States Conference of Mayors, 730 Jackson Place, N.W., Washington 6, D.C., dated February 8, 1954, by Paul V. Betters, executive director, was presented. It is entitled "Federal Taxation of certain Municipal Securities; House Ways and Means Committee repudiates previous action".

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

Communication from George A. Scott, dated February 12, 1954, referring to having learned of his appointment to the advisory committee on the Mission Bay Commission, was presented. It pledges full cooperation with the City Manager, and relates the writer's interest in Mission Bay, evidences through the years of his on-going way. It thanks the Mayor and Council for the appointment.

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

Communication from George A. Scott, dated February 10, 1954, favoring change of the name of Sutherland Dam to Fletcher Dam, honoring Senator Ed Fletcher, was presented.

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

(The Mayor's secretary advised, following a question from the Clerk's office, that the Mayor would acknowledge the letter.)

Communication from Mr. & Mrs. C. A. Johnze, R.R. #1 Box 175 A Ramona, California, protesting changing name of Sutherland Dam, was presented.

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

A large petition, together with a communication from Mrs. Mary J. Fuss (a Sutherland daughter), all opposing the change in name of Sutherland Dam, were presented. On motion of Councilman Schneider, seconded by Councilman Kerrigan, said petition and communication were ordered filed.

Communication in mimeographed form, signed by Vendy Johnson (marked 500 mailed) of San Pedro, having to do with smog in the Southland, and quoting from a radio tape recorded interview and attaching an advertisement of his by the Johnson Electronics, Fallbrook, Calif., was presented.

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

Communication from San Diego Chamber of Commerce, dated February 15, 1954, signed by A. V. Engel, president, was presented. It mentions having worked diligently for several years with various groups in an effort to arrive at a uniform wheel tax, or business license tax schedule that was mutually agreeable. It states the Board of Directors has adopted a policy regarding business taxes charged upon businesses without a fixed place of business in a City, a copy of which was attached. It states, further, that it is not the intention to tell any community what type of ordinance should be enacted, but liberty had been taken of recommending suggestions of wording taken from existing ordinance in force in City of Hawthorne. Also, it says that it is hoped, in the interest of strengthening economy of this County the City of San Diego will lead the way by adopting a reciprocal license ordinance and thereby help to encourage free flow of trade between our cities.

The suggestion was first made to refer the communication to the City Manager.

Next, Councilman Wincote moved to send it to Conference. He said that there is no mode of determining the picture.

Douglas D. Deaper, Deputy City Attorney, referred to the City not having a wheel tax. He spoke of recommendations of other cities in the county being consistent with San Diego's policy.

The City Manager said that if the Council picks this up it will be consistent.

Councilman Wincote stated that it is a question of catching.

The Mayor said that the Council could approve adoption, contingent upon the other cities' actions.

Councilman Kerrigan questioned the proposed method.

There was discussion between Councilmen Wincote and Kerrigan.

Next, there was discussion between Councilman Schneider and the City Manager regarding an unnamed bakery here, selling in Chula Vista et al.

Councilman Kerrigan said that it is a uniform thing.

The Manager termed the effort a progressive step.

Councilman Kerrigan mentioned the fact that Helm's Bakery has 2 trucks into Chula Vista. The charge is regarding there, not the number of employees in the City of San Diego.

It was moved by Councilman Dail, seconded by Councilman Schneider, to refer the communication to conference.

The motion was reconsidered.

It was moved by Councilman Schneider, seconded by Councilman Kerrigan, to refer the matter to the City Attorney for preparation of an ordinance.

Mr. Deaper related to the Council what other cities are doing. He said the Council should approve in principle. He referred to the Chamber of Commerce letter relative to all cities getting together. He said that if the City followed the suggestion there would be no license at all imposed.

The City Manager said that he had a phone call yesterday from a principal merchant. He said that the question was not clear, including the Chamber of Commerce position. The proposed ordinance accomplishes the purpose of uniformity, he said.

Councilman Godfrey was excused from the meeting at this time.

Councilman Schneider moved that the City write regarding the City's policy.

The roll was called on reconsideration.

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

Following the item just mentioned, from the Chamber of Commerce, Councilman Kerrigan requested that the City Attorney be instructed to draft a Resolution regarding the policy that San Diego will adopt an ordinance if other cities do.

RESOLUTION NO. 116740, recorded on Microfilm Roll No. 76, requesting the City Manager to advise other cities in the County that the Council of San Diego approves in principle the policy as proposed in connection with tax on businesses not having fixed places of business within a given city, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

116740
Petition
Communications

Communication from Robert H. Stebbins, 7513 Glenmore Lane, San Diego 11, dated Feb. 16, 1954, listed as a "Kearny Student", was presented. He suggests that there be a stop sign erected at the corner of Linda Vista Road and Kearny High entrance, where no stop sign exists.

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

Councilman Burgener returned to the meeting at this time.

RESOLUTION NO. 116741, recorded on Microfilm Roll No. 76, authorizing and empowering the City Manager to do all the work in connection with the reconstruction of the approach to Martinez Street at Bangor Street, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

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

RESOLUTION NO. 116742, recorded on Microfilm Roll No. 76, approving Change Order No. 55, dated February 8, 1954, heretofore filed with the City Clerk as Document No. 485302, issued in connection with contract between The City of San Diego and F. E. Young Construction Company 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 \$160.29, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116743, recorded on Microfilm Roll No. 76, granting revocable permission to C. J. Graham and Beatrice Graham for a private sewer lateral to cross City-owned land described as portion of Block 25 Tract 2 Encanto Heights according to Map No. 1100, formerly portion of Jofaina Vista (Jofaina Vista (vacated); lying northwesterly of and adjacent to the northwesterly line of Lot 21 said Jofaina Vista; to be limited to one line only to serve present and future improvement on Lots 20 through 24 (except the northeasterly 50 feet thereof) together with portion of Winnett Street closed lying between Lots 22 and 23; granted subject to recommendation of the Property Supervisor and approval of the City Manager, and upon conditions set forth therein, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116744, recorded on Microfilm Roll No. 76, granting permission to Mrs. Leda A. Johnson, 4661 - 60th Street, 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 westerly direction, parallel to the northerly line of the west 34 feet of the east 92 feet of Lots 45 and 46 Block 54 Fairmount Addition, to point of intersection with public sewer; to serve property at 4481 Orange Street; subject to approval of Chief Plumbing Inspector, Property Department and Sewer Division of the City Engineer's Department and the City Manager, and upon express conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116745, recorded on Microfilm Roll No. 76, granting permission to V. A. Krische and J. L. Krische, 2002 Newton Avenue, San Diego, 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 128 Mannasset and Schiller Subdivision, to point of intersection with public sewer; to serve property at 2002 Newton Avenue; subject to approval of the Chief Plumbing Inspector, the Property Department, the City Engineer (Sewer Division) and the City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116746, recorded on Microfilm Roll No. 76, granting San Diego Pipe and Supply Company, 5150 University Avenue, San Diego 5, permission to widen the existing 24-foot driveway on the northerly side of University Avenue between 51st Street and 52nd Street, 40 feet to the east thereby providing a 64-foot driveway as measured at the top of the full-height curb, adjacent to Lot 6 Block E Oak Park, on the conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116747, recorded on Microfilm Roll No. 76, granting permission to Jess B. Worthington, Inc., 2805 University Avenue, San Diego, to install and

maintain 2 550-gallon tanks for the storage of gasoline and paint thinner underneath the sidewalk between the property line and the curb line on the east side of 28th Street, approximately 50 feet south of University Avenue, upon the terms and conditions set forth in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116748, recorded on Microfilm Roll No. 76, accepting subordination agreement, executed by The Prudential Insurance Company of America, beneficiary, Union Title Insurance and Trust Company, trustee, bearing date December 18, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 21 Woodland Terrace Unit No. 1, 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116749, recorded on Microfilm Roll No. 76, accepting subordination agreement, executed by The Prudential Insurance Company of America, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date January 12, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Lot 15 Block 77 Villa Tract La Jolla Park, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said deed 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 Schneider, adopted.

RESOLUTION NO. 116750, recorded on Microfilm Roll No. 76, accepting subordination agreement, executed by San Diego Federal Savings and Loan Association, beneficiary, and Security Title Insurance Company, trustee, bearing date February 4, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Lot 11 Block 12 Lexington Park, 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116751, recorded on Microfilm Roll No. 76, accepting subordination agreement, executed by Sarah A. Wood and Rose V. Volimer, beneficiaries, and Security Title Insurance Company, trustee, bearing date December 30, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Pueblo Lots 146, and 144, 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 deed 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 Schneider, adopted.

RESOLUTION NO. 116752, recorded on Microfilm Roll No. 76, accepting Deed of James T. Cragin and Jean B. Cragin, bearing date November 18, 1953, in portion of Lot 21 Woodland Terrace 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116753, recorded on Microfilm Roll No. 76, accepting Deed of Archibald Dean MacLaren and Helen Gage MacLaren, bearing date February 3, 1954, conveying easement and right of way for sewer purposes in portion of Lot 14 Block 12 The Muirlands; authorizing and directing the City Clerk to file said deed 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 Schneider, adopted.

RESOLUTION NO. 116754, recorded on Microfilm Roll No. 76, accepting Deed of Evelyn J. Brown, bearing date January 21, 1954, conveying easement and right of way for storm drain purposes in portion of Lots 14, 15, 16, 17, 18 Beacon Hill; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116755, recorded on Microfilm Roll No. 76, accepting Deed of Evelyn B. Brown, bearing date January 21, 1954, conveying easement and right of way for storm drain purposes in portion of Lots 19, 20, 21, 22 Beacon Hill; authorizing and

directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116756, recorded on Microfilm Roll No. 76, accepting deed of Eliot L. Landon and Margaret S. Landon, bearing date February 5, 1954, conveying easement and right of way for water main purposes in portion of Lot 4 La Jolla 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116757, recorded on Microfilm Roll No. 76, accepting Deed of Sarah A. Wood and Rose V. Vollmer, bearing date November 5, 1953, conveying easement and right of way for pipe line purposes in portion of Pueblo Lot 144; authorizing and directing the City Clerk to file said deed 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 Schneider, adopted.

RESOLUTION NO. 116758, recorded on Microfilm Roll No. 76, accepting Deed of California Western University of San Diego, bearing date January 28, 1954, conveying easement and right of way for water pipe line purposes in portion of Lots 146 and 144 of the Pueblo Lands of San Diego; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Proposed Ordinance creating position of Policewoman, which had been introduced February 11, 1954, was presented.

Councilman Dail referred to a letter he had received from the Municipal Employees relative to a pay raise.

The City Manager told Councilman Dail that the Ordinance does not accomplish that. He stated that there was a difference in the proposed ordinance and the Civil Service problem regarding pay for the position, and matrons.

There was discussion between Councilmen Wincote and Dail regarding matrons and policemen.

Councilman Schneider stated that he had attended the Civil Service meeting regarding requirements set up for policewomen. There are certain qualifications provided, he stated. He told the Council that matrons are not being barred from taking examinations for the classification. He related that college graduation is not required.

Councilman Wincote said he felt that the requirements should be reasonable.

Councilman Kerrigan pointed out that it is a Civil Service problem regarding filling the Police needs.

ORDINANCE NO. 5973 (New Series), recorded on Microfilm Roll No. 76, creating the position of Policewoman in the classified service of the City of San Diego, and establishing schedule of compensation therefore - Standard Rate Number 19 - was on motion of Burgener, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Schneider, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey. The reading was dispensed with by a vote of not less than 4 members of the Council. There were written or printed copies available for each member of the Council.

Councilman Godfrey returned to the meeting at this time.

ORDINANCE NO. 5974 (New Series), recorded on Microfilm Roll No. 76, amending Section 24.0301 of the San Diego Municipal Code to provide for membership in the City Employees' Retirement System, was on motion of Councilman Kerrigan, seconded by 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.

The City Manager requested, and was granted, unanimous consent to present the next matter, which he reviewed:

RESOLUTION NO. 116759, recorded on Microfilm Roll No. 76, authorizing and empowering the City Manager to do all the work in connection with the installation of a water line to the new Cafeteria and Administration Building at the Balboa Park Zoo, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

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

Mr. Deaper referred back to the previously-discussed matter of license for merchants who have businesses out of town, and he made reference to wholesalers on out-of-town manufacturing. There was no further action.

The Mayor declared the meeting adjourned at the hour of 10:40 o'clock A.M., and announced that members of the Council would go into conference.

FRED W. SICK, City Clerk

By August M. Hadstrom Deputy

John D. Butler Mayor of The City of San Diego, California

116756 - 116759 5973 N.S.-5974 N

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, February 23, 1954

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.
Absent--Councilmen None
Clerk---Fred W. Sick

A Regular Meeting of the Council, held this date, was called to order by the Mayor at the hour of 10:04 o'clock A.M.

The Minutes of the Regular Council Meetings of Tuesday, February 16, 1954, and of Thursday, February 18, 1954, were presented to the Council.
On motion of Councilman Kerrigan, seconded by Councilman Burgener, they were approved without reading, after which they were signed by the Mayor.

Service awards were made to the following employees, by the Mayor, honoring their years with the City:
Joseph M. Carrillo, City Water Department, 20th & B Streets Service Yards 20 years;
Walter R. Cole, Harbor Construction and Maintenance Foreman - 25 years;
Dewey C. Freeberg, Battalion Chief, Fire Department - 35 years;
Hellebort R. Stefanson, Keeper at San Dieguito Reservoir, Water Production Division - 25 years.

Councilman Kerrigan was excused

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving 54th Street, Blackton Drive, 55th Street, Blackton Drive, et al., within the limits and as described in Resolution of Intention No. 115896, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion made and seconded, they were publicly opened and 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 \$40,000.00, which bid was given Document No. 485579;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$40,000.00, which bid was given Document No. 485580;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$45,000.00, which bid was given Document 485581;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$35,000.00, which bid was given Document No. 485582;

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving 68th Street, within the limits and as particularly described in Resolution of Intention No. 115632, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion of Councilman Schneider, seconded by Councilman Burgener, they were opened and publicly declared.

They 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. 485583;

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 485584; - sum of bond \$700.00;

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. 485585;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$600.00; which was given Document No. 485586;

The bid of M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$550.00, which bid was given Document No 485587.

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

Bids

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Santa Isabel Drive and Olvera Avenue, within the limits and as particularly described in Resolution of Intention No. 115897, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion made and seconded they were publicly opened and declared.

They were as follows:

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. 485592;

Bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$700.00, which bid was given Document No. 485593;

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. 485594;

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 \$700.00, which bid was given Document No. 485595.

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

Councilman Kerrigan entered during the declaration of Santa Isabel Drive and Olvera Avenue bids.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Ellison Place, within the limits and as particularly described in Resolution of Intention No. 115895, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion made and seconded they were publicly opened and declared.

The 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 of New York, given Document No. 485588; - in the sum of \$300.00;

John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$300.00, given Document No. 485589;

Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty of New York in the sum of \$300.00, given Document No. 485590;

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 \$300.00, given Document No. 485591.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for furnishing electric current and maintenance of appliances in Mission Beach Lighting District No. 1, for period of one year from and including May 15, 1954, to and including May 14, 1955, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion made and seconded, it was publicly opened and declared.

Said bid was as follows:

San Diego Gas & Electric Company, accompanied by certified check written by San Diego Trust & Savings Bank in the sum of \$240.12, given Document No. 485575.

On motion of Councilman Burgener, seconded by Councilman Wincote, bid was referred to the City Manager and City Attorney for report and recommendation.

A majority of the members of the Council executed the following undertakings for street lights - with San Diego Gas & Electric Co.:

- Seventh Avenue Lighting District No. 1;
- Eighth Avenue Lighting District No. 1;
- Garnet Street Lighting District No. 1;
- Presidio Hills Lighting District No. 1;
- La Jolla Lighting District No. 1;
- Sunset Cliffs Lighting District No. 1;
- Crown Point Lighting District No. 1;
- Talmadge Park Lighting District No. 1;
- Talmadge Park Lighting District No. 2;
- Talmadge Park Lighting District No. 3;

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 115803 (having been continued on February 16, 1954 to March 2, 1954 - one week at the time); for storm drain,

RESOLUTION NO. 116760, recorded on Micro film Roll No. 76, continuing hearing on proposed improvement of Olney Street, Grand Avenue, Kendall Street, Morrell Street, Noyes Street, Garnet Street, Diamond Street, Lamont Street, Chalcedony Street, Academy Street, Beryl Street, Public Rights of Way in Acre Lots 21 and 51 Pacific Beach, under Resolution of Preliminary Determination No. 115803, to Tuesday, March 2, 1954, 10:00 o'clock A.M. was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Bids
Lighting undertakings
signed
116760

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing on Assessment for Pacific Beach Drive paving, under Resolution of Intention No. 111680 had been continued, Douglas D. Deaper, Deputy City Attorney was heard.

Mr. Deaper spoke about Council's consideration of contribution toward cost of the project. If the Council should decide not to contribute, appeals can be overruled now, he said.

The City Engineer recommended contribution for the storm drain.

There was discussion over the matter of contribution, and if so how much.

The City Engineer stated it was fair to appropriate the whole amount for the drainage cost. Instead of appropriation for a specific purpose (storm drain), money should be toward the improvement.

Councilman Godfrey said that when, for how much both become problems.

The Engineer told the Council he could show where, rather than why, and said it has been done in many cases.

Councilman Godfrey re-iterated it is a question of when and why.

The Mayor asked the Engineer why appropriate the whole amount.

The Engineer replied that several streets - Haines, etc. - don't contribute to the drainage problem. It has been the policy to assess over the whole district, he said, and had proposed to assess outside of the drainage area. It would be equitable to "wash the whole thing out", he stated.

Councilman Schneider said that the Engineer could correct the mistake in the assessment.

The matter could cause controversy on Noyes Street proceedings (if the City contributes 100%), and leave room to say "no soap" on this, regarding the other, he said.

Councilman Godfrey advocates assessing 1/2 of the \$10,000.00 for drains to the people who benefit. He said he opposed giving "everybody a free ride".

As a result, so few would have to pay that it would be exorbitant, Councilman Burgener said. He charged that if the Council starts to change, it becomes the assessing authority.

There was discussion between various members of the Council over the issue of portion of contribution, etc.

The Mayor said that the district is not too small, so as to make an exorbitant assessment. He said one half contribution would be enough.

Councilman Schneider and the City Engineer entered into discussion over the contribution.

Councilman Wincote said that the situation will keep coming up, on the 50-50 basis on the storm drain bond fund.

The City Engineer told the Council that it would be difficult to assess a portion of contribution.

Councilman Godfrey and the Engineer had a discussion.

Councilman Godfrey brought up the Streamview assessment for storm drain bonds. In that connection, he said that the City has a program and a policy regarding contribution of one half.

The Mayor stated that the Engineer points out the difficulty in making the assessment on that basis.

Councilman Burgener referred to there being several 1911 act jobs in Pacific Beach. He asked the Engineer about the drainage.

The City Engineer said that street had been designed to take care of some, to avoid difficulty.

Councilman Dail stated that it benefits a lot of the area not in the assessment district.

Councilman Burgener said that the other (presumably Olney, Noyes, and other streets) refers to other streets.

The City Engineer said this benefits only this district.

Councilman said that it benefits not everybody assessed.

Councilman Godfrey spoke for a nominal assessment.

Councilman Dail spoke about the City having contributed to Brooklyn Street.

Councilman Burgener said that the City Engineer's recommendation should be follows; "the last one", that is, he added. He referred to the same principle on College.

There was discussion between Councilmen Burgener and Wincote over the contribution.

Councilman Godfrey moved to instruct the Engineer to prepare the assessment on a \$5,00.00 basis contribution, and continue the hearing one week.

Mr. Deaper hastened to say that the City Attorney's office is not recommending the procedure; that it had been referred for a report. He said that it would be possible to make the contribution, and that if the contractor thinks it is not fair he could defeat the matter in court.

The motion was withdrawn.

Councilman Godfrey moved to instruct the City Manager to contact the contractor regarding his attitude toward the City's contribution.

Mr. Deaper informed the Council that the contractor is aware of the matter, and that he is not here today. He said he thought the contractor does not object to the City's contribution.

Councilman Godfrey wanted the Attorney to make a recommendation, stating he is the City's legal advisor. He spoke of contribution after Resolution not having been litigated, based upon a statement of Mr. Deaper.

Councilman Schneider declared that citizens could sue the City on the bonds.

There was discussion between Councilman Dail and Mr. Deaper, followed by discussion between Councilman Wincote and Mr. Deaper.

Mr. Deaper said he thought the City could make the contribution, and that it would hold up.

Councilman Wincote spoke of having been given the law both ways. It is up to the Council, he said, and expressed the belief that the Council should have the concurrence of the contractor.

The Mayor said that the 50% contribution ought to be made, and assessment levied on that basis; and that hearing be continued one week.

Mr. Deaper said that the matter should not be delayed. The contractor and the bond man recognize the new procedure, he declared. He said that they would not get into the position of making a statement.

Councilman Wincote said that the bond man has probably discounted 90%.

Councilman Schneider spoke of the system of assessment, even with the contribution.

Councilman Burgener asked that if \$5,000.00 is contributed, would the rest be assessed to the district.

The City Engineer replied that he would try to make the assessment.

Discussion between Councilmen Burgener, Wincote and Schneider took place.

Councilman Wincote discussed the matter of engineering with the City Engineer. He said that the area is affected.

Mr. Deaper said that if contribution is made, it would be spread evenly, and would be a deduction of assessment. He said that it (the assessment roll) should be referred to the Street Assessment Department. Mr. Deaper read to the Council a Resolution, in his possession, regarding contribution. (It was presented, and adopted later, with the sum mentioned cut in half). He said that the Council should read, introduce and adopt today the ordinance if a contribution is to be made. The assessment should be adopted in a week.....

The City Engineer said he can work out the assessment by next Tuesday, but that he does not know the answer ahead of time as to the results.

Mr. Depaer said that \$10,370.13 is the amount of the drain.

It was moved by Councilman Godfrey, seconded by Councilman Wincote to adopt the proposed Resolution with \$5,185.07 for contribution purposes, instead of \$10,370.13 shown, resulting in

RESOLUTION NO. 116761, recorded on Microfilm Roll No. 76, finding that the public interest will be served by making contribution, and that the City provides the amount of \$5,185.07 toward the cost of 1911 Act proceedings for paving and otherwise improving of Pacific Beach Drive between Riviera Drive and Jewell Street, within limits and as described in Resolution of Intention No. 111680; directing the City Auditor and Comptroller to make payment in such sum to the contractor (The Griffith Company, a corporation) for the work, on or before the 30th day following confirmation of the assessment roll; directing the Street Superintendent to modify the assessment roll by deducting from the total cost the amount of \$5,185.07, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Councilman Godfrey, speaking to interested property owners in the audience, said that the Engineer is going to reassess.

Councilman Burgener wondered if property owners could comment.

Councilman Wincote answered that the City is not in the position to answer regarding assessments as of today.

Councilman Godfrey said that the City doesn't know what it will be.

The proposed Ordinance was read to the Council, as changed by the Deputy City Attorney and the City Manager.

ORDINANCE NO. 5975 (New Series), recorded on Microfilm Roll No. 76, appropriating \$5,185.07 out of the Capital Outlay Fund for purpose of providing funds to pay the City's contribution toward the cost of grading, paving and otherwise improving of Pacific Beach Drive between Riviera Drive and Jewell Street, under a 1911 Improvement Act Proceeding, 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.

Prior to its adoption, said Ordinance was introduced, on motion of Councilman Godfrey, seconded by Councilman Wincote, and read as mentioned above.

A. C. Bernard, 4065 Promontory Street, said that the way the matter is laid out not more than 8 people would be benefited by the storm drain. He said that it has never been a drain problem.

The City Engineer showed members of the Council a map regarding a definite survey made only last week.

Councilman Schneider was excused from the meeting.

When a question began to arise, the City Engineer said that he was not going to argue; the survey was an actual fact, made last week.

A conference was held over a map by members of the Council, the City Engineer and unidentified property owners.

The City Engineer has to be given a week, Councilman Godfrey said.

Next, there was discussion between Councilmen Wincote, Godfrey, the City Engineer, and various property owners.

Councilman Schneider returned.

RESOLUTION NO. 116762, recorded on Microfilm Roll No. 76, continuing hearing on the Street Superintendent's Assessment No. 2197 made to cover the costs and expenses of the paving and otherwise improving of Pacific Beach Drive to the hour of 10:00 o'clock A.M., Tuesday, March 2, 1954, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

116761 - 116762
5975 N.S.
Hearing

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, was presented, reporting on bids for improvement of 8th Street between Harbor Street and Harbor Drive. It recommends award to M. H. Golden Construction Company, low bidder, at \$22,636.24 - estimate \$31,312.00.

RESOLUTION NO. 116763, recorded on Microfilm Roll No. 76, accepting bid of M. H. Golden Construction Company for improvement of 8th Street between Harbor Drive and Harbor Street (including excavating, grading, preparing subgrade, furnishing and placing imported borrow and construction street improvements) for the Harbor Department; awarding contract, authorizing and instructing a majority of the members of the Harbor Commission to enter into and execute contract therefor pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, reporting on bids received February 11, 1954, from 7 bidders for improvement of Parking Lots 2, 3, 4 Shelter Island, recommending award to M. H. Golden Construction Company, low bidder - \$18,972.00; \$24,504.00 estimate - was presented.

RESOLUTION NO. 116764, recorded on Microfilm Roll No. 76, accepting bid of M. H. Golden Construction Company for improvement of Parking Lots 2, 3, 4 Shelter Island; awarding contract, authorizing and instructing a majority of the members of the Harbor Commission to execute contract therefor pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for addition of storage space between Cell Blocks 4 and 5 Police Headquarters Building, Market Street and Pacific Highway, received February 11, 1954, from 3 bidders, was presented. It recommends award to Nielsen Construction Company, low bidder, in the amount of \$3,913.00 - 22.3% above estimate of the City Engineer's Office.

RESOLUTION NO. 116765, recorded on Microfilm Roll No. 76, accepting bid of Nielsen Construction Company for addition of storage space, Police Headquarters Building; awarding contract, authorizing 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 Dail, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing 60 Police Revolvers, 20,000 rounds 38-calibre Ammunition; 25,000 38 Calibre Primers; 2 15-lb Kegs of Powder, was presented. It recommends award to F. Morton Pitt Company of Sengabriel, California, for Ammunition at \$45.68 per M; Western Metal Supply Company (with 5% preference for local vendor) for Revolvers and Primers and for Revolvers, Primers, and Powder.

RESOLUTION NO. 116766, recorded on Microfilm Roll No. 76, accepting bid of Western Metal Supply Company for furnishing 60 Revolvers at \$43.61 each; 25,000 38-Calibre Primers at \$5.88 per M; 2 kegs of Powder at \$26.32 per keg - terms 2% - 30 days, plus State Sales Tax; 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116767, recorded on Microfilm Roll No. 76, accepting bid of F. Morton Pitt Co., for 20,000 Pounds of Ammunition at \$45.68 per M, terms 2% - 30 days plus State Sales Tax; 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 Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, submitting Resolution authorizing bids for Radio Tubes for period of one year beginning March 1, 1954, per specifications on file in the office of the City Clerk bearing Document No. 485567, was presented.

RESOLUTION NO. 116768, recorded on Microfilm Roll No. 76, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Radio Tubes for one year beginning March 1, 1954, in accordance with Document No. 485567, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116769, recorded on Microfilm Roll No. 76, authorizing and directing the Purchasing Agent to advertise for sale and sell equipment (listed on said Resolution, belonging to The City of San Diego which is no longer desirable for use or retention; also authorizing and directing the Purchasing Agent to sell 59 bicycles, frames and miscellaneous parts recovered by the Police Department and which have remained unclaimed for more than 6 months - all expenses connected with the sale to be deducted from proceeds, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on sale of 11 Police cars at auction for \$5,970.00 or an average of \$542.73 per car; 23 Police sedans at a total of \$11,760.00 or an average of

\$511.30 per car. It reports that money received has been deposited with the City Treasurer in proper accounts.

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

Application of James H. Kennedy for Class "A" Dine & Dance License for "Aztec" located at 2690 Balboa Ave., was presented, together with City Manager's stamp of approval.

RESOLUTION NO. 116770, recorded on Microfilm Roll No. 76, granting application of James H. Kennedy for Class "A" license to conduct public dance at "Aztec" located at 2690 Balboa Avenue, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the City Manager returning petition of V. M. Butterfield et al for annexation of portion of Lot 40 La Mesa Colony to the City of San Diego, was presented. It recommends annexation be subject to:

1. That adequate access be provided from 73rd and Saranac Streets to northern portion of parcel being annexed which does not front, at this time, on a dedicated street;

2. That all required right-of-ways be granted for the purpose of installing sewers and drainage as may be necessary to serve properties in question -

was presented.

RESOLUTION NO. 116771, recorded on Microfilm Roll No. 76, granting petition of V. M. Butterfield and Ralph Dalmas et al requesting annexation of portion Lot 40 La Mesa Colony to City of San Diego upon conditions outlined by City Manager under Document No. 485519; requesting City Attorney to prepare and present necessary papers, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that proceedings for Alley Block 1 Wilshire Place be amended to include outfall for drain to westerly line of 43rd Street, so that the job will include alley lying easterly of and contiguous to Lots 1 to 24 inclusive Block 1 Tract 1382 Wilshire Place; 43rd Street between the westerly prolongations of the northerly line of Lot 12 and the southerly line of Lot 13 Block 1 Tract 1382 Wilshire Place, and Public Right of Way in Lot 13 Block 1 Tract 1382 Wilshire Place, was presented.

There was discussion between Councilman Schneider and the City Engineer.

Councilman Schneider said that this can result in another hassel.

RESOLUTION NO. 116772, recorded on Microfilm Roll No. 76, adopting recommendation of the City Engineer, filed in the office of the City Clerk under Document No. 485366, in connection with proceedings for improvement of the Alley in Block 1 Wilshire Place, to include portions of 43rd and public right of way, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that Resolution No. 113777 which ordered district form for improvement of portion of Grand Avenue, was presented. It also recommends that a new resolution be passed for improvement of Grand Avenue between the center line of Cass Street and the center line of Ingraham Street.

RESOLUTION NO. 116773, recorded on Microfilm Roll No. 76, adopting recommendation of the City Engineer, filed in the office of the City Clerk under Document No. 485369 for improvements in portion of Grand Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that Resolution No. 116366 which was abandoned by the Council for improvement of portions of Olney Street and Felspar Street, so that plans could be revised, by re-instated for improvement of portions of Olney Street and Felspar Street, was presented.

RESOLUTION NO. 116774, recorded on Microfilm Roll No. 76, adopting recommendation of the City Engineer, filed in the office of the City Clerk under Document No. 485367 for improvement of portions of Olney Street and Felspar Street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Raymond Krah, Personnel Director, dated February 17, 1954, requesting approval of Ordinance to establish classification of Housing Coordinator, Standard Rate of Pay No. 30, \$559 to \$679 per month - as recommended by the City Manager - was presented.

On motion of Councilman Schneider, seconded by Councilman Burgener, Ordinance creating position of Housing Coordinator in the Classified Service of The City of San Diego, and establishing a schedule of compensation therefor, was on motion of Council

Schneider, seconded by Councilman Burgener, introduced, 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 Civitan Club of Azusa, signed by Roy Barni, President, sponsors of the eleventh annual Junior College Baseball Tournament on April 8, 9, 10, 1954, dated February 8, 1954, was presented. It requests financial aid in the carrying out of the event by advertisements in its program, and requests the City to take a full page at \$50.00.

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

Communication from San Diego Chamber of Commerce, dated February 17, 1954, signed by R. T. Blair, Jr., Secretary to the Board of Directors, was presented. The communication refers to having opposed establishment of a trailer park in the Old San Diego-Tecolote Valley. It states that the Metropolitan Planning Committee is concerned with overall planning projects, and that the Committee agreed that study is needed regarding the Old San Diego-Mission Valley area since it is bisected by both Highway 101 and Mission Valley Freeway. The communication states that the Board also endorsed recommendation by the committee regarding development of Mission Valley Freeway from Highway 101 to Sixth Extension as a Parkway through use of erosion control planning, to provide another beautiful gateway to San Diego.

RESOLUTION NO. 116775, recorded on Microfilm Roll No. 76, referring communication from San Diego Chamber of Commerce opposing establishment of trailer park in Old San Diego-Tecolote Valley, recommending study of zoning the area as well as development of Mission Valley Freeway as an entrance to the City, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from San Diego Municipal Employees' Association, Inc., signed by Mary E. Harvey, Executive Secretary, announcing the Sixth Annual Institute on Government, sponsored by Federal, State, County and City employee groups in the San Diego Area, Friday, April 9, 1954, in the Conference Building, Balboa Park, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, it was ordered filed. (Clerk sent to Manager for information, in case City wishes to endorse and support).

RESOLUTION NO. 116776, recorded on Microfilm Roll No. 76, directing notice of the filing of the Street Superintendent's Assessment No. 2215 made to cover the costs of paving and otherwise improving Alley in Block 55 City Heights, and of the time and place of hearing, under Resolution of Intention No. 112503, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116777, recorded on Microfilm Roll No. 76, directing notice of the filing of the Street Superintendent's Assessment No. 2216 made to cover the costs of paving and otherwise improving Alley in Block 58 H. M. Higgins' Addition, and of the time and place of hearing, under Resolution of Intention No. 112022, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116778, recorded on Microfilm Roll No. 76, directing notice of the filing of the Street Superintendent's Assessment No. 2214 made to cover the costs of 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 Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 116779, recorded on Microfilm Roll No. 76, directing notice of filing of the Street Superintendent's Assessment No. 2217 made to cover the costs of paving and otherwise improving of Roslyn Lane and Ivanhoe Avenue, within the limits and as particularly described in Resolution of Intention No. 113265, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 116780, recorded on Microfilm Roll No. 76, accepting bid of T. B. Penick & Sons, a co-partnership, awarding contract, for paving and otherwise improving Alleys in Block 45 W. F. Herbert's Subdivision, described in Resolution of Intention No. 115391, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The City Engineer reported in writing that the low bid is 14.1% below the estimate.

RESOLUTION OF AWARD NO. 116781, recorded on Microfilm Roll No. 76, accepting bid of Daley Corporation, and awarding contract, for paving 44th Street and Olive Street, within the limits and as particularly described in Resolution of Intention No. 115631, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted. The City Engineer reported in writing that low bid is 29.3% below the estimate.

RESOLUTION OF AWARD NO. 116782, recorded on Microfilm Roll No. 76, accepting bid of Daley Corporation, and awarding contract for paving and otherwise improving Everts Street, within the limits and as particularly described in Resolution of Intention No. 115630, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted. The City Engineer reported in writing that low bid is 26.5% below the estimate.

RESOLUTION OF AWARD NO. 116783, recorded on Microfilm Roll No. 76, accepting bid of Cameron Bros. Construction Co., a co-partnership, and awarding contract, for sewers in Roanoke Street, Rachael Avenue and Morningside Street, within the limits and as particularly described in Resolution of Intention No. 115633, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 116784, recorded on Microfilm Roll No. 76, accepting bid of San Diego Gas & Electric Company and awarding contract for furnishing electric current for lighting ornamental street lights located in Kensington Manor Lighting District No. 1, for a period of one year from and including May 1, 1954 to and including April 30, 1955, in accordance with plans and specifications contained in Engineer's Report and Assessment on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116785, recorded on Microfilm Roll No. 76, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alleys in Block 66 Resubdivision of Blocks 39 and 56 Normal Heights; approving Plat No. 2568 showing exterior boundaries of the district to be included in assessment for work and improvement; directing the City Clerk upon passage of 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. 116786, recorded on Microfilm Roll No. 76, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Quimby Street; approving Plat No. 2544 showing exterior boundaries of the district to be included in assessment for work and improvement; directing the City Clerk upon passage of 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. 116787, recorded on Microfilm Roll No. 76, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Wunderlin Avenue, within the limits and as outlined on said Resolution; approving Plat No. 2517 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of 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 OF PRELIMINARY DETERMINATION NO. 116788, recorded on Microfilm Roll No. 76, for the paving and otherwise improving Alleys in Block 66 Resubdivision of Blocks 39 and 56 Normal Heights, within the limits and as described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 116789, recorded on Microfilm Roll No. 76, for the paving and otherwise improving of Quimby 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. 116790, recorded on Microfilm Roll No. 79, for the paving and otherwise improving of Wunderlin Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116791, recorded on Microfilm Roll No. 76, ascertaining and declaring wage scale for paving and otherwise improving Birch Street, within limits and as described in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116792, recorded on Microfilm Roll No. 76, ascertaining and declaring wage scale for paving and otherwise improving Camino del Collado, within limits and as particularly described in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116793, recorded on Microfilm Roll No. 76, ascertaining and declaring wage scale for installation of street lighting on 30th Street, Upas Street, Ray Street and University Avenue, within the limits and as described in said Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116794, recorded on Microfilm Roll No. 76, granting petition contained in Document No. 484486 for paving and otherwise improving Alley Block 13 La Jolla Park; directing the City Engineer to furnish description of the assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, including drainage structures and sewer laterals if required, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116795, recorded on Microfilm Roll No. 76, granting petition contained in Document No. 484489 for paving and otherwise improving Alley Block 3 La Mesa Colony Townsite; directing the City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, including sewer laterals, water services and retaining walls if required, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116796, recorded on Microfilm Roll No. 76, granting petition contained in Document No. 484681 for paving and otherwise improving Alley Block 253 University Heights; directing the City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, including sewer laterals, water services and drainage facilities as required, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116797, recorded on Microfilm Roll No. 76, granting petition contained in Document No. 484488 for paving and otherwise improving Akron Street; directing the City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, including curbs and sidewalks as required and installation of sewer laterals and water services as required, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116798, recorded on Microfilm Roll No. 76, granting petition contained in Document No. 484058 for paving and otherwise improving Banks Street; directing the City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, including curbs and sewer laterals and water services, if required, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116799, recorded on Microfilm Roll No. 76, granting petition contained in Document No. 484057 for paving and otherwise improving 53rd Street; directing the City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, including curbs and sewer laterals and water services if required, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116800, recorded on Microfilm Roll No. 76, granting petition contained in Document No. 484487 for paving and otherwise improving portions of

Nashville Street, Jupiter Street, LaSalle Street, Western Street and Lapwai Street; directing the City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, together with drainage structures, sewer laterals and water services if required, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116801, recorded on Microfilm Roll No. 76, granting petition contained in Document No. 483560 for installation of sidewalks in Pacific Beach Drive; directing the City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116802, recorded on Microfilm Roll No. 76, granting petition contained in Document No. 484680 for paving and otherwise improving of Wawona Drive; authorizing the City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay therefor including water services if required, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116803, recorded on Microfilm Roll No. 76, directing the Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion of Lot 10 The Highlands, described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes of said property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116804, recorded on Microfilm Roll No. 76, directing the Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion of Lot 23 The Highlands, described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on said property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116805, recorded on Microfilm Roll No. 76, directing the Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion of Lot 1 Block 1 Rosedale, described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on said property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Burgener, Seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116806, recorded on Microfilm Roll No. 76, directing the Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion of Lot 1 Block 1 Rosedale, portion of Lots 8 and 9 The Highlands, portion of unnamed street adjacent to Lot 9 closed, described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes on said property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116807, recorded on Microfilm Roll No. 76, directing the Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against Lot 213 Clairmont Manor Unit No. 2, 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; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116808, recorded on Microfilm Roll No. 76, directing the Property Supervisor to file petition with Board of Supervisors of County of San Diego

requesting that all taxes against property in portion of Alice Street (closed) lying Easterly of and adjacent to Lot B La Mesa Colony, 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; authorizing and directing the Property Supervisor to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116809, recorded on Microfilm Roll No. 76, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego requesting that all taxes against portion of Alice Street (closed) Easterly of and adjacent to Lot B La Mesa Colony, 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 him to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116810, recorded on Microfilm Roll No. 76, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego requesting that all taxes against portions of Lot 54 Ex Mission Lands of San Diego, commonly known as Horton's Purchase, 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; authorizing and directing the Property Supervisor to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116811, recorded on Microfilm Roll No. 76, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego requesting that all taxes against portions of Lot 54 Ex Mission Lands of San Diego, commonly known as Horton's Purchase, 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; authorizing and directing the Property Supervisor to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

In connection with the next matter, the City Manager was asked about the purpose of the Resolution. He stated that it was partly to eliminate interference with existing spur tracks.

RESOLUTION NO. 116812, recorded on Microfilm Roll No. 76, prohibiting parking of automobiles at all times on the following portions of streets:

The east side of Fourth Avenue, between points 50 feet south of J Street and 150 feet south of K Street;

The west side of Seventh Avenue between Island Avenue and J Street;

The east side of Seventh Avenue between K Street and a point 100 feet north of J Street;

The east side of Seventh Avenue between L Street and a point 100 feet north of L Street; also

prohibiting parking of automobiles between 6:00 a.m. and 6:00 p.m., on the following portions of streets:

The west side of First Avenue between Market Street and a point 150 feet south of Island Avenue;

The east side of First Avenue between Island Avenue and J Street;

The east side of Fifth Avenue between J Street and L Street;

The east side of Seventh Avenue between K Street and a point 200 feet south of K Street;

The east side of Eighth Avenue between K Street and a point 200 feet south of K Street;

The west side of Eighth Avenue between K Street and a point 50 feet south of L Street;

authorizing and directing installation of necessary signs and markings; repealing all resolutions or parts of resolutions in conflict, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116813, recorded on Microfilm Roll No. 76, declaring the following street to be a through highway:

Lea Street, between the westerly line of Streamview Drive and the west line of 54th Street;

authorizing and directing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116814, recorded on Microfilm Roll No. 76, establishing parking time limit of 36 minutes between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

The north side of Market Street between the east line of Union Street and the west line of Front Street; authorizing installation of the necessary signs and markings; was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116815, recorded on Microfilm Roll No. 76, establishing parking time limit of one hour, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

Both sides of Union Street between north line of Market Street and south line of G Street; establishing parking meter zone; directing the City Manager to cause parking meters to be installed and cause parking meter spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116816, recorded on Microfilm Roll No. 76, authorizing and empowering the City Manager to do all the work necessary to control seepage at Bayview Reservoir, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION NO. 116817, recorded on Microfilm Roll No. 76, authorizing the City Manager, consistent with recommendation and related data filed in the office of the City Clerk as Document No. 485598 to sign petition addressed to the Board of Supervisors of the County of San Diego, for rezoning portion of Lot 174 La Mesa Colony, from E-2 to M-1, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Attached to the Resolution was petition of R. L. Hagmes and recommendation from the Property Supervisor bearing the Assistant City Manager's stamp of approval, to that effect.

RESOLUTION NO. 116818, recorded on Microfilm Roll No. 76, granting revocable permission to Police Relief Association to maintain coffee shop in the Police Headquarters Building, consistent with recommendation of the City Manager and related data heretofore filed in the office of the City Clerk as Document No. 485599, conditioned upon the Association reimbursing the City for cost of gas and electricity used in the amount of \$24.00 per month, in advance, with payment for period from January 16, 1954 to February 28, 1954 to be made by the latter date; directing the City Auditor and Comptroller to bill the Police Relief Association for said sum monthly, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116819, recorded on Microfilm Roll No. 76, authorizing and directing the City Clerk to publish in the official newspaper of the City the following notice:

"NOTICE OF RATIFICATION OF AGREEMENT NOTICE IS HEREBY GIVEN that the Council of The City of San Diego at 10:00 a.m. on the 16th day of March, 1954, in the Council Chamber, third floor Administration Building, Civic Center, will pass and adopt a resolution ratifying the leasing of those certain premises located on Pueblo Lot 1803 known as Mission Beach Amusement Center to Louise E. Mitchell, James T. Mitchell, Eleanor M. Ray, and John C. Ray, which property was leased for the purpose of constructing, maintaining, and operating the premises as an amusement center and for no other purpose.

BY ORDER OF THE COUNCIL.

FRED W. SICK

City Clerk",

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

Said Resolution states that The City of San Diego has entered into and executed such a lease agreement, that it was agreed to hire from the City those certain premises known as Mission Beach Amusement Center for constructing, maintaining and operating premises as an amusement center and for no other purpose; that it was necessary in order to obtain price terms and conditions in connection with leasing said property which would be advantageous to the City, to enter into and execute said agreement without complying with the provisions of Section 99 of Charter of the City relating to publication of notice; and that it is the intention of the Council to ratify said agreement by resolution to be passed and adopted on March 16, 1954.

RESOLUTION NO. 116820, recorded on Microfilm Roll No. 76, making findings and charges to be made or established by the Council in connection with water main serving Tres Lomas area, subject to 4 conditions - and Document No. 485600 - was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 116821, recorded on Microfilm Roll No. 76, vacating the southerly 4.0 feet of Lot 759 Clairemont Unit No. 5, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution states that subdivision was filed in the office of the Recorder, which established general easements, that it was never used for the purpose acquired on February 20, 1952, that it is unnecessary for present or prospective public use by the City. It states that title to the interest of the City of San Diego reverts to the owners of the fee title of the property free from rights of the public, and that the City Clerk shall cause a certified copy of said Resolution attested by him under seal to be recorded in the office of the County Recorder of San Diego County.

RESOLUTION NO. 116822, recorded on Microfilm Roll No. 76, vacating easement in portion of Lot 12 Westcliffe, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution states that subdivision was filed in the office of the Recorder, which established public utility easements, that it was never used for the purpose acquired or for 5 consecutive years next preceding the date of said Resolution, that said easements are unnecessary for present or prospective public use by the City. It states that title to the interest of The City of San Diego reverts to owners of fee title of the property free from rights of the public, and that the City Clerk shall cause a certified copy of said Resolution attested by him under seal to be recorded in the office of the County Recorder of San Diego County.

RESOLUTION NO. 116823, recorded on Microfilm Roll No. 76, authorizing and empowering the City Manager, for and on behalf of the City of San Diego, to execute a lease with Howard G. Zanke and Maurine R. Zanke of portion of Section 30 Township 12 South Range 1 West in San Pasqual Valley, according to United States Government Survey approved August 29, 1894, for one year at an annual rental of \$2,100.00; more particular description of property and terms and conditions to be set forth filed in the office of the City Clerk under Document No. 485603; property has a real value of \$36,000.00 as disclosed by report of the last appraisal made by the Auditor and Comptroller, leased for the reason that the City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Ordinance approving annexation to the City of San Diego of portions of Tidelands of San Diego Bay, known and designated as "San Diego Harbor Tidelands" - which had been continued from the meeting of February 16, 1954 - was presented again.

Said Ordinance was continued again - to the meeting of Tuesday, March 2, 1954.

(It had been introduced at the meeting of February 9, 1954).

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of the next ordinance was dispensed with by a vote of not less than 4 members of 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. 5976 (New Series), recorded on Microfilm Roll No. 76, amending Section 86.05 of the San Diego Municipal Code, Regulating Parking Time Limits in Specified Places, 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--Councilman None. Absent--Councilmen None.

(It designates the 1-hour, 2-hours and the 24-minutes regulations in the designated areas).

On motion of Councilman Wincote, seconded by Councilman Burgener, the reading of the next ordinance 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. 5977 (New Series), recorded on Microfilm Roll No. 76, amending Chapter V Article 2 of the San Diego Municipal Code by adding thereto sections prohibiting use of or addition to narcotics or being under the influence of dangerous drugs, except when administered by a licensed person, 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 Wincote, seconded by Councilman Burgener, the reading of the next ordinance 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. 5978 (New Series), recorded on Microfilm Roll No. 76, dedicating portions of Lots 14 and 15 Cave and McHatton Subdivision for portions of a public

116821 - 116823
5976 N.S. - 5978 N.S.
Ord. cont.

highway and naming the same 61st 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.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the reading of the next ordinance 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. 5979 (New Series), recorded on Microfilm Roll No. 76, changing the name of Boston Street to Boston Avenue, and changing name of portions of Alta Way to Electric Avenue, 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, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of the next ordinance 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. 5980 (New Series), recorded on Microfilm Roll No. 76, authorizing cancellation of lease agreement with Five Star Fish and Cold Storage affecting cold storage plant located on Pueblo Lots 1311 and 1314, 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 next ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the reading of said Ordinance 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. 5981 (New Series), recorded on Microfilm Roll No. 76, establishing grade of the Alley in Block I Montecello, between the northerly line of Monroe Avenue and the southerly line of Madison Avenue, 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.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the reading of said Ordinance 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. 5982 (New Series), recorded on Microfilm Roll No. 76, establishing grade of Alley in Block 46 Ocean Beach, between the northwesterly line of Sunset Cliffs Boulevard and the southeasterly line of Cable Street, 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.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the reading of said Ordinance 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. 5983 (New Series), recorded on Microfilm Roll No. 76, establishing grade of Alley in Block 214 Pacific Beach, between the easterly line of Lamont Street and the westerly line of Morrell Street, 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.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the reading of said Ordinance 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. 5984 (New Series), recorded on Microfilm Roll No. 76, establishing grade of Alley Block 287 Subdivision of Acre Lots 64-1/2, 65 and 66, Pacific Beach, between the westerly line of Haines Street and the easterly line of Gresham Street, 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.

On motion of Councilman Burgener, seconded by Councilman Wincote, ordinance changing name of Jefferson Avenue in Kensington Park to Alder Drive, 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 changing name of Lorenz Street to Lorenz Avenue, and naming portion of Alley between Lots 143 and 145 National Vista Lorenz Avenue, was presented, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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

On motion of Councilman Kerrigan, seconded by Councilman Schneider, ordinance amending San Diego Municipal Code by adding the following new sections thereto: Sections 31.0305.1, 33.2515, 33.2516, 42.0410, 42.0411, 42.0412, 42.0412.1, 42.0413, 42.0414, 42.0415, 55.07, 91.20, 91.21, 101.0640 and 101.0641; amending Sections 33.2512 and 101.0101, and Division 1 Article 1 Chapter X; and repealing Ordinances Nos. 820 (New Series), 958 (New Series), 1565 (New Series), 2584 (New Series), 3833 (New Series), 3834 (New Series) and 4908 (New Series) - regulating Trailer Parks - 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 resolution, not listed on the Council's agenda:

RESOLUTION NO. 116824, recorded on Microfilm Roll No. 76, ratifying and approving expenses incurred by Pauline desGranges (Director of Recreation); Jack Hoxsey, Assistant Recreation Superintendent; Don Vynne, Aquatics Supervisor; and Ralph Smith, Supervising Recreation Specialist, in attending the California Recreation Conference which was held in Santa Rosa, California, February 14 to 18, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The City Manager told the Council that Miss desGranges had not originally intended to attend, but that notification was given that a special award was to be made to her, which caused Miss desGranges' attendance.

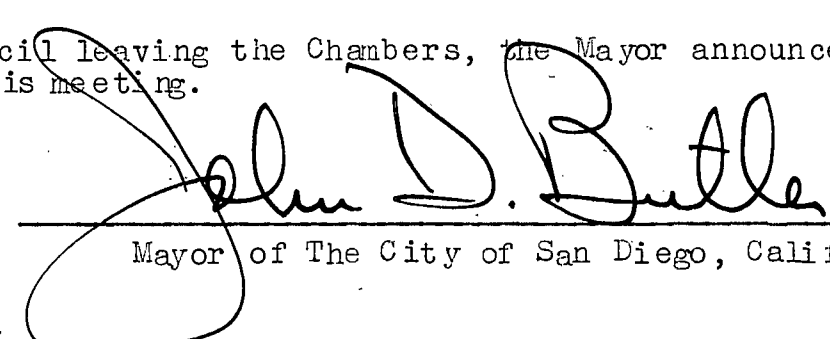
There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Kerrigan, seconded by Councilman Schneider, at the hour of 11:34 o'clock A.M.

Upon members of the Council leaving the Chambers, the Mayor announced that a Conference would be held following this meeting.

ATTEST:

FRED W. SICK, City Clerk

By  Deputy


Mayor of The City of San Diego, California

116824
5984 N.S.
Ords. introduced

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, February
25, 1954

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 Board of Zoning Adjustment Resolution No. 8010 which denied application of Margaret G. Correll for variance to Municipal Code 101.0601 to maintain an existing garage and storage building with zero side yard on the west 59 feet of Lots 22 through 24 Block 59 City Heights, at 3803 Wilson Avenue, Zone R-4, report from D. E. South, Zoning Administrator, being "Finding of Facts" was presented and read.

Mr. South told the Council that the report just read speaks for itself. He told of variance granted in 1950 for setback. If corrugated aluminum were painted it would be some improvement. He spoke of the building being constructed without a permit. There was discussion between Councilman Wincote and Mr. South regarding the next door neighbor.

Next, there was discussion between Councilman Schneider and Mr. South over use of stucco instead of corrugated material.

Councilman Wincote and Mr. South discussed the differences in circumstances and appearance.

Councilman Burgener asked Robert Dorland, Building Inspector, about the situation.

Mr. Dorland said that the building can be made to meet the building code, and that location does not violate the State housing act, on account of the existing driveway.

Councilman Godfrey spoke about 3 things being involved: State, the Building Code and setback.

Mr. South went for pictures, at the request of Councilman Godfrey.

Councilman Godfrey related the requirements for granting of variance.

Councilman Schneider said that the Correll home is more attractive than others in the neighborhood - including the one next door. He said that he thought if done properly, it could be granted.

Councilman Godfrey observed that the situation could stay the same as it is, get better or worse.

Councilman Wincote spoke of additional buildings being built up of corrugated iron, which are not attractive.

Mr. Rick told the Council that he had not looked at the property, but that he could not recommend the variance, in that it would not be a good development. He said that the owner thinks Mr. South had been a little strict.

Mrs. Correll was heard at this time. She had a colored drawing, which she said had been presented to the Zoning Board, but that most of its members had not looked at it. She passed the pastel drawing around. She spoke to Mr. Rick.

Mr. Rick answered that if Mrs. Correll thinks she should have storage space, the plan could be modified (to conform to permitted use).

Mrs. Correll said that she could build on the property line.

Mr. Dorland replied that there are several things which would have to be accomplished: on north side there would be need for one-hour fire wall; the building could not block light and air, and there would be need for a rear yard.

Mrs. Correll spoke about there being about 6 feet between the property line and the next house.

There was discussion between Mr. Dorland and Mrs. Correll over conditions and possible solutions.

Next, Councilman Schneider discussed the matter of location of the building.

Councilman Schneider wondered if the building were removed from the westward side of the house if she could do as desired.

Councilman Wincote pointed out that 2 rules have been met: Mrs. Correll could have to improve, including filling on the east, he stated.

Councilman Burgener expressed concern over the situation as it affected neighbors. He wanted to know if there were any objectors.

There were none.

Councilman Burgener said that if the structure is brought up to building standards, and a time limit therefor imposed, he thought it should be granted.

Mrs. Correll told about her activity in regard to getting the building up to standard.

Councilman Wincote said that if the Council grants the permit, Mrs. Correll should do the things suggested immediately.

Mrs. Correll told the Council that she has things - lumber and power saw - in the house, and that she is in need of the storage room.

Councilman Godfrey said that what had been proposed should not be the best thing for Mrs. Correll, but that it could be done.

The Mayor wondered if the neighbors would want that.

Mr. Rick pointed out that Mrs. Correll cannot show the hardship circumstances required in application for variance. Still she can have building, sheds, storage buildings, he pointed out.

Councilman Godfrey asked Mr. Rick to review the reasons applying to application for variance.

Hearing

Mr. Rick reviewed the reasons set forth, and told of the appellant's reasons outlined in the variance request. He said that hundreds of lots have been built upon to comply with the law. He added that hundreds of lots in East San Diego have been split. He continued with answers to the points of hardship, and gave his reasons for opposing the request. He said that Mrs. Correll can have the storage without going to the east. He declared that Dorland (The Building Inspector) had found this to be a violation - also the property to the east.

Mr. South said that the corrugated building referred to on the east as having been condemned which resulted in being torn down.

Councilman Wincote said that while the house to the north is very attractive in the front, it is not in the rear.

Mr. Rick continued to review the replies to the questions on the request.

Mr. South answered Councilman Schneider regarding the property to the north.

There was general discussion.

Councilman Burgerer moved to overrule the Zoning Board - on condition that the building be completed in 60 days, and that it be brought up to building code, which motion was seconded by Councilman Wincote.

Councilman Wincote pointed out, before the roll was called, that 5 members would need to vote in favor of the motion to have it carry.

Mrs. Correll asked the Council to hear the statements favoring the appeal.

The Mayor declared that when the City breaks a side yards it gives others the right to do the same.

Councilmen Burgerer, Wincote and Schneider all stated that if the appellant complies it will look worse. Mrs. Correll agreed.

Councilman Wincote stated that he had told Mrs. Correll that she would not be cut short, and that the Council would hear whatever she had to present.

Mrs. Correll stated that she was surprised at the Council's friendliness. She read statements of support, from her neighbors.

Councilman Wincote said that the same type of endorsement, which would amount to a repetition, would not be necessary. He said he felt that Mrs. Correll would help her case if she did not continue to present evidence.

Councilman Kerrigan mentioned having talked with Mr. Shafer (Ira Shafer, 3815 Wilson Avenue). He said Mr. Shafer had been requested to present evidence at this hearing, but had not.

Mrs. Correll told the Council that Mr. Shafer had expressed no opposition. As a matter of fact, he had helped her with the concrete slab, and that he had given her the name of a friend who could do the work.

Councilman Schneider said that if two oppose (members of the Council) today, Mrs. Correll would not get the variance.

Councilman Wincote asked if the Council could be polled.

The Mayor told the Council that it had been agreed to continue with the matter under consideration, despite absences. At another continued hearing it would be necessary to go over the proceedings for the benefit of the then Councilmen, and possibly some of the members present now would be absent.

Councilman Godfrey maintained that the application does not qualify for the variance. He said that any hardship which exists had been created by the owner (Mrs. Correll).

Mrs. Correll answered Councilman Godfrey by admitting that no plans had been submitted, and that she was \$1,000 under the plans requirement for the permit.

Councilman Godfrey said that there is a hardship, and re-iterated that as it exists it had been created by the appellant.

Mrs. Correll told the Council that there is a hardship, whether the building is granted or not.

Councilman Godfrey told Mrs. Correll that he felt that there was no responsibility for this hardship.

Councilman Wincote asked Mr. Rick about cutting 4 feet of the building on the north.

Mr. Rick replied that the owner on the north could increase, and that it would prove a bad precedent. He said that the ordinance of the City has to mean something. He pointed out that Mr. Shafer had been denied a permit for a building to the side line, and that the man next door had complied with requirements.

Councilman Schneider asked the City Attorney about the matter of an unfavorable vote, and if the appellant would as a result need a new application and the filing of another fee. He wanted, also, to know about the compromise.

Instead of being permitted to reply, Mrs. Correll, referring to taking 4 feet off the northwest line she "would not do it". She said she felt it important to look over the premises, and told members of the Council that photographers can make anything attractive.

At this point, Mr. Rick showed a map to the Council, and talked to members about it.

Mrs. Correll spoke to Councilman Kerrigan regarding the Shafer statement of no opposition.

Councilman Kerrigan pointed out that Mr. Shafer was not here, despite his having asked for a statement from Mr. Shafer.

Mrs. Correll then asked to have the vote held up awaiting Councilman Dail's presence.

Councilman Wincote said that Mr. Shafer might be willing to file a statement.

Councilman Kerrigan said that if he were Mr. Shafer he would ask for the same thing, if given to Mrs. Correll.

Councilman Schneider said that he does not interpret Mr. Shafer's comment the same way as does Mrs. Correll.

Mrs. Correll repeated that Mr. Shafer has not objected.

Councilman Kerrigan said that nevertheless, there is no letter to the Council from Mr. Shafer to that effect.

Councilman Godfrey pointed out that if Mrs. Correll had come down to take out a permit her investment would not have been jeopardized, in that it would not have been given.

Mrs. Correll said that she cannot visualize the picture at this time.

Councilman Kerrigan asked to have the motion withdrawn, and the matter referred back to the Planning Director for a compromise.

The roll was called on the motion to sustain the appeal, and overrule the decision of the Zoning Adjustment Board, as follows: Yeas--Councilmen Burgener, Wincote, Schneider. Nays--Councilmen Kerrigan, Godfrey, Mayor Butler. Absent--Councilman Dail.

After the motion to overrule the Zoning Adjustment Board had lost, Councilman Schneider was heard. He proposed that the Council approve the plan regarding the Margaret G. Correll appeal for variance to permit a garage and storage building at 3803 Wilson Avenue, as shown on the Planning Director's compromise. Councilman Schneider said that he had talked to Douglas D. Deaper, Deputy City Attorney, and had been advised that another motion would be proper. He made such a motion, but there was no second.

No further action followed beyond the motion which had been lost.

Communication from the Purchasing Agent reporting on bids received February 9, 1954, from 6 bidders for paving, etc. of portion of 47th Street southerly of Hilltop Drive, and construction of curb inlet, cleanout and storm drain in 47th Street and Market Street, was presented. It recommended award to Griffith Company, low bidder, in the amount of \$3498.00 - .06% below estimate of the City Engineer.

RESOLUTION NO. 116825, recorded on Microfilm Roll No. 76, accepting bid of Griffith Company for paving and otherwise improving portion of 47th Street and curb inlet, cleanout and storm drain in 47th 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 Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for replacing defective areas of protective coating in Digester No. 6 at Sewage Treatment Plant, received January 28, 1954, from 3 bidders, was presented. It recommended award to George C. Punton, low bidder, in the amount of \$902.00 - 60% lower than the estimate.

RESOLUTION NO. 116826, recorded on Microfilm Roll No. 76, accepting bid of George C. Punton for replacing defective areas of protective coating in Digester No. 6 at Sewage Treatment Plant; awarding contract, 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 Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing 1 Concrete Gunning Machine for repairs to curbs, received from 3 bidders, recommending award to Smith Booth Usher Company of Los Angeles, low bidder, at \$1,145.00, f.o.b. San Diego plus State Sales Tax, was presented.

RESOLUTION NO. 116827, recorded on Microfilm Roll No. 76, accepting bid of Smith Booth Usher Company for furnishing 1 Concrete Gunning Machine; awarding contract, authorizing and instructing the City Manager to execute contract therefor pursuant to specifications on file in the office of the Purchasing Agent, 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 Sectional Cement Burial Boxes for period of one year beginning March 1, 1954, as per specifications on file in the office of the City Clerk bearing Document No. 485614, was presented.

RESOLUTION NO. 116828, recorded on Microfilm Roll No. 76, authorizing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Sectional Cement Burial Boxes, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for 1 20" Standard Duty Universal Shaper for the Public Works Department as per specifications on file in the office of the City Clerk bearing Document No. 485617, was presented.

RESOLUTION NO. 116829, recorded on Microfilm Roll No. 76, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 20" Standard Duty Universal Shaper, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Director, stating that at the meeting of the Board of Directors of the San Diego County Planning Congress held February 16, it was decided that the Council should be commended for action in placing matter of \$16,000,000.00 bond issue for necessary sewers before the public for a vote, was presented. It states that the Planning Congress felt that it was a most constructive action and one of lasting benefit to the City of San Diego.

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

Communication from California Association of High Twelve Clubs, dated February 20, 1954, addressed to Frank C. King, President, was presented. It was a copy, signed by A. Lee Oder, Berkeley High Twelve Club, Arthur E. Schifferman, Los Angeles High Twelve, approved by Frank Cronan, thanking the Council et al for assistance at its conference held in Hotel Manor on February 20, 1954.

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

Communication from Lena Kendall (Mrs. Oscar J. Kendall) 3995 Crown Point Drive, San Diego 9, dated February 20, 1954, was presented. It refers to damage done to property at the northwest corner of Block 7 Venice Park Subdivision, etc.

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

Communication from San Diego Highway Development Association, 4479 Ingraham St., dated February 19, 1954, signed by Robert Apitz, Secretary, was presented. It refers to a discussion on the feasibility and advisability of constructing a Freeway thru Switzer Canyon conducted at its regular meeting Monday Feb. 15, with counsel and guidance of Assistant Planning Director Harry Haelsig and Chief Planning Technician Larry Milne, and outlines a motion going on record that an engineering study be made to determine the feasibility and cost of construction, and that no decision be made relative to any facilities which would interfere with construction of a free^{way} through Switzer Canyon until an engineering study has been made.

RESOLUTION NO. 116830, recorded on Microfilm Roll No. 76, referring San Diego Highway Development Association communication to Council Conference, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from San Diego City & County Visitors' Bureau requesting allocation of \$30,000.00 in the 1954-55 Budget for advertising and publicizing the San Diego area, was presented. Said communication, dated February 19, 1954, was signed by H. E. Callaway, president. It mentions, among other things that tourists last year spent approximately \$15,000,000, and that the City of San Diego received about \$75,000 in sales tax as a direct result by purchases by tourists.

RESOLUTION NO. 116831, recorded on Microfilm Roll No. 76, referring to the City Manager for Budget Conference communication from San Diego City and County Visitors' Bureau, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from John D'Alfonso, 621 Orpheum Theatre Building, San Diego 1, California, dated February 23, 1954, commending the Council for its fine job, but that nevertheless his tax bill is getting higher each year. It is critical of the City's ambulance situation, and cites a particular instance on February 21 at Lincoln Avenue cut-off from Cabrillo Freeway. The communication says it is not asking too much that a city of this size provide its citizens with at least adequate ambulance service. The writer states that perhaps it is a matter for the Grand Jury to investigate, but he felt that the Council would be interested in taking the necessary steps to clear up "this deplorable and shameful condition".

The letter was read to the Council by the Clerk, at the request of Councilman Godfrey.

Councilman Schneider observed that it was a good letter.

Councilman Kerrigan said it should be referred to the City Manager.

Paul Loeber, La Jolla Ambulance and American Rent-a-Car tried to speak.

The City Manager said that a hearing can be had, if desired. He said that he wants to investigate and report to Conference.

Councilman Wincote said that the City Manager can give the needed information.

Edward F. Cox, Lincoln Ambulance Co., told the Council that his company has never failed to go out when called. He said that he has also gone out to administer first aid until the ambulance which was called arrives.

Mr. Loeber said that the City has a contract, and that it is not fair to call ambulances from a distance although contract exists.

Councilman Schneider said that the matter should be taken up with the City Manager.

Councilman Godfrey moved that the Manager report to the Council a week from today.

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

Communication from San Diego Public Safety Committee, 216 525 "E" Street, San Diego 1, California, dated February 23, 1954, being copy addressed to Planning Commission c/o Mr. Harry Haelsig, Secy., was presented. It favors the contemplated improvement of directly connecting San Diego Avenue with the south entrance to Morena Boulevard bridge.

RESOLUTION NO. 116832, recorded on Microfilm Roll No. 76, referring communication from San Diego Public Safety Committee re connection of San Diego Avenue with south entrance to Morena Boulevard bridge to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from San Diego Council of Churches, P.O. Box 607, 3901 Lomaland Drive, San Diego 6, California, dated February 2, 1954, signed by Wayne A. Neal, Executive Secretary, was presented. It refers to an editorial in a daily newspaper built around the subject "Prayer Joins with Politics", and states that if the Council is interested, said Council of Churches would be happy to take the lead in cooperating and inviting the other two faiths to share in a plan of opening the City Council meeting with prayer.

RESOLUTION NO. 116833, recorded on Microfilm Roll No. 76, referring communication from San Diego Council of Churches to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication signed by Mildred Gayer, Leonard W. Whitehouse and Minnie M. Whitehouse, was presented. It petitions the Council, as owners of portion of Pueblo Lands 1151 and Haffenden and Highs Addition to Sunnysdale to determine necessity for extension of 35th Street from A to C Streets as proposed

by Harry Haelsig, Assistant City Planning Director, was presented. It opposes extension through their property "on proper hearing at the proper time", when reasons are to be explained.

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

The Mayor requested Mr. Haelsig to be heard.

Mr. Haelsig said that the matter is regarding studies for a trailer park, and that he had gone over design of such a trailer park. He said that would shut off access, unless a street is put in on the edge. Mr. Haelsig maintained that there should be a circulatory system.

There were individuals present who indicated that they wanted to be heard. They were told that the Council does not have the necessary information, but that it is to be received.

On motion of Councilman Kerrigan, seconded by Councilman Schneider the communication was referred to the Planning Department.

(See also page 329)

RESOLUTION NO. 116834, recorded on Microfilm Roll No. 76, accepting bid of Harry L. Foster and George H. Foster for property described as Block 107 Horton's Addition - offered at public auction held by the Property Supervisor at 10:00 o'clock A.M., February 11, 1954, in the sum of \$100,000.00, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said Resolution states that said bid was the only bid received, at the minimum amount which the Council fixed for sale of said property, and that the City Manager has recommended that it be accepted.

It authorizes and empowers the Mayor and City Clerk to execute, for and on behalf of the City a quitclaim deed quitclaiming to said Harry L. Foster and George H. Foster an undivided one-half interest each in said property; authorizes and directs 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; directing him, upon completion of sale to return to James Kopecky the \$100.00 deposit heretofore made by him pursuant to Section 22.0904. The Resolution directs that all expenses in connection with the sale be deducted from proceeds.

(See also page 329).

RESOLUTION NO. 116835, recorded on Microfilm Roll No. 76, declaring bid submitted by Royal Pipeline Construction Company for installation of Small Water Main Replacements, Group 11, 1953-54, to be the lowest of 6 bids received, and awards contract, at unit prices which amount to a total estimated sum of \$79,467.75, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted. Said Resolution also authorizes and empowers the City Manager to execute, for and on behalf of the City a contract with said Royal Pipeline Construction, upon execution by said company of said contract, and upon execution, delivery, filing and approval of bonds required.

RESOLUTION NO. 116836, recorded on Microfilm Roll No. 76, stating that the City is contemplating entering into a lease agreement (with option to purchase) of a water system serving the Lomita Village Subdivision, etc., and that the Charter requires that Notice thereof shall be published in the official newspaper at least two weeks before final action by the Council, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Said Resolution directs the City Clerk to publish at least two weeks before the date stated therein, the following notice:

"NOTICE OF APPROVAL OF AGREEMENT

NOTICE IS HEREBY GIVEN that the Council of The City of San Diego, at 10:00 a.m., on the 18th day of March, 1954, in the Council Chamber, Room 358, Administration Building, Civic Center, San Diego, intends to authorize the execution of agreement for the lease (with option to purchase) of a water system serving the Lomita Village Subdivisions which said agreement involves the payment of money out of the appropriations of more than one year.

BY ORDER OF THE COUNCIL.

FRED W. SICK

City Clerk"

RESOLUTION NO. 116837, recorded on Microfilm Roll No. 76, authorizing and directing the City Clerk, on behalf of the City Council, to advise the Board of Supervisors of the intention of the Council with respect to Special elections, and to request, on behalf of the Council, permission of said Board to consolidate said special elections with the State Primary Election, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Said Resolution states that it is the intention of the Council to call two special elections, on the 8th day of June, 1954, for submitting to the electors proposals to amend the Charter, adopt a proposed initiative ordinance, and to incur a bonded indebtedness for sewer purposes; and that the State Primary Election is to be held on the 8th day of June, 1954, and that the Council is of the opinion that it will be in the interests of the people of The City of San Diego and of the County of San Diego to consolidate said special elections of the City with said State Primary Election.

RESOLUTION NO. 116838, recorded on Microfilm Roll No. 76, authorizing the City Manager to employ Daley Corporation to replace six concrete driveways on Florence Street, between Wabash Boulevard and 35th Street; the cost of said work not to exceed the sum of \$165.00, which sum shall be payable from the funds appropriated by Ordinance No. 5341 (New Series) of the ordinances of the City, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Said Resolution states that The City has entered into contract with Daley Corporation for improvement of Florence Street under a 1911 Street Improvement Act proceedings, that in connection with said work certain driveways will have to be replaced, which work is in addition to the work provided in the proceedings, also that Daley Corporation, contractor, has offered to do the work for the sum of \$165.00, and the City Manager has recommended acceptance of offer and work be done.

RESOLUTION NO. 116839, recorded on Microfilm Roll No. 76, authorizing the City Manager to employ V. R. Dennis Construction Company to remove 11.9 lineal feet of curb and sidewalk and construct 13.2 lineal feet of curb and sidewalk in order to narrow the curb to curb width of Rhode Island Street at its intersection with Madison Avenue, as shown on Engineer's Drawing 10805-L, in connection with the improvement of said Rhode Island Street; the cost of said work not to exceed the sum of \$94.40, which sum shall be payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution states that The City has heretofore entered into contract with V. R. Dennis Construction Company for improvement of Rhode Island Street between Golden Gate Drive and Madison Avenue, under a 1911 Street Improvement Act proceeding; that drawing 10805-L for said work shows 11.9 lineal feet of curb and sidewalk to be removed, and 13.2 lineal feet of curb and sidewalk to be constructed, that said contractor has offered to do the work for \$94.40 and the City Manager has recommended that offer be accepted.

RESOLUTION NO. 116840, recorded on Microfilm Roll No. 76, authorizing the City Manager to employ R. E. Hazard Contracting Co. to do certain drainage work, consisting of installation of cross gutters in Scott Street at Ingelow Street, and trenching and backfilling of ditch which was dug for two 12" culverts, in connection with improvement of portions of Scott Street, Ingelow Street and Jarvis; cost not to exceed \$608.00, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Said Resolution states that The City has heretofore entered into contract with R. E. Hazard Contracting Co., for paving and otherwise improving of Scott Street, Ingelow Street and Jarvis Street under a 1911 Street Improvement proceeding, that drawing 10200-L for said work shows drainage work, consisting of installation of cross gutters and trenching and backfilling of ditch which was dug for two 12" culverts, to be done by City forces, that said contractor has offered to do work for \$608.00 and the City Manager has recommended that offer be accepted.

RESOLUTION NO. 116841, recorded on Microfilm Roll No. 76, approving Change Order No. 1, dated February 8, 1954, heretofore filed with the City Clerk as Document No. 485632, issued in connection with contract between The City of San Diego and Ets-Hokin & Galvan for installation of traffic signals and safety lights on National Avenue, at 28th Street, 30th Street, 32nd Street and 43rd Street, contract contained in Document No. 481830 on file in the office of the City Clerk, changes amounting to increase in contract price of \$197.00, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116842, recorded on Microfilm Roll No. 76, approving request of The Shea Company, dated February 16, 1954, contained in Change Order No. 6, for extension of 22 days, to and including March 10, 1954, heretofore filed with the City Clerk as Document No. 485634, in which to complete contract for construction of Black Canyon Tunnel (Sutherland-San Vicente Conduit), contract contained in Document No. 157158 on file in the office of the City Clerk, extending completion time to March 10, 1954, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116843, recorded on Microfilm Roll No. 76, approving Change Order No. 56, dated February 15, 1954, heretofore filed with the City Clerk as Document No. 458635, issued in connection with contract between The City of San Diego and F. E. Young Construction Company 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 contract price of \$219.56, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116844, recorded on Microfilm Roll No. 76, accepting subordination agreement, executed by Ralph S. Roberts, beneficiary, and Land Title Insurance Company, trustee, bearing date February 12, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Acre Lot 21 Pacific Beach, to the right of way and easement for storm drain heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said deed 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 Burgener, adopted.

RESOLUTION NO. 116845, recorded on Microfilm Roll No. 76, accepting subordination agreement, executed by Marvin R. Willis and Violet K. Willis, beneficiaries, and The First National Trust and Savings Bank of San Diego, trustee, bearing date February 2, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Pueblo Lot 1774, 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116846, recorded on Microfilm Roll No. 76, accepting Deed of W. E. Starke and Cecelia G. Starke, bearing date December 17, 1953, conveying Lot 24 Block 39 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116847, recorded on Microfilm Roll No. 76, accepting Deed of Ethel Chambers, bearing date February 9, 1954, conveying easement and right of way for sewer purposes in portion of Lots 38 and 39 Block 14 Swan's Addition; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116848, recorded on Microfilm Roll No. 76, accepting Deed of Fred C. Corey, Jr. and Wanda Lee Corey, bearing date February 2, 1954, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 1774; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116849, recorded on Microfilm Roll No. 76, accepting Deed of The Presbytery of Los Angeles, bearing date February 3, 1954, conveying easement and right of way for storm drain 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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116850, recorded on Microfilm Roll No. 76, accepting deed of Union Title Insurance and Trust Company, bearing date February 4, 1954, conveying easement and right of way for water main purposes in portion of Lot 10 The Highlands, lying within County Road Survey 1220 (closed); authorizing and directing the City Clerk to file said deed 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 Burgener, adopted.

RESOLUTION NO. 116851, recorded on Microfilm Roll No. 76, accepting deed of Union Title Insurance and Trust Company, bearing date February 4, 1954, conveying easement and right of way for sewer purposes in portion of Lot 10 The Highlands, and lying within County Survey 1220 (closed); authorizing and directing the City Clerk to file said deed 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 Burgener, adopted.

At this time the Council, without reconsideration of action having been taken previously, referred back to communication relative extension of 35th Street from A to C Streets.

Mr. Gayer said that it seems to be brand new. He spoke of being able to get the proper zone (for a trailer court) but had been unable to get financing to develop. He said that the property remains as acreage. He asked where the 35th Street would go.

The Mayor replied that the Planning Department has the only answers.

Councilman Wincote asked about the project, and stated that information is needed before the Council acts.

A woman, who did not give her name, said that the street is not needed.

The Mayor said that nothing has come before the Council on the subject.

Councilman Wincote said that it can be made to come before the Council.

On motion of Councilman Burgener, seconded by Councilman Wincote Harry C. Haelsig, Assistant Planning Director, was directed to report to the Council on the matter one week from today.

(See also page 327 of these Minutes on this subject).

Next, followed discussion between Councilman Godfrey and the City Manager regarding the acceptance of bid for property being Block 107 Horton's Addition at the sum of \$100,000.00, which had been acted upon. Councilman Godfrey observed that the single bid was made at the minimum figure set relative to the sale.

(There was no further action).

See also page 327 of these minutes.

On motion of Councilman Schneider, seconded by Councilman Burgener, the next ordinance was introduced.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of said ordinance 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.

ORDINANCE NO. 5985 (New Series), recorded on Microfilm Roll No. 76, appropriating \$3,900.00 from the Capital Outlay Fund for preparation of subgrade and paving of portion of 47th Street, southerly of Hilltop Drive, and the construction of a curb inlet, cleanout and storm drain in 47th Street and Market Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

On motion of Councilman Schneider, seconded by Councilman Burgener, the next ordinance was introduced.

116847 - 116851
5985 N.S.
Ord. Introduced

2/25/54

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of said ordinance 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 adoption a written or printed copy.

ORDINANCE NO. 5986 (New Series), recorded on Microfilm Roll No. 76, appropriating \$1,000.00 from the Unappropriated Balance Fund, for the purpose of providing funds to cover cost of applying protective coating on digester No. 6 at the Sewage treatment plant, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

On motion of Councilman Burgener, seconded by Councilman Wincote, Ordinance establishing grade of Hueneme Street, between the easterly prolongation of the southerly line of Lauretta Street and the easterly prolongation of the southerly line of Riley Street, was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, 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 adoption a written or printed copy.

ORDINANCE NO. 5987 (New Series), recorded on Microfilm Roll No. 76, establishing grade of Hueneme Street, between the easterly prolongation of the southerly line of Lauretta Street and the easterly prolongation of the southerly line of Riley Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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

At the request of members of the Council, proposed Resolution relative to demountable houses, buildings and structures from the City unless the same are remodeled or reconstructed in accordance with State and Building Codes, was read by the Clerk. It says that the Council is of the opinion that under terms and provisions of the Lanham Act authorizing war emergency housing it was the intent of the Federal Government and the understanding of the City that all such demountable houses, etc. be removed within a reasonable time.

The Mayor spoke about the designation being changed to permanent.

Mr. Haelsig that the U.S.A. had described in contract, the way the resolution has the buildings designated.

The Mayor said that the signation should be clarified.

Councilman Schneider moved that the proposed Resolution be changed to class the housing structures "formerly identified as demountable", instead of "demountable, which motion was seconded by Councilman Burgener. On said motion and second;

RESOLUTION NO. 116852, recorded on Microfilm Roll No. 76 - in addition to a long preamble - states that it is the sense and opinion of the Council that the public interest of The City of San Diego and its inhabitants require removal from the City limits of all housing structures or buildings formerly identified as demountable, heretofore operated or maintained by the Federal Government in connection with war housing, or that the City not permit use of such demountable houses, buildings or structures within The City of San Diego for habitation purposes unless such houses, buildings or structures have been remodeled or reconstructed in accordance with State and City building codes, and that if said houses, buildings and structures are allowed to remain on site the same shall be brought into conformity with the State Housing Act, The City of San Diego Building Code, the zoning requirements and subdivision laws of The City of San Diego and the State of California; that the disposition of said demountable housing be made at the earliest possible date, and programmed in an orderly manner consistent with the housing need of The City of San Diego, Godfrey, seconded by Councilman Wincote, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Burgener, at the hour of 11:26 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

116852
5986 N.S. - 5987 N.S.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, March 2, 1954

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

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:02 o'clock A.M.

The Minutes of the Regular Council Meetings of Tuesday, February 23, 1954, and of Thursday, February 25, 1954, were presented to the Council by the Clerk.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for Adams Avenue and Mansfield Street 12" Pipe Line - Specification No. 87 - having arrived, the Clerk reported that 6 bids had been received, and presented them to the Council.

Said bids were as follows:

Dan E. Pace dba Pace Construction Company, 2041 Cleveland Avenue, National City, California, accompanied by bond written by American Surety Company of New York for 10% of total amount bid, given Document No. 485937;

W. A. Robertson, S. E. Robertson, S. E. Robertson, M. L. Robertson, B. W. Robertson and D. V. Upshaw, doing business as V. A. Robertson & Company, accompanied by bond written by Fidelity and Deposit Company of Maryland, given Document No. 485938; - 10% of amount bid;

Walter H. Barber, an individual, 7309 El Cajon Boulevard, La Mesa, California, accompanied by bond written by Hartford Accident and Indemnity Company for 10% of amount of accompanying bid, given Document No. 485939;

L. B. Butterfield, accompanied by bond written by Maryland Casualty Company of Baltimore, for 10% of amount bid, given Document No. 485940;

V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York for 10% of total amount of bid, given Document No. 485941;

Councilman Godfrey entered the meeting

Cameron Bros. Construction Company, accompanied by bond written by Glens Falls Indemnity Company for 10% of amount bid, given Document No. 485942.

On motion of Councilman Schneider, seconded by Councilman Burgener, bids were referred to City Manager and 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. 116281 for paving and otherwise improving Alley in Block 25 Ocean Beach, 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, and no written protests were presented.

On motion of Councilman Burgener, seconded by Councilman Schneider, 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. 116282 for paving and otherwise improving Alley in Block 76 Subdivision of Acre Lots 12, 13, 14, 39, 40, 41 and portions of Acre Lots 16, 37, 45, 46 and Blocks 150 and 151 Pacific Beach, 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, and no written protests were presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, 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. 116283 for paving and otherwise improving Alley in Block 176 University Heights, 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, and no written protests were presented.

Hearings

On motion of Councilman Schneider, seconded by Councilman Wincote, 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. 2201 made to cover costs and expenses of paving and otherwise improving Alley Block 43 Charles Hensley's Subdivision and 26th Street, under Resolution of Intention No. 112752, the Clerk reported that written appeal had been received from Jessie C. Gorham and Thelma G. Thompson, which was presented.

Asked for a report by the Mayor, the City Engineer said there was a 4.2% appeal regarding workmanship. He said his office had looked at the work following the appeal, and found it to be all right.

RESOLUTION NO. 116853, recorded on Microfilm Roll No. 76, overruling and denying appeal of Jessie C. Gorham and Thelma G. Thompson from the Street Superintendent's Assessment No. 2201 to cover costs and expenses of paving and otherwise improving Alley Block 43 Charles Hensley's Subdivision and 26th Street, under Resolution of Intention No. 112752; confirming and approving Assessment No. 2201; authorizing and directing the Street Superintendent to attach his warrant and issue the same in manner and form provided by law, directing him to record in his office the 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. 2202 made to cover costs and expenses of paving and otherwise improving Newton Avenue, under Resolution of Intention No. 111079, the Clerk reported that written appeal had not been received.

The Mayor inquired if anyone was present to be heard. No one appeared to be heard, and no appeals were presented.

RESOLUTION NO. 116854, recorded on Microfilm Roll No. 76, confirming and approving the Street Superintendent's Assessment No. 2202 to cover paving and otherwise improving of Newton Avenue under Resolution of Intention No. 111079; confirming and approving Assessment No. 2202; authorizing and directing the Street Superintendent to attach his warrant and issue the same in manner and form provided by law, directing him to record in his office the 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. 2203 made to cover costs and expenses of paving and otherwise improving Winona Avenue and 50th Street, under Resolution of Intention No. 111567, the Clerk reported that written appeal had been received from Nellie Mal James, which was presented.

The Mayor inquired if anyone was presented to be heard. No one appeared to be heard, and no additional appeals were presented.

Asked for a report, the City Engineer said that it was a new appeal of which he had no record.

The Mayor reviewed the appeal which is to the effect that the appellant cannot pay.

RESOLUTION NO. 116855, recorded on Microfilm Roll No. 76, overruling and denying appeal of Nellie Mae James (Silva), from the Street Superintendent's Assessment No. 2203 to cover costs and expenses of paving and otherwise improving Winona Avenue and 50th Street, under Resolution of Intention No. 111567; confirming and approving Assessment No. 2202, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in manner and form provided by law; overruling and denying all other appeals; directing the Street Superintendent to record in his office the 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 continued hearing on the Street Superintendent's Assessment No. 2197 (modified and corrected in accordance with Resolution No. 116761, the City Engineer told the Council that there was a new assessment roll resulting from the City's contribution of \$1,185.07.

A. C. Barnard told the Council that he was not objecting, but was just interested.

The Mayor spoke of the contribution made by the City.

The City Engineer said that the drain cost was now spread over the modified roll.

Mr. Barnard asked about the amount on his Lots 5 and 6 Block 3.

Willard Olson, of the City Engineer's Office, answered Mr. Barnard's question.

Mr. Barnard observed that there was quite a reduction.

Mrs. Smith asked about the assessment on her North 1/2 of Lots 37 to 40 incl., Block 303.

Mr. Olson gave the new assessment amount.

Councilman Burgener commented that Mrs. Smith's property did not contribute to the drain problem.

Mrs. Smith said the assessment is more now; was \$267.00, is \$284.00

Mr. Olson, who had given the amounts on the individual parcels, said Mrs. Smith was not right.

Councilman Schneider pointed out to Mrs. Smith that the new assessment is \$184.00, rather than \$284.00.

There was discussion between Mr. Olson and Mrs. Smith over the spread of the assessment.

Mr. Olson told her that the assessment had to be reduced proportionately.

There was discussion between Councilman Burgener and the City Engineer.

RESOLUTION NO. 116856, recorded on Microfilm Roll No. 76, overruling and denying appeal of Property Owners, and appeal of Mrs. Tennie C. McKinnon, from the Street Superintendent's Assessment made to cover the expenses of paving and otherwise improving of Pacific Beach Drive, under Resolution of Intention No. 111680; confirming and approving said modified and corrected Assessment; authorizing and directing the Street Superintendent to issue the same in manner and form provided by law, directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, set for hearing on Resolution No. 116405 of Preliminary Determination for paving and otherwise improving Alley Block 86 Point Loma Heights, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owner desired to be heard.

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

RESOLUTION NO. 116857, recorded on Microfilm Roll No. 76, determining that the proposed paving and otherwise improving of Alley Block 86 Point Loma Heights, within the limits and as particularly described in Resolution No. 116405 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 Burgener, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, set for hearing on Resolution No. 116406 of Preliminary Determination for installation of lights on Diamond Street and Cass Street, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners desired to be heard.

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

RESOLUTION NO. 116858, recorded on Microfilm Roll No. 76, determining that the proposed paving and otherwise improving of Diamond Street and Cass Street, within the limits and as particularly described in Resolution ~~of Intention~~ No. 116406 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 Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, set for hearing on Resolution No. 116407 of Preliminary Determination for paving and otherwise improving Thorn Street, within 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 desired to be heard.

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

RESOLUTION NO. 116859, recorded on Microfilm Roll No. 76, determining that the proposed paving and otherwise improving of Thorn Street, within the limits and as particularly described in Resolution No. 116407 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 Burgener, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, set for hearing on Resolution No. 116499 of Preliminary Determination for paving and otherwise improving Wightman Street and Ogden Street, within 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 desired to be heard.

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

RESOLUTION NO. 116860, recorded on Microfilm Roll No. 76, determining that the proposed paving and otherwise improving of Wightman Street and Ogden Street, within the limits and as particularly described in Resolution No. 116499 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, set for continued hearing on Resolution No. 115803 of Preliminary Determination for construction of storm drains in Olney Street, Grand Avenue, Kendall Street, Morrell Street, Noyes Street, Garnet Street, Diamond Street, Lamont Street, Chalcedony Street, Academy Street, Beryl Street and Public Rights of Way in Acre Lots 21 and 51 Pacific Beach, the Clerk mentioned that new protests had been received (in addition to those included in the previous hearings)

The City Engineer told the Council that 33.7% of cards sent out had not been returned, that 59.8% were against the improvement, while 6% favored it. He said that of the cards returned more than 90% were against the project.

* RESOLUTION NO. 116861, recorded on Microfilm Roll No. 76, sustaining protests against improvement of Olney Street, Grand Avenue, Kendall Street, Morrell Street, Noyes Street, Garnet Street, Diamond Street, Lamont Street, Chalcedony Street, Academy Street, Beryl Street, and Public Rights of Way in Acre Lots 21 and 51 Pacific Beach, as provided in Resolution No. 115803 of Preliminary Determination; sustaining all other protests thereon; abandoning proceedings heretofore taken, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

* Councilman Dail was excused.

116857 - 116861
Hearings

Councilman Dail returned to the meeting.

Communication from San Diego Chapter of the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc., requesting approval of the Council for solicitation of funds, in connection with expenses incurred for trips, etc., was presented.

Councilman Schneider moved to refer the petition to the Social Service. Motion was seconded by Councilman Kerrigan.

For Council information, the Mayor read the petition.

Councilman Godfrey asked how the Council would "recognize", as suggested. He declared that the Council is a legislative body.

The Mayor said that the Council could endorse the project, and refer it to the Social Welfare.

Councilman Kerrigan moved that the Mayor answer, and refer the petition to the Social Service Department, which motion was seconded by Councilman Schneider.

(Fred Whitney, the Mayor's Assistant, advised that he will answer the petition, then send it to the Social Service Dept.)

Petition of Burgener-Tavares, signed by Carlos Tavares, Partner, requesting permission to move walkway from present location, between vacant lots #3083 and #3084 Clairemont Unit #15, to a location in the west portion of lot #3083 so as to permit construction and operation of gas station on lots 3083 and 3084 - as shown on sketch attached - was presented.

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

Communication from the Purchasing Agent, with City Manager's stamp of approval, reporting on quotations from 6 bidders for furnishing various items of fire protection equipment, was presented. It recommended award to low bidders:

R. V. Morris Company of San Diego for furnishing 6 20-pound Chemical Extinguishers complete @ \$47.68

Bailey Equipment Company of San Diego for furnishing 2 MSA 40-cubic foot Air Cylinders complete @ \$39.50 each

Fulton Bag & Cotton Mills of Los Angeles for furnishing 12 12x14' Salvage Coggers @ \$34.65 each, less 25% discount

California Fire Equipment, Inc., of San Diego for furnishing 2 MSA Air Packs @ \$214.50 each; 1 MSA Pnealator complete with oxygen cylinder @ \$420.00; 1 MSA Spare Oxygen Cylinder @ \$35.00; 2 Vacuum Smoke Ejectors @ \$111.30 each; all terms 2%

It states B. F. McDonald Company of Los Angeles was co-low bidder with California Fire Equipment, Inc., of San Diego for air packs and Pnealator and Pnealator cylinder; award recommended to California Fire Equipment, Inc., due to being San Diego business.

All are plus State Sales Tax.

RESOLUTION NO. 116862, recorded on Microfilm Roll No. 76, accepting bid of California Fire Equipment, Inc. for furnishing Air Packs, Pnealator complete with oxygen cylinder; Spare Oxygen Cylinder, and Vacuum Smoke Ejectors; awarding contract, authorizing and instructing the City Manager to enter into and execute contract pursuant to specifications on file in the office of the Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116863, recorded on Microfilm Roll No. 76, accepting bid of Fulton Bag & Cotton Mills for furnishing Salvage Covers; awarding contract, authorizing and instructing the City Manager to enter into and execute contract pursuant to specifications on file in the office of the Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116864, recorded on Microfilm Roll No. 76, accepting bid of Bailey Equipment Company for furnishing 2 MSA 40-cu. ft. Air Cylinders complete; awarding contract, authorizing and instructing the City Manager to enter into and execute contract pursuant to specifications on file in the office of the Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116865, recorded on Microfilm Roll No. 76, accepting bid of R. V. Morris Company for furnishing 6 20-pound Chemical Extinguishers complete with spare cartridges; awarding contract, authorizing and instructing the City Manager to enter into and execute contract pursuant to specifications on file in the office of the Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, with City Manager's stamp of approval, reporting on bids for furnishing 2 85 cu. ft. Skid Mounted Compressors, 2 85 cu. ft. Portable Compressors, and 1 105 cu. ft. Skid Mounted Compressor, was presented. It recommends award to Crook Company of Los Angeles, low bidder, for furnishing 2 85 cu. ft. Compressors at \$1,735.00, 2 85 cu. ft. Portable Air Compressors at \$2,005.00 each, all f.o.b. City Shops, 20th & B; and Standard Iron Supply, Inc., low bidder for furnishing 1 105 cu. ft. Skid Mounted Compressor at \$2,469.00 f.o.b. City Shops at 20th & B Streets - plus State Sales Tax.

RESOLUTION NO. 116866, recorded on Microfilm Roll No. 76, accepting bid of Crook Company for furnishing 2 85 cu. ft. Skid Mounted Compressors and 2 85 cu. ft. Portable Air Compressors; 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 Burgener, adopted.

RESOLUTION NO. 116867, recorded on Microfilm Roll No. 76, accepting bid of Standard Iron Supply, Inc., for furnishing 1 105 cu. ft. Skid Mounted Compressor; 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 Burgener, adopted.

Communication from the Purchasing Agent, with City Manager's stamp of approval, reporting on bids for improvement of Anna Avenue between termination at Sherman Street and easterly line of A. T. & S. F. Railway Right of Way (including grading, paving and curb), received from 5 bidders on February 18, 1954,

116862 - 116867

Bid reports

Petition

recommending award to M. H. Golden Construction Company, low bidder, in the amount of \$7,080.50 - 21.3% below the estimate - was presented.

RESOLUTION NO. 116868, recorded on Microfilm Roll No. 76, accepting bid of M. H. Golden Construction Company for improving Anna Avenue; 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 Wincote, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, with City Manager's stamp of approval, was presented. It reports on quotations for 2 20" Flanged Plug Valves, and recommends purchase, with worm gearing, 175-lb capacity, standard drilling, equipped with Teflon gaskets at \$809.00 each, f.o.b. Chollas Station, plus State Sales Tax.

RESOLUTION NO. 116869, recorded on Microfilm Roll No. 76, authorizing and directing Purchasing Agent to purchase from Industries Supply Company 2 DV-153 20" AFC Flanged Plug Valves, etc., was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, with City Manager's stamp of approval, reporting on sole bid for Automatic Endorsing Machine to handle varied size documents ranging from water bill stubs to checks and warrants, was presented. It recommends purchase from A. D. Moore of Los Angeles, who quoted \$1,186.00 f.o.b. Brooklyn, New York, for furnishing 1 Model K Endorser manufactured by International Postal Supply Co.

RESOLUTION NO. 116870, recorded on Microfilm Roll No. 76, authorizing and directing the Purchasing Agent to purchase from A. D. Moore 1 Check Endorser, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116871, recorded on Microfilm Roll No. 76, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for construction of Addition No. 3 to Dog Pound at Azusa and Gaines Streets, consisting of Building to House Rest Rooms, Lockers, Animal Disposal Unit and Additional Kennels, bearing Document No. 485805; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116872, recorded on Microfilm Roll No. 76, approving plans and specifications for furnishing all material, labor, tools, equipment, transportation and other expense necessary or incidental for installation of street lighting system on northerly end of Shelter Island, bearing Document No. 485806; authorizing and directing the Purchasing Agent to publish notice calling for bids, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the Planning Director reporting on communication from Stone & Youngberg and the general matter of the proposed Kearny Mesa zoning, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the items were ordered filed. (The Clerk added them to the file on hearing set for March 11, 1954).

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspensions of portion of Municipal Code in connection with Tentative Subdivision Map of Dorado Terrace, was presented.

RESOLUTION NO. 116873, recorded on Microfilm Roll No. 76, suspending Sections 102.12-3, 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code in connection with Tentative Subdivision Map of Dorado Terrace, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Dorado Terrace, a 10-lot subdivision of portions of Pueblo Lots 1280, 1281 and 1286 located east of La Jolla Shores Drive at Paseo Dorado located in R-1B Zone, was presented.

RESOLUTION NO. 116874, recorded on Microfilm Roll No. 76, approving Tentative Map of Dorado Terrace, subject to 9 conditions, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 4 sections of the Municipal Code in connection with Tentative Subdivision Map of Mirandon Hill, was presented.

RESOLUTION NO. 116875, recorded on Microfilm Roll No. 76, suspending Sections 102.07-5, 102.12-1, 102.18, 102.17-c of the San Diego Municipal Code in connection with Tentative Subdivision Map of Mirandon Hill, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Mirandon Hill, a one-lot subdivision of portion of Block 13 Levitt's Addition, located in La Jolla area west of Pacific Highway, southwest of Torrey Pines Road on undedicated road (commonly called Ridgeway) through City property, subject to 5 conditions, was presented.

RESOLUTION NO. 116876, recorded on Microfilm Roll No. 76, approving Tentative Map of Mirandon Hill, subject to conditions set out, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending reapproval of Tentative Map of Muirlands Vista Unit No. 1, originally approved by Resolutions 110522 and 110523, was presented - with exception of Condition No. 1 which is to be amended.

RESOLUTION NO. 116877, recorded on Microfilm Roll No. 76, reapproving Tentative Map of Muirlands Vista Unit No. 1, approved by Resolutions 110522 and 110523, subject to all of the conditions and suspensions listed on said Resolution, except that condition No. 1 of Resolution 110522 is amended, 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 relative to Tentative and Final Maps of Roach Subdivision, was presented.

RESOLUTION NO. 116878, recorded on Microfilm Roll No. 76, suspending Sections 102.12-3, 102.12-4, 102.16-8, 102.18 of the San Diego Municipal Code insofar as they relate to Tentative and Final Maps of Roach Subdivision, 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 Roach Subdivision, for re-subdivision of Lot 2 Block 13 F. T. Scripps Addition, located in La Jolla at southwest corner of Marine Street and Draper Avenue, subject to 4 conditions, was presented.

RESOLUTION NO. 116879, recorded on Microfilm Roll No. 76, approving Tentative Map of Roach Subdivision, subject to conditions set out, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the City Planning Department - signed by Paul C. Kelley, Secretary, Board of Architectural Review - reporting on Municipal Code having to do with said Board. It submits Rules and Standards to be supplemented by others as rapidly as possible, and that the Council adopt attached rules.

RESOLUTION NO. 116880, recorded on Microfilm Roll No. 76, approving standards adopted by the Board of Architectural Review at the meeting of February 23, 1954, to be used by the staff and Board of Architectural Review in considering structures, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted. The Resolution says that plans and specifications for structures submitted to the Board of Architectural Review for approval, shall indicate the proposed structures will be substantial and well constructed, and will not be eyesores, monstrosities, or structures detrimental to the neighborhood, and sets out specific requirements.

Communication from the Planning Commission, signed by P. Q. Burton, re hearing on rezoning north one-half of P.L. 1202, easterly of Cabrillo Freeway, from conditional R-4 Zone to R-1, was presented. It reports that the Planning Commission voted unanimously to recommend that portion easterly of Cabrillo Freeway be placed in Zone R-1, and that appropriate action be taken to repeal Ordinance No. 5193 N.S. which purports to place the property in Zone R-4 if, and when, a subdivision map was filed.

RESOLUTION NO. 116881, recorded on Microfilm Roll No. 76, adopting recommendation of the City Planning Commission relative to zoning north 1/2 of P.L. 1202 easterly of Cabrillo Freeway into R-1 zone, and repeal of Ordinance No. 5193 New Series; requesting the City Attorney to prepare and present the necessary ordinance, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on letter of Mrs. Evelyn K. Peterson for change of name of Electric Avenue between Mesa Way and Gravilla Street to La Jolla Gables Avenue or another appropriate name, was presented. It says Electric Avenue is continuous for another block north of Gravilla Street to intersection with La Jolla Boulevard at Tyrian Street, that various agencies and City Departments have voted against the change, with 1 department approving it. The report says that present Major Street Plan shows Electric Avenue from Turquoise Street to Camino de la Costa to be proposed major street. It says that when if proposed major street is built some readjustment in street names will be necessary but change is not appropriate now. It states the Commission voted unanimously to recommend that the name remain unchanged.

RESOLUTION NO. 116882, recorded on Microfilm Roll No. 76, denying petition requesting change in name of Electric Avenue between Mesa Way and Gravilla Street to La Jolla Gables Avenue or another appropriate name, as recommended by the Planning Commission, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for change of name of Lowry Place to (in order of preference) Wideview Drive, Seabird or Plover Drive, was presented. It states petition is signed by owners representing 94% of street frontage involved. The communication says that prior to its dedication, the private easement was called Lowry Terrace for several years, and that it is fairly common to find that the name of a short street ends in "Place" or "Court" where street terminates in a longer street or avenue of the same name, which helps to locate minor streets. It recommends against the change by a vote of 5-1, and points out that there have been recommendations for and against the change.

RESOLUTION NO. 116883, recorded on Microfilm Roll No. 76, denying petition requesting change

of name of Lowry Place to Wideview Drive, Seabird Drive or Plover Drive, as recommended by the City Planning Commission, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, stating that on February 24, 1954, request of Property Management Division was considered covering area of City Property adjacent to San Diego River Flood Channel for designation as "Trailer Park District", was presented. It states that the request mentions that a call for bids for Trailer Park Lease has been received by the Property Division. The area in Pacific View Subdivision is identified as lying about 1000' east of Midway Drive, adjacent to the flood channel, is a triangular piece of land also bounded by Lapwai Street and Knoxville Street, land being subdivided into 25 x 132.5' lots bisected by a 15' alley, unimproved, as is Knoxville Street. It says that Lapwai Street has been graded, and curb installed on the southwesterly side, that no street or alley closings are contemplated. In addition to a detailed report, it states that property is in Zone R-4, which does not permit Trailer Parks, and is entirely vacant, that it is not an addition to any existing Trailer Park District, but is about 600' away from portion of Trailer Park District No. 1. The report says that after visiting the property, the Commission recommended by vote of 7-0 that the area should not be designated a Trailer Park District, and that public hearing by the Planning Commission would serve no useful purpose.

RESOLUTION NO. 116884, recorded on Microfilm Roll No. 76, recommending adoption of the City Planning Commission that the area of City Property adjacent to San Diego River Flood Channel be not designated as a Trailer Park District, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by P. Q. Burton, stating that on March 20, 1951, the Council by Resolution No. 101625 found that use of Lots 5 to 8 inclusive Block 39 Sherman's Addition in Zone C for construction and use of warehouse for packaged and canned goods was not more obnoxious or detrimental to welfare of the particular area than other permitted uses in "C" Zone, was presented. It transmits request of Interstate Restaurant Supply Company of February 16, 1954, that finding be made that construction and use of 81' x 100' building on the northwest corner of 17th and L Streets in C Zone as storage space for equipment is a similar enterprise and not more obnoxious or detrimental to the welfare of a particular community than uses permitted in said "C" Zone. In addition to a detailed report, it recommends that finding be made that construction and its use as storage space for equipment, furniture, supplies and packaged foods for restaurants and similar institutions is a similar enterprise or business and is not more obnoxious or detrimental to the welfare of the community than uses permitted in the "C" Zone.

RESOLUTION NO. 116885, recorded on Microfilm Roll No. 76, declaring use of Lots 5 to 8 inclusive Block 39 Sherman's Addition in C Zone for construction and use of warehouse as shown in the foregoing recommendation as being a similar enterprise or business and not more obnoxious or detrimental to the welfare of the community than uses permitted in "C" Zone, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Planning Director, stating that the Zoning Administration Section is in extreme need for additional personnel, was presented. It states that to prevent a situation developing with delays and backlog of work, it is necessary that 2 employees be added as soon as possible - a Planning Technician and an Intermediate Stenographer Clerk. That will mean an appropriation of \$2700 plus a sufficient amount for 2 chairs and desks which is estimated to cost about \$480.00, according to the communication which also asks that the appropriation be made.

Glenn A. Rick, City Planning Director, told the Council that the change over in the system regarding boards makes a great volume of work, and that there is need for checking by personnel in the field.

RESOLUTION NO. 116886, recorded on Microfilm Roll No. 76, adopting recommendation of the City Planning Director for additional personnel and equipment in the City Planning Department; directing the City Attorney to prepare and present the necessary Ordinance, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Morey S. Levenson, for Levenson, Levenson & Block, as attorneys for San Diego Unit of California Motor Court and Trailer Park Owners Association, requesting that ordinance introduced February 23, 1954, regulating Trailer Parks and purporting to amend numerous sections of San Diego Municipal Code, be set down for public hearing, was presented. It states that retroactive phases of several sections are such as to make it almost impossible for some of existing operators to continue. Also, it says that from time to time invitation has been given to sit in conferences in connection with drafting of the ordinance and at each certain agreements as to substance of the ordinance were reached, but when final draft was submitted to the Council it did not embody those agreements.

Mr. Levenson, appearing before the Council, said that the new Trailer Park Ordinance had been the subject of discussion over 2 years, and that he had been invited to attend conferences. He said the situation will have to be resolved by the Council. Mr. Levenson pointed out that the proposed Ordinance had been introduced under unanimous consent, without opportunity to be heard. He said that there are at least 3 objections.

Councilman Dail said that the newspapers had made mention of changes between the Trailer people and the City.

Mr. Levenson stated that the trailer space was not to be retroactive in the ordinance; but that it is - with 3 years to comply. He declared that is impossible for existing trailer park spaces, and pointed out that in some cases expenditures up to \$200,000.00 had been made.

Douglas D. Deaper, Deputy City Attorney, said he thought there was a 4 or 5 year period.

Mr. Levenson read from the ordinance regarding the 3 years to comply.

Councilman Schneider was excused.

Mr. Levenson said that it was not to be retroactive.

There was discussion between Councilman Dail and Mr. Levenson regarding such an agreement.

Councilman Dail said that was not a Council determination; that if there is not some time set, the ordinance will not be effective.

Mr. Levenson declared that some of the retroactive features are not legal, while some are. He referred to need for a 1/2 or 3/4 hour to make the proper presentation.

Mr. Deaper started to speak about the 3-year section being not effective, but did not finish, inasmuch as there was an interruption. He spoke of the Ordinance being subject to a later amendment, and the 3 years time in the proposed ordinance was an amendment.

Mr. Levenson stated that the Trailer Park matter is not one of urgency.

Councilman Schneider returned to the meeting.

The Mayor said that the Ordinance is to give clear, concise regulations.

Councilman Godfrey said that more regulations are needed.

Mr. Levenson said that there is no quarrel with the basis idea. He said a new ordinance would be easy to place in the Code, whereas the matter is badly hashed up at present. He re-iterated that there is a major area of agreement. He repeated that there was not the urgency such as introducing the ordinance last week, and adoption today.

RESOLUTION NO. 116887, recorded on Microfilm Roll No. 76, setting hearing for the hour of 10:00 o'clock A.M., Tuesday, March 9, 1954, to consider proposed Ordinance amending San Diego Municipal Code in connection with Regulating Trailer Parks, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from Ross Winans, 3303 - 2nd Ave., dated 25 Feb. 1954, referring to article in the San Diego Union stating that residents (owners) on said section of 2nd Avenue are almost unanimously in favor of "the proposed ordinance". It says that there have been several defeats of attempts, both official and unofficial, to rezone the R-1 section, and that it is considered especially important to prevent conversion of garages to evade zoning rule or changing entrances of corner houses.

On motion of Councilman Dail, seconded by Councilman Kerrigan, the communication was referred to the Planning Commission.

Communication from Mrs. Jeanne Riley, 1002 Johnson Avenue, protesting proposed destruction of Presidio Hills Pitch and Putt Golf Course in order to extend a freeway through the area, was presented. It lists several reasons for objecting, and lauds the golf course.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the communication was ordered filed.

Petition of residents for re-routing of a new Bus line, in connection with the Collwood District, was presented. It asks that the "controlling agency" abolish that portion of the route going east from 54th Street and Adams Avenue, and route it through the Collwood district instead.

The petition, which contains several signatures, says a copy was sent to the San Diego Transit Co. and Public Utilities Comm.

There was discussion between members of the Council and the City Manager regarding operation.

The City Manager said he will handle the matter.

Councilman Kerrigan said that the bus service had been put in at request of the residents, and now they oppose the routing.

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

Communication from North Park Business Club, signed by Roy E. Parker, president, dated February 25, 1954, stating that Resolution adopted to the effect that it goes on record that it is in substantial agreement with opinions expressed by the City Park and Recreation Commission to the effect that further study and thorough investigation be made of feasibility of locating proposed municipal convention hall in a now unimproved section of Balboa Park rather than the improved area at Sixth & Date, was presented. In addition to making detailed observation of needs for the location, it states that a committee of the Club members has been named with Dr. Douglas D. McElfresh as chairman, which stands ready and willing to discuss its views with the Mayor and Council if it is deemed advisable.

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

Communication from Kearney Mesa Development Assoc. c/o 7452 Hyatt Street, San Diego 11, signed by Mrs. H. F. Lee, president, and R. A. Hall, Sec., relative to zoning on Kearney Mesa, and land which is not in the flight pattern, was presented. It makes detailed statement relative to thousands of construction workers who could have been steadily employed over the last few months and adding more all the time if only the commission had acted before Christmas 1953. The communication says that lending institutions have indicated all along that funds are available for construction at the moment the question of zoning is settled.

On motion of Councilman Burgener, seconded by Councilman Dail, the communication was made part of the hearing file.

Communication from Leona B. Davis, whose address was not given, was presented. Dated Feb. 25, 54, it asks permission to address the Council on a complaint, Mar 2 at 10:00 A.M., the subject being not given.

The Mayor reviewed the letter for benefit of the Council.

Mrs. Leona Davis appeared, and stated that she has a problem. She told of a Mr. Adams

who had appeared and said that she owed \$24.00. As a result, Mrs. Davis said she talked to Mr. Beal about Mr. Adams on account of not having paid the bill. She stated that she sent a check within a few minutes, but that Mr. Adams was back the next day. Mrs. Davis told of having placed orders for 9 heaters, and that she had told Dr. Askew that she would not permit taking out the old heaters until the new ones were installed. Upon being questioned about the time involved, the speaker said it was 9 or 10 months, and that she had to wait. She said Mr. Beale was making a hunting out of himself by making frequent appearances at her place. Mrs. Beale related that she had informed Mr. Beale that she wanted anyone but him to make the inspection.

Councilman Schneider talked to Mrs. Davis regarding selection of an inspector, which he indicated was unusual.

Mrs. Davis told the Council that the heaters had been approved 5 times, but that she had been given a citation.

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

RESOLUTION OF AWARD NO. 116888, recorded on Microfilm Roll No. 76, accepting bid of John B. Henry, and awarding contract, for paving and otherwise improving Ellison Place, within limits and as described in Resolution of Intention No. 115895, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

A written report by the City Engineer said that low bid is 11.2% below the estimate.

OF AWARD

RESOLUTION/NO. 116889, recorded on Microfilm Roll No. 76, accepting bid of Griffith Company, a corporation, and awarding contract for paving and otherwise improving 54th Street, Blackton Drive, 55th Street, Balboa Vista Drive, 56th Street, Olive Street, Seifert Street, Biloxi Street, Laurel Street, Faulconer Street, Alleys in Blocks A, B, C, D, F, G, H and J Balboa Vista, Alleys in Balboa Vista Heights which lies easterly of and contiguous to Lots 4 to 12 inclusive of said Balboa Vista Heights, Alley lying easterly of and contiguous to Lots 4 to 9 inclusive Block 1 Balboa Vista, Lolly Circle, Alley in Lot 3 C. C. Seaman's Subdivision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

A written report from the City Engineer said that low bid is 13.2% below the estimate.

Councilman Kerrigan pointed out that it a \$70,000.00 job, and a low bid.

The Mayor asked Richard Steck, contractors' representative, if he wished to say anything.

Mr. Steck replied that competition is keen, and there is need for work, and spoke for the City doing any jobs it can which need to be done.

RESOLUTION OF AWARD NO. 116890, recorded on Microfilm Roll No. 76, accepting bid of John B. Henry, and awarding contract for paving and otherwise improving Santa Isabel Drive and Olvera Avenue, within limits and as described in Resolution of Intention No. 115897, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

A written report from the City Engineer said that low bid is 29.0% below the estimate.

RESOLUTION OF AWARD NO. 116891, recorded on Microfilm Roll No. 76, accepting bid of Griffith Company, a corporation, and awarding contract for paving and otherwise improving 68th Street, within the limits and as described in Resolution of Intention No. 115632, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

A written report from the City Engineer said that low bid is 29.1% below the estimate.

RESOLUTION OF AWARD NO. 116892, recorded on Microfilm Roll No. 76, accepting bid of San Diego Gas & Electric Company, and awarding contract, for furnishing electric current and maintenance of appliances in Mission Beach Lighting District No. 1, for a period of one year from and including May 15, 1954, to and including May 14, 1954, in accordance with Engineer's Report and Assessment filed December 11, 1953 in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116893, recorded on Microfilm Roll No. 76, approving plans, typical cross-sections, profiles and specifications for grading and sidewalking of Missouri Street, under Document No. 483424, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Proposed Resolution ordering work for closing portion of Murray Canyon Road, as described therein, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said Resolution was not continued. (Date to which it was continued was not part of the motion).

RESOLUTION OF INTENTION NO. 116894, recorded on Microfilm Roll No. 76, for paving and otherwise improving Birch Street, within limits and as described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 116895, recorded on Microfilm Roll No. 76, for paving and otherwise improving Camino del Collado, within limits and as described in said Resolution, was on motion of Councilman Wincote, adopted.

cilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 116896, recorded on Microfilm Roll No. 76, for paving and otherwise improving Missouri Street, within limits and as described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116897, recorded on Microfilm Roll No. 76, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 139 University Heights, Tyler Avenue, Public Rights of Way, described in Resolution of Intention No. 112879, and to be assessed therefor; directing the Clerk at the same time of said approval, to certify the fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116898, recorded on Microfilm Roll No. 76, approving diagram of property affected or benefited by work of improvement to be done on installation of curb and sidewalk in Poole Street, Azul Street and La Jolla Shores Drive, described in Resolution of Intention No. 113264, and to be assessed therefor; directing the Clerk at the same time of said approval to certify the fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116899, recorded on Microfilm Roll No. 76, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Redwood Street and Haller Street, described in Resolution of Intention No. 112880, and to be assessed therefor; directing the Clerk at the same time of said approval, to certify the fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets; was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116900, recorded on Microfilm Roll No. 76, directing the City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Alleys Blocks 7 and 2 Alhambra Park, described in Resolution of Intention No. 113748 and to be assessed to pay expenses thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116901, recorded on Microfilm Roll No. 76, granting John A. Reed permission to construct sewer in portion of Bangor Street by private contract, according to Engineer's plans, etc., on file in the office of the City Clerk under Document No. 484970, on conditions set out, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Harbor Department, signed by John Bate, dated 25 February 1954, submitting for approval form of Agreement for Amendment of Tideland Lease modifying original lease with Point Loma Development Corporation, was presented. It states Agreement for Amendment increases leased area by adding 25-foot strip to easterly property line and increases rental proportionately - also provides that Lessees pave 20-foot strip at rear of premises at such time as Jarvis and Shafter Streets shall be paved by the City or property owners.

RESOLUTION NO. 116902, recorded on Microfilm Roll No. 76, approving Agreement for Amendment of Tideland Lease with Point Loma Development Corporation; authorizing and directing the City Clerk to cause certified copies to be attached to original and duplicate original of Agreement for Amendment of Tideland Lease, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116903, recorded on Microfilm Roll No. 76, giving notice of proposed annexation to the City of San Diego of portion of Lot 40 La Mesa Colony, including Isabella Street closed, adjacent thereto, in the County of San Diego, to be known and designated as "Butterfield Tract", was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116904, recorded on Microfilm Roll No. 76, authorizing and directing the Property Supervisor to advertise for sale at public auction of portion Lot 3 Block 393 Old San Diego - petitioned for by Rexford C. Starling who accompanied request with \$100.00 deposit - stating that reason for selling is that it is no longer needed for City purposes, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

It states the City has caused an appraisal to be made, and value is \$6,000.00, that the Council considers minimum amount for sale to be \$6,000.00 and it reserves right to reject any and all bids at public auction; directing that all expenses in connection with sale shall be deducted from proceeds received from the sale.

RESOLUTION NO. 116905, recorded on Microfilm Roll No. 76, prohibiting parking of automobiles between 7:00 a.m. and 9:00 a.m. and between 2:00 p.m. and 4:00 p.m., Sundays excepted, on: The westerly side of Pacific Highway between Kurtz Street and Rosecrans Street; authorizing and directing installation of necessary signs and markings to be made; that Resolution will cease

to be operative 6 months after receipt by the Council of written notice of withdrawal of approval of the Department of Public Works (of the State of California), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116906, recorded on Microfilm Roll No. 76, authorizing and directing San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of following locations:
 Sequoia Street at Crown Point Drive;
 Dove Street at West Pennsylvania Avenue;
 Suncrest Drive at Mondell Terrace;
 Boundary Street at Suncrest Drive;
 was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116907, recorded on Microfilm Roll No. 76, authorizing and directing San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:
 Beacon Drive at Anza Drive;
 Anza Drive east of Beacon Drive;
 Rytko at Anza Drive;
 Bonsall at Anza Drive;
 Bonsall at Guatay;
 Glencoe Drive at Guatay;
 Jacumba at Guatay;
 Bonsall at San Vicente;
 Bonsall at Pala;
 Rytko at Pala;
 Pala at its West end;
 Rytko at San Vicente;
 Glencoe Drive at San Vicente;
 Glencoe Drive south of Guatay;
 Jacumba at San Vicente;
 Jacumba at Sabre;
 Jacumba north of Sabre;
 Sabre east of Jacumba;
 Spreckels Avenue at Sabre;
 Spreckels Avenue north of Sabre;
 Spreckels Avenue at North end;
 Sunnyside Avenue north of Encinitas Avenue;
 Sunnyside Avenue at San Vicente;
 Spreckels Avenue at San Vicente;
 Sears Avenue at Leucadia Avenue;
 Norm at Leucadia;
 Norm at San Vicente;
 Encinitas Avenue at San Vicente (C.S.);
 Cardiff at San Vicente (C.S.);
 Cardiff north of San Vicente;
 Billow Drive and Wade Street;
 Dell Anne Place east of Billow Drive;
 Dell Anne Place at its south end;
 Billow Drive north of Sweetwater Avenue;
 Billow Drive and Sweetwater Avenue;
 Cardiff at Sweetwater Avenue (C.S.);
 Cardiff south of San Felipe;
 Cardiff at San Felipe (C.S.);
 Cardiff south of San Vicente;
 Encinitas Avenue south of San Vicente;
 Sunnyside Avenue south of San Vicente;
 Spreckels Avenue south of San Vicente;
 Spreckels Avenue at San Felipe;
 Sunnyside Avenue at San Felipe;
 Encinitas Avenue at San Felipe;
 Encinitas Avenue south of San Felipe;
 Sunnyside south of San Felipe;
 Spreckels Avenue south of San Felipe;
 Encinitas Avenue at Sweetwater;
 Sunnyside at Sweetwater;
 Spreckels Avenue at Sweetwater;
 Sears Avenue at Sweetwater;
 Sears Avenue south of San Felipe;
 Sears Avenue at San Felipe;
 Sweetwater, between Bowie and Sears;
 Bowie at Sweetwater;
 Cates north of Sweetwater;
 Cates at Sweetwater;
 Cardiff at Wade;
 Cardiff south of Jamacha Road;
 Cardiff Street and Carlisle Drive;
 Jamacha Road and Carlisle Drive;
 Jud Street and Carlisle Street;
 Car Street and Solana Street;
 Jud Street and Solana Street;

Billow Drive north of San Vicente Street;
 Billow Drive and San Vicente Street;
 Billow Drive north of San Felipe Street;
 Glencoe Street and Helm Street;
 Helm Street east of Koe Avenue on curve;
 Jamacha Road 400 feet southwest of Glencoe;
 Jamacha Road at Beacon;
 Jamacha Road between Lisbon and Beacon;
 Jamacha Road northeast of Lisbon;
 Jamacha Road east of Glencoe - Pole #472171;
 Jamacha Road east of Glencoe - Pole #472167;
 Glencoe Street and Jamacha Road;
 Glencoe at Solana;
 Koe Avenue and Helm Street;
 Koe Avenue at Dodie Street;
 Jamacha Road 300 feet northeast of Beacon;
 Car Street and Jamacha Road;
 Solana east of Glencoe;

also authorizing and directing installation of a 1000 candle power overhead street light at Cardiff Street and Jamacha Road (10,000-lumen), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

(Lights in this Resolution are located in Lomita Village).

RESOLUTION NO. 116908, recorded on Microfilm Roll No. 76, authorizing and empowering the City Manager to enter into contract for and on behalf of The City of San Diego with Maxson Corporation, a corporation, Care: United Control, Inc., 223 El Cajon Boulevard, San Diego, subdivider of Allied Gardens Unit No. 1, providing for installation of water mains and appurtenant structures and for reimbursement by the City to the Subdivider of \$5118.78 for difference in cost of installation of mains and appurtenances larger than necessary for the subdivision, but required by the City, upon execution and delivery to the City of a Quitclaim Deed conveying right, title and interest of the subdivider in and to water distribution system in Allied Gardens Unit No. 1 subdivision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116909, recorded on Microfilm Roll No. 76, authorizing and empowering the City Manager to enter into contract for and on behalf of The City of San Diego with California Western University, a corporation, Mack Tessler and Eleanor Tessler, 3328 Sixth Avenue, San Diego, hereinafter called subdivider, subdivider of subdivision known as Tingley Estates, providing for installation of water mains and appurtenant structures and for reimbursement by the City to the subdivider of \$3905.74 for difference in cost of installation of mains and appurtenances larger than necessary for the subdivision, but required by the City, 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 water distribution system in said Tingley Estates subdivision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116910, recorded on Microfilm Roll No. 76, authorizing and empowering the City Manager to enter into contract for and on behalf of The City of San Diego with William Scripps Kellogg and Alice Crowe Kellogg, Harold A. Mosier and Patricia Mosier, Walter J. Schneider, Sr. and Inez Eileen Schneider, subdividers, subdivider of La Jolla Shores Terrace, providing for installation of water 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 La Jolla Shores Terrace and for the reimbursement by the City to the subdivider of \$2812.66 for difference in cost of mains and appurtenances larger than necessary for the subdivision but required by the City upon execution and delivery to the City of a Quitclaim Deed conveying to the City all of the right, title and interest of the subdivider in and to the water distribution system in La Jolla Shores Terrace Subdivision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116911, recorded on Microfilm Roll No. 76, authorizing and empowering the City Manager to enter into contract for and on behalf of The City with Blanche E. Rose, George Clarke Rose, Marguerite B. Rose, Virginia R. Olmstead and W. James Rose, subdivider, subdivider of La Jolla Vista Unit No. 2, providing for installation of 6" A.C. Water Main in Lowery Terrace from Roseland Drive to 274 feet east, within said subdivision, and for reimbursement by the City to the subdivider of \$1097.63 for cost thereof, upon execution and delivery to the City of Quitclaim Deed conveying to the City all right, title and interest of the subdivider in and to the water distribution system in said La Jolla Vista Unit No. 2 Subdivision, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Resolution authorizing the City Manager to execute lease with House of Hospitality Association, of the House of Hospitality and Cafe del Rey Moro, in Balboa Park, for 5 years, was presented.

The Mayor referred to the matter as being the "basic lease".

There was discussion between Councilman Godfrey and the City Manager over the proposal.

Councilman Godfrey observed that it was an interesting procedure.

The Manager informed the Council that it was a tightening up over the last lease.

The Mayor read portion of the lease.

Councilman Godfrey stated that it would not hurt to discuss the question in conference.

The City Mayor pointed out that it had been discussed in Conference.

Discussion between Councilmen Wincote and Kerrigan took place.

Councilman Godfrey spoke of not knowing how to evaluate, and that there is the question of mechanics.

116908 - 116911

House of Hospitality lease discussion

The City Manager told the Council that the basic point has to do with payment of rental, City records and statement, as well as audit.

Councilman Wincote asked about maintenance.

The City Manager stated that it had been several months since he had checked, and continued to review for the Council, the terms.

Councilman Godfrey spoke of improvements, and need to consider various points in the proposal.

Councilman Godfrey moved to refer the Resolution and accompanying lease to Council Conference, which motion was seconded by Councilman Dail.

The City Manager then read from the lease relative to control by the City. He told of basic elements which had been added: budget, excess and purchase items.

The Clerk was directed to place the Resolution back on the Agenda for Thursday.

The City Manager spoke of the Park Commission - in connection with the lease - as being advisory.

RESOLUTION NO. 116912, recorded on Microfilm Roll No. 76, referring proposed Resolution authorizing the City Manager to execute lease with The House of Hospitality Association, Inc., for operating and maintaining the House of Hospitality and Cafe del Moro, to Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

After adoption of the Resolution there was further discussion, during which Councilman Wincote said that the City is aware that liquor is served in the House of Hospitality. He felt the liquor serving in the Cafe should be discussed.

The City Manager said that it has been discussed and turned down 6 to 1 (It was not made clear to the Clerk whether the proposed license was turned by the Park and Recreation Commission, or by the Council).

There was no further action.

RESOLUTION NO. 116913, recorded on Microfilm Roll No. 76, authorizing and empowering the City Manager to execute, for and on behalf of the City, a revocable permit to Richard Harris to plant, cultivate and harvest grain crops on portion of San Dieguito reservoir land, more particularly described re property and terms and conditions set forth in form of revocable permit on file in the office of the City Clerk under Document No. 485980; granted in order to reduce the weed control problem on the reservoir land, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116914, recorded on Microfilm Roll No. 76, directing the Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion of Lots 3, 4, 5, 6, 7 Block 103 Morena, described therein, 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; that he be authorized and directed to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116915, recorded on Microfilm Roll No. 76, approving Change Order No. 58 dated February 18, 1954, filed in the office of the City Clerk as Document No. 485868, issued in connection with contract between City of San Diego and F. E. Young Construction Company, contract contained in Document No. 451108 on file in the office of the City Clerk; changes amounting to increase in contract price of \$109.43, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116916, recorded on Microfilm Roll No. 76, granting Harry J. Carvalho and John Carvalho, 4628 Adair Street, San Diego 7, permission to install a 30-foot driveway on the northerly side of Pt. Loma Avenue between points 44 feet and 74 feet west of the westerly line of Ebers Street; and to install one 40-foot and one 20-foot driveway on the westerly side of Ebers Street, respectively between points 6 feet and 46 feet, and points 80 feet and 100 feet north of the northerly line of Pt. Loma Avenue, all adjacent to southerly 100 feet of Lots 21 to 24 inclusive Block 42 Ocean Beach - all driveway widths to be measured at the top of the full height curb, all in accordance with rules, regulations and ordinances of The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116917, recorded on Microfilm Roll No. 76, granting permission to Curtis Willard, 4856-1/2 Pescadero Avenue, San Diego 7, California, to install a 40-foot driveway, measured at top of the full-height curb, on the northerly side of Coronado Avenue, San Diego 7, to install a 40-foot driveway, measured at top of full-height curb, on northerly side of Coronado Avenue, approximately between points 110 and 150 feet east of easterly line of Sunset Cliffs Boulevard, adjacent to Lots 5 and 6 Block 37 Ocean Beach, subject to conditions prescribed, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116918, recorded on Microfilm Roll No. 76, authorizing and approving expenditure of \$1,000.00 by the Property Management Division for purchase of portion Lots 26, 27, 33, 35 Block 10 Tres Lomas from the Major Property Purchases Account, Property Management Division Fund, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116919, recorded on Microfilm Roll No. 76, approving claim of Nevin Olan Adamson, filed with the Auditor and Comptroller October 17, 1952; authorizing and directing the City Auditor to draw his warrant in said sum in full payment, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116920, recorded on Microfilm Roll No. 76, authorizing the City Attorney to settle claim of E. O. Siddall on file in the office of the City Clerk under Document No. 483320, claiming \$50.00 for \$16.38; authorizing the City Auditor to draw warrant for \$16.38 in full settlement, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116921, recorded on Microfilm Roll No. 76, denying claim of Helen Barnes and Herbert Barnes, on file in the office of the City Clerk under Document No. 480369, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116922, recorded on Microfilm Roll No. 76, denying claim of William H. Barnett on file in the office of the City Clerk under Document No. 483925, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116923, recorded on Microfilm Roll No. 76, denying claim of James J. Baxter on file in the office of the City Clerk under Document No. 484973, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116924, recorded on Microfilm Roll No. 76, denying claim of Arthur C. Baylor, on file in the office of the City Clerk under Document No. 483685, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116925, recorded on Microfilm Roll No. 76, denying claim of Robert H. Blake on file in the office of the City Clerk under Document No. 481553, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116926, recorded on Microfilm Roll No. 76, denying claim of E. W. Brady and Ophis Brady on file in the office of the City Clerk under Document No. 484527, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116927, recorded on Microfilm Roll No. 76, denying claim of Duane Drake on file in the office of the City Clerk under Document No. 484522, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116928, recorded on Microfilm Roll No. 76, denying claim of Lester H. Heard on file in the Office of the City Clerk under Document No. 482954, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116929, recorded on Microfilm Roll No. 76, denying claim of David S. Kirbach on file in the office of the City Clerk under Document No. 484686, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116930, recorded on Microfilm Roll No. 76, denying claim of Violet V. Marne, on file in the office of the City Clerk under Document No. 484827, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116931, recorded on Microfilm Roll No. 76, denying claim of Martin E. McMillin & Marietta G. McMillin on file in the office of the City Clerk under Document No. 483859, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116932, recorded on Microfilm Roll No. 76, denying claim of Mrs. Fred A. Rogers on file in the office of the City Clerk under Document No. 484283, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116933, recorded on Microfilm Roll No. 76, denying claim of Howard R. Treadwell on file in the office of the City Clerk under Document No. 481762, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116934, recorded on Microfilm Roll No. 76, denying claim of Mrs. Egura Wal-

tower on file in the office of the City Clerk under Document No. 481229, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116935, recorded on Microfilm Roll No. 76, denying claim of Mrs. Idella R. Wood on file in the office of the City Clerk under Document No. 484295, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 116936, recorded on Microfilm Roll No. 76, authorizing the Director of the Water Department and a representative of the Council to make an inspection trip at the invitation of the State Engineer, covering proposed Feather River project about March 11 to March 14, 1954, inclusive; authorizing incurring all expenses necessary, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Before the Resolution was adopted, the question was asked who was to be the Council representative.

Councilman Kerrigan replied that he was going, as well as Paul Beermann, Water Director, and others.

RESOLUTION NO. 116937, recorded on Microfilm Roll No. 76, accepting Quitclaim Deed executed on the 4th day of February, 1954, by Maxson Corporation, Bonwood Corporation, and Fineview Corporation, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without, the subdivision named Allied Gardens Unit No. 1, being subdivision of all that portion of Lot 67 Rancho Mission of San Diego in the City of San Diego according to Map No. 2992; authorizing and directing the City Clerk to file said deed together with certified copy of said Resolution for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116938, recorded on Microfilm Roll No. 76, accepting Quitclaim Deed executed on the 14th day of April, 1953, by Blanche E. Rose, George Clarke Rose, Marguerite B. Rose, Virginia R. Olmstead and W. James Rose, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named La Jolla Vista Unit No. 2, being portions of Pueblo Lots 1281 and 1286 in the City of San Diego filed as Map 2909; authorizing and directing the City Clerk to file said deed together with certified copy of said Resolution for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116939, recorded on Microfilm Roll No. 76, accepting Quitclaim Deed executed on the 2nd day of February, 1954, by William Scripps Kellogg and Alice Crowe Kellogg, Harold A. Mosier and Patricia Mosier, Walter J. Schneider, Sr. and Inez Eileen Schneider, 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, subdivision named La Jolla Shores Terrace, being portion of Pueblo Lot 1297 according to Map No. 2996 filed in the office of the County Recorder; authorizing and directing the City Clerk to file said deed together with certified copy of said Resolution for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116940, recorded on Microfilm Roll No. 76, accepting Quitclaim Deed executed on the 4th day of January, 1954 by California Western University, Mack Tessler and Eleanor Tessler, 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 Tingley Estates, being subdivision of Pueblo Lots 146, 182 and 193, filed as Map No. 3046 in the office of the County Recorder; authorizing and directing the City Clerk to file said deed together with certified copy of said Resolution for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 5988 (New Series), recorded on Microfilm Roll No. 76, creating position of Housing Coordinator in the Classified Service of the City of San Diego, and establishing schedule of compensation therefore - Standard Rate No. 30 - (was on motion of Councilman Schneider, seconded by Councilman Kerrigan,) ~~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.

Prior to adoption, the reading was dispensed with, on motion of Councilman Schneider, seconded by Councilman Kerrigan, 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 approving annexation to the City of San Diego of portions of the Tidelands of San Diego Bay, in the County of San Diego, known and designated as "San Diego Harbor Tidelands", was presented again, after having been continued from the meetings of February 16, and February 23, 1954.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the Ordinance was continued to the meeting of March 9, 1954.

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5988 N.S.

Ord re tidelands annexation
cont.

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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 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. 5989 (New Series), recorded on Microfilm Roll No. 76, changing name of Jefferson Avenue in Kensington Park to Alder Drive, 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.

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 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. 5990 (New Series), recorded on Microfilm Roll No. 76, changing name of Lorenz Street to Lorenz Avenue, and naming portion of Alley between Lots 143 and 145 National Vista Lorenz Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Ordinance amending the San Diego Municipal Code relative to Regulating Trailer Parks was on the agenda at this point. A hearing had been set earlier in the meeting by Resolution No. 116887 for 10:00 o'clock A.M., Tuesday, March 9, 1954, following request made by Morey S. Levenson in behalf of the San Diego Unit of California Motor Court and Trailer Park Owners Association. Therefor there was no consideration of the Ordinance - which had been introduced under Unanimous Consent granted to the City Manager by the Council - on February 23, 1954.

On motion of Councilman Burgener, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of said 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. 5991 (New Series), recorded on Microfilm Roll No. 76, appropriating \$7,500.00 from the Capital Outlay Fund of The City of San Diego, for providing funds for improvement of Anna Avenue, between termination at Sherman Street and easterly line of Atchison, Topeka & Santa Fe Railroad Right of Way, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen 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 Wincote, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of said 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. 5992 (New Series), recorded on Microfilm Roll No. 76, appropriating \$5,650.00 from the Unappropriated Balance Fund for providing funds to pay the City's share of cost of paving Newton Avenue and 50th Street, adjoining City-owned land, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

On motion of Councilman Burgener, seconded by Councilman Schneider, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Schneider, the reading of said 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. 5993 (New Series), recorded on Microfilm Roll No. 76, appropriating \$2,710.00 from the Unappropriated Balance Fund for providing funds to pay the City's share of cost of relocating sewer on City-owned property in Wadsworth's Olive Grove, in accordance with agreement for exchange of properties with O. D. Arnold & Sons, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, ordinance amending The San Diego Municipal Code by amending Section 101.0405 relating to R-1 Zone (providing that not more than 2 persons in addition to members of the family may be boarded or lodged in single-family dwelling, and that all boarders and/or lodgers be housed within the single-family dwelling and not in any permitted accessory building), was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

5989 N.S. - 5993 N.S.

Ord re Trailer Parks cont to 3/9/54

Ord re R-1 Zone introduced.

On motion of Councilman Burgener, seconded by Councilman Schneider, ordinance changing name of Landon Street to Lovelock 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.

Councilman Wincote wondered if Ordinances under action listed on the agenda for dispensing with reading and adoption could be put under "hearings" at the beginning of the agenda. He spoke of putting ordinances introduced on in that manner.

The City Clerk, referring to the Trailer Park Ordinance, pointed out that the Council had not set a hearing, but had only introduced it under unanimous consent.

Councilmen Wincote agreed, and said he didn't mean to be critical of the way it had been shown on the agenda.

Douglas D. Deaper, Deputy City Attorney, said that "every item is a public hearing".

Councilman Burgener asked if the Visitors' Bureau communication (requesting a \$30,000.00 appropriation in the 1954-55 budget for advertising and publicizing San Diego area) was coming up, and if so when.

The Mayor replied that it may.

No action was taken on the suggestion of Councilman Wincote or the question of Councilman Burgener.

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

RESOLUTION NO. 116941, recorded on Microfilm Roll No. 76, congratulating San Diego State College for developing such ability, sportsmanship and clean manhood in the personnel of the Aztec championship basketball team; directing the City Clerk to forward certified copy to the President of San Diego State College and to the Coach of the Aztec champion basketball team, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said Resolution says that San Diego State College basketball team on February 26, 1954, won the California Collegiate Athletic Association championship, that the splendid endeavor has resulted in the team being likely to be named to play at Kansas City in the National Association of Inter-Collegiate Athletic basketball teams, that the students of the outstanding team have by their individual efforts in team play brought honor to themselves and credit to San Diego State College.

(While the Resolution directs the City Clerk to forward the copies, the Assistant to the Mayor agreed that the Mayor would like to forward them to the College).

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at the hour of 11:15 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 4, 1954

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Absent---Councilmen None
Clerk----Fred W. Sick

The Mayor called the meeting to order at the hour of 10:04 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of The Travelodge Corporation, signed by Richard S. King, Vice Pres., 3045 Moore Street, San Diego, from denial by the Zoning Committee of request to erect and operate a 40-square foot standard Travelodge sign on private property at the corner of Rosecrans Street and Harbor Drive - Lots 7 through 12 Block 62 Roseville, 5102 N. Harbor Drive, in Zone R-4, at the request of the Mayor the report from the Zoning Administrator (being a "finding of facts", was presented and read by the Clerk. Among other things, it states that granting of the variance will not be in harmony with the neighborhood as no other free-standing signs on Rosecrans exist. It says that the apartment houses in the area have conforming signs or none at all. The report points out that the location of the sign would also require a setback suspension which has not been applied for. The report states that since all of the qualifications of Municipal Code 101.0504 have not been established, and

the granting would not be in harmony with the intent and purpose of the area requirements of the Code, it was denied.

Councilman Wincote asked if it is a new Travelodge.

Glenn A. Rick, City Planning Director said that it is not. He showed members of the Council a map of the property and the area. Mr. Rick, answering questions of the Council, said that there are no protests in the neighborhood. He said that in the same general area a zone change request had come before the Zoning Committee and the Council recently (denied). He stated that the Travelodge wants more advertising, and added that it is in R-4 zone. He said that a sign can be placed adjacent to the building, but not on the roof, or a free-standing one.

Milton Dole, 5102 North Harbor Drive, of the Point Loma Travelodge, co-owner-manager, appeared. Councilman Schneider spoke to Mr. Dole about the sign's location.

Mr. Dole stated to the Council that he wants to match another sign, and that the business was quite seriously hurt by not having the sign. He stated that what is allowed would not look right, and would have a lop-sided appearance.

Mr. Rick spoke of appellant having had approval of a sign on Scott Street, and apartment houses on Rosecrans Street which have not asked for signs. He declared that if this one is given, they could ask for the same thing.

There was discussion between Councilman Wincote and Mr. Rick about the Marlin Inn.

Mr. Rick stated that in connection with the Marlin Inn the Commission had been overruled by the Council which granted a roof sign. He spoke for uniform appearance.

Councilman Wincote stated that Mr. Rick's comment does not embarrass him.

It was moved by Councilman Schneider to deny the appeal, and sustain the decision of denial for the sign, which motion was seconded by Councilman Dail.

Councilman Godfrey said that the Council could continue anything, and it could be continued a week.

The motion to deny the appeal and sustain the action was withdrawn.

Councilman Schneider moved to continue the hearing one week.

There was discussion between the Mayor and Councilman Wincote over reason for ordinances which exist to protect property.

Councilman Godfrey seconded the motion, and the hearing was continued one week - to Thursday, March 11, 1954.

Petition of property owners for abandonment or the quitclaiming back to the owners of an easement in the westerly 4 feet of Lot 1 Fractional Block 193 Middletown, was presented. It states the easement is not now in use, nor has it been in use since it was granted.

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

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of final map of Cook Manor, was presented.

RESOLUTION NO. 116942, recorded on Microfilm Roll No. 77, adopting Map of Cook Manor, subdivision of all of Lots 26, 27 Block 8 Sunset Cliffs; accepting on behalf of the public portion of an alley and unnamed easement shown on said map for public purposes, declaring them to be an alley and unnamed easements dedicated to public use; authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council that portion of alley and unnamed easements are accepted on behalf of the public; directing him to transmit the Map to 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 a section of San Diego Municipal Code to allow printing of the title sheet on the Final Map of Muirlands Acres Unit No. 2, was presented.

RESOLUTION NO. 116943, recorded on Microfilm Roll No. 77, suspending Section 102.18 of the San Diego Municipal Code, to allow printing of the title sheet on the final map of Muirlands Acres Unit No. 2, 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 Santa Barbara Estates, was presented.

RESOLUTION NO. 116944, recorded on Microfilm Roll No. 77, adopting Map of Santa Barbara Estates, subdivision of Lot 1 and portion of Lot 2 Block 8 Sunset Cliffs; accepting on behalf of the public portion of Alley and unnamed Easements shown on map for public purposes, dedicating them to the public use; authorizing and directing the City Clerk to endorse upon said map, as and for act of the Council, that portion of alley and unnamed easements are accepted on behalf of the public; directing the City Clerk to transmit the map to the Board of Supervisors of the County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The next matter, which had been before the Council on February 25, 1954, was presented under communication from the Planning Commission, signed by Harry C. Clark. It refers to tentative plan having been submitted to the Planning Office by W. R. Rundlett for Trailer Park located in portion of Pueblo Lot 1151 at the northerly termination of 35th Street at extension of B Street. The land is identified as an unsubdivided parcel of land proposed adjacent to Wabash Freeway, approximately 300 x 500 feet in size, bounded on the north by the undeveloped Choates Addition, and by Harfenden & High Addition on the south. It says that in the development and improvement of Wabash Freeway, the City installed a paved 20-foot service road from its northerly termination and along the Wabash Freeway, to connect to Broadway at 34th Street - also that proposed Trailer Park submitted was so designed that the entire 300' x 500' parcel would be utilized for trailer spaces and no communication would be permitted from the termination of 35th & "B" to the Morse, Whaley & Dalton Subdivision, approximately 500 feet to the north.

116942 - 116944
Petition
Communication

It says that if the trailer park were submitted to the Planning Commission and the Council as a subdivision, the subdivision ordinance would require a continuation of 35th Street and other provisions for traffic circulation. Also, it states that if the requirement were not in the subdivision ordinance, or if other developments were permitted to be made without the requirement of providing streets for circulation, there would be no continuity to the street system of San Diego, and would create an impossible situation. The communication declares that suitable alignment for a road over and across the property is necessary for service to adjacent properties, and to provide access for necessary services and quick communication for emergency vehicles. It says that in that a trailer park provides housing as does a subdivision, it should be considered somewhat similar to any other type of housing within the city, and that because of concentration of people in a trailer park it is even more necessary to provide adequate access for protection of the occupants in a trailer park. The report recommends that no action be taken by the Council which would preclude the requirement of a road through or adjacent to the property; that to determine exact location of a road would require considerable study on the part of the Planning Department and the City Engineer, and probably a community plan hearing would have to be held to determine the effect of any road alignment on the adjacent properties.

Councilman Dail said that the petitioners were here, and that they wanted to be heard.

Glenn A. Rick, City Planning Director, laid out maps, and explained regarding Wabash and Home Avenue.

Two unidentified individuals - a man and a woman - joined the Council, to look at the maps.

Mr. Rick showed the 35th Street, which he said is shown on an old subdivision map. He told the Council that Harry Haelsig (Asst. Planning Director) had said that people in Ravena Park, et al., would not have access if done as proposed. He said that it would amount to an improper development of the City, without the street being set out.

The woman spoke to members of the Council regarding existing conditions.

Councilman Dail said that the owners had come to him, and that they can't sell the property, although it is in escrow, on account of conditions and a statement which had been made.

There was discussion between members of the Council and the 2 unidentified persons over the map.

Said woman said that bringing 35th Street would cut the property in 2, and would make it useless. Discussion continued, but was not understood, since it was over a map not accessible to the Clerk.

Councilman Dail said that the interested persons want the City to abandon the plan for 35th Street, and that they be indemnified for the property.

Mr. Rick said that approval of a Trailer Park is different from the street matter, which he said is not up today.

The woman said that there is no room for a street to go through. She spoke of C Street being the only street going through - part way.

There was discussion between the woman who was appearing, and Councilman Godfrey about not ever opening 35th Street.

Mr. Rick referred to re-subdivision of property, and need for providing access.

Said woman told the Council of 2 sales of property which had fallen through on account of information regarding the street going through.

Mr. Rick re-stated that there is nothing before the Commission or the Council on that point.

Discussion between Councilman Dail and the woman over the road, was heard.

Said woman stated that the Council should look at the property.

There was discussion between her and Councilman Kerrigan over the street, and sale of the property.

Councilman Kerrigan pointed out that the City has to anticipate the matter of streets, and told of Orange Avenue which now dead-ends, in East San Diego.

Councilman Dail declared that the woman (still unidentified) wants to know from the Council if the street is going through.

There was further discussion between members of the Council, that woman, which Harry Haelsig joined, relative to access and an existing narrow access road.

Mr. Haelsig declared that it can't be expected that the City go out and buy property to provide streets. It was his contention that little communities can't be built without access.

Councilman Burgener and Mr. Haelsig carried on a discussion about the access road.

A motion made by Councilman Dail, seconded by Councilman Burgener, to continue the matter one week (to March 11, 1954) during which time the Council is to look at it, carried.

Communication from F. J. Newman, Manager, Ambulance Service Company, P.O. Box 1584, Mobile Alabama, dated February 10, 1954, was presented. It states that recently information had been asked for from California Ambulance Association on cities that contract their ambulance service. It refers to having been directed to get in touch with San Diego for further information, and adds that it is negotiating with Mobile to furnish such a service.

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

Communication from Mr. & Mrs. H. J. Liegel, 810 Avalon Ct., Mission Beach, dated Feb. 20, 1954, relative to a play school started by Mrs. Harris, 816 Avalon Court, which the signers are protesting, was presented. One of the writers (it does not say which one) is under the doctor's care for arthritis of the spine, and has a bed room which is on the side where the playground is planned, "to add to my miseries".

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

Communication from Pacific Coast Building Officials Conference, 610 South Broadway, Los Angeles 14, California, dated February 25, 1954, signed by Gilbert E. Morris, president, was presented. It attaches copy of letter and enclosures sent to V. M. Capesius of the City building department, announcing training course in building department administration offered by the University of Southern California from June 14 to 19, 1954.

Another communication from the same writer attaches copy of letter on the same subject, to R. C. Dorland, (City Building Inspector), was presented.

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

Communication from San Diego Chamber of Commerce, dated February 26, 1954, signed by Arnold Klaus, Assistant Manager, was presented. It requests reference to the Budget Officer as request that the same amount as last year be allocated in the annual budget so that the Chamber may look forward to renewal of the existing ^{contract} under which it operates.

RESOLUTION NO. 116945, recorded on Microfilm Roll No. 77, referring to Budget Conference communication from San Diego Chamber of Commerce requesting appropriation in the 1954-55 City Budget, for renewal of existing contract under which the Chamber of Commerce operates, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Nate Terrill, 3558 Macaulay St., San Diego 6, Calif., February 25, 1954, was presented. It objects to proposed sewage disposal plant on Point Loma, and asks various questions in connection with proposal to construct one.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, it was ordered filed. (It was sent by Clerk to City Manager re the various questions asked).

Carl Reupsch, Acting Port Director, explained the next 3 tidelands matters to the Council.

Communication from the Harbor Department, signed by Carl F. Reupsch, Acting Port Director, presenting form of Agreement for Amendment of Shelter Landing lease, was presented. It states amendment adds approximately 10' x 25' land with proportionate increase in rental.

RESOLUTION NO. 116946, recorded on Microfilm Roll No. 77, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 2, between the City of San Diego as Lessor - copy contained in Document No. 485989 on file in the office of the City Clerk - and Edwin H. Frazer, limited partner, and Bay Finance Co., limited partner, doing business under name and style of Shelter Landing, Lessee, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted. (includes Charles D. Rollins, general manager)

Communication from the Harbor Department, signed by Carl F. Reupsch, Acting Port Director, presenting form of Agreement for Amendment of Victor L. Baldwin tideland lease, was presented. It states the amendment adds 3 additional 5-year options and provides for rental reviews at 2-1/2 year intervals during remaining term of the lease and option periods. It covers small strip of land at Pacific Highway at Hawthorn Street which is being used for access to land owned by Mr. Baldwin. Rental is increased from 5¢ to 10¢ per square foot beginning with effective date of amendment.

RESOLUTION NO. 116947, recorded on Microfilm Roll No. 77, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 1, between the City of San Diego as Lessor - copy contained in Document No. 485992 on file in the office of the City Clerk - and Victor L. Baldwin, lessee, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from the Harbor Department, signed by Carl F. Reupsch, Acting Port Director, presenting sublease with Victor L. Baldwin and Keller's Serve Yourself Stations, Inc., under same terms, conditions and rental as tideland lease with Mr. Baldwin, was presented. It says Commission's consent to sublease was predicated upon increase from 5¢ to 10¢ per square foot as set forth in Agreement for Amendment - presented coincidental with the sublease.

RESOLUTION NO. 116948, recorded on Microfilm Roll No. 77, ratifying, confirming and approving sublease, copy of which is on file in the office of the City Clerk as Document No. 485995 between Victor L. Baldwin and Carolyn Baldwin, Sublessors, and Keller's Serve Yourself Stations, Inc., Sublessees, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116949, recorded on Microfilm Roll No. 77, directing the City Clerk, in compliance with Section 10 of the Charter, to make canvass of votes cast at the Special Annexation Election held on the 2nd day of March, 1954; to certify results of said canvass to the Council, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, with City Manager's stamp of approval, was presented. It recommends that Resolution be adopted authorizing City Manager to execute Notice of Completion for lot stakes and block corners in Donna Estates Subdivision - all re \$229,108.00 bond posted), was presented.

RESOLUTION NO. 116950, recorded on Microfilm Roll No. 77, authorizing the City Manager to accept work on behalf of The City of San Diego in Donna Estates Subdivision - under Agreement, Document No. 445571 - and to execute Notice of Completion and have same recorded, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The next matter had been continued to this meeting from March 2, 1954.

RESOLUTION NO. 116951, recorded on Microfilm Roll No. 77, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with House of Hospitality Association, a corporation, of the House of Hospitality and Cafe del Rey Moro, Balboa, for 5 years, description and terms and conditions set forth in form of lease filed in the office of the City Clerk under Document No. 486090 - property value is \$175,000.00 as disclosed by report of last appraisal made by the Auditor and Comptroller, leased for the reason that the City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 116952, recorded on Microfilm Roll No. 77, declaring the intention of the Council to follow recommendation of City Manager and Director of Water Department, and award contract for

for construction of foundation for 2,000,000-gallon Redwood Village Standpipe under Schedule A of the specifications, to Rogers Construction Company, a co-partnership, the lowest, responsible and reliable bidder, at unit prices set forth in its bid, amounting to total estimated sum of \$15,249.95; and award contract for construction of the 2,000,000-gallon Redwood Standpipe and Cathodic protection (exclusive of foundation), under Schedule A of the specifications, to Southwest Welding & Mfg. Co., a corporation, lowest, responsible and reliable bidder, at the lump price set forth in its bid: \$99,213.00, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The Resolution refers to Specification No. 54, Housing and Home Finance Agency Project Calif. 4-CF-18), and bids received prior to 10:00 A.M. February 16, 1954.

RESOLUTION NO. 116953, recorded on Microfilm Roll No. 77, declaring the bid of William H. Clint, at the lump sum price set out in his bid: \$21,832.00, to be the lowest bid received for said work, and that he is the lowest, responsible and reliable bidder, that the Council rejects all bids received except said bid, and awards contract for construction of Catalina Street Pumping Plant; authorizing and empowering the City Manager to execute for and on behalf of the City a contract upon execution of the contract and upon execution, delivery, filing and approval of bonds required, was on motion of Councilman Kerrigan, seconded by Councilman Kerrigan, adopted.

The resolution refers to Specification No. 67, Housing and Home Finance Agency Project Calif. 4-CF-27, and bids received prior to 10:00 A.M. January 26, 1954.

RESOLUTION NO. 116954, recorded on Microfilm Roll No. 77, authorizing and directing the Property Supervisor to advertise sale at public auction of Lot 3 except East 60 feet in Block 14 F. T. Scripps' Addition, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Resolution recites that reason for selling is that the same is no longer needed for City purposes; value as disclosed by an appraisal by qualified real estate appraiser is \$200.00; minimum amount the Council will consider for sale is \$200.00; that the Council reserves the right to reject any and all bids; directing that all costs in connection with the sale shall be deducted from proceeds received.

RESOLUTION NO. 116955, recorded on Microfilm Roll No. 77, authorizing the City Attorney to dismiss cross-complaint on file in Superior Court Case No. 181467 when San Diego Transit System shall assume all liability and hold The City of San Diego harmless as to injuries sustained in accident of October 31, 1952, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The Resolution refers to accident involving bus and street sweeper owned and operated by The City of San Diego; that Conrad B. Andersen and Lottie Anderson, passengers in the bus, filed action in Superior Court for damages against The City; that City has filed cross-complaint against the Transit System for \$556.33 for damages, and that the Transit System has offered to assume full responsibility and hold The City harmless upon condition that cross-complaint be dismissed, and that it would be in the best interests of The City of San Diego to accept the offer.

RESOLUTION NO. 116956, recorded on Microfilm Roll No. 77, authorizing the Chief of Police and the City Clerk to issue to Paul C. Loeber a certificate of Public Convenience and Necessity to operate 4 ambulances, and granting same subject to compliances and regulations pertaining thereto, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116957, recorded on Microfilm Roll No. 77, granting permission to D. E. Diller, 4503 Ohio Street, San Diego 16, to install a 37-foot driveway, measured at the top of the full-height curb on the southerly side of Fenelon Street west of Carleton Street, adjacent to Lot 60 Fleetridge Unit No. 1, to facilitate access to 2-car garage at 3623 Fenelon Street, subject to conditions contained in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116958, recorded on Microfilm Roll No. 77, denying claim of Pig'n Whistle, on file in the Office of the City Clerk under Document No. 481903; approving claim of Pig'n Whistle on file in the office of the City Clerk in amount of \$67.27; directing the City Auditor and Comptroller to draw his warrant in favor of Pig'n Whistle in the sum of \$67.27 in full payment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116959, recorded on Microfilm Roll No. 77, denying claim of H. K. Eaton, on file in the Office of the City Clerk under Document No. 485690, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116960, recorded on Microfilm Roll No. 77, denying claim of Ida Hayutin, on file in the office of the City Clerk under Document No. 485691, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116961, recorded on Microfilm Roll No. 77, denying claim of Wallace L. Knight,

on file in the Office of the City Clerk under Document No. 485055, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116962, recorded on Microfilm Roll No. 77, accepting subordination agreement, executed by Gorman L. Burnett, beneficiary, and Security Title Insurance Company, trustee, bearing date February 12, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Lots 16 and 17 Victory Manor, to 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116963, recorded on Microfilm Roll No. 77, accepting subordination agreement, executed by Home-Builders Savings and Loan Association, beneficiary, and Paul Endicott and Russell K. Pitzer, trustees, bearing date February 9, 1954, wherein said parties subordinate all their right, title and interest to the right of way and easement for sewer purposes heretofore conveyed to The City; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted. (Portion of Lots 23 & 24 Victory Manor)

RESOLUTION NO. 116964, recorded on Microfilm Roll No. 77, accepting subordination agreement, executed by Home Federal Savings and Loan Association of San Diego, beneficiaries, and Security Title Insurance Company, trustees, bearing date January 27, 1954, subordinating all right, title and interest in and to portion of Lots 17 and 18 Victory Manor, to 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116965, recorded on Microfilm Roll No. 77, accepting subordination agreement, executed by Home Federal Savings and Loan Association, beneficiaries, and Land Title Insurance Company, trustees, bearing date January 27, 1954, subordinating all right, title and interest in and to portion of Lot 24 Victory Manor, 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116966, recorded on Microfilm Roll No. 77, accepting subordination agreement, executed by James H. Meadows and Maude E. Meadows, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date February 19, 1954, subordinating all right, title and interest in and to portion of Lot 23 Block 4 Asher's Clover Leaf Terrace, to 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 Wincote, adopted.

RESOLUTION NO. 116967, recorded on Microfilm Roll No. 77, accepting Deed of O. D. Arnold & Sons, bearing date December 28, 1953; conveying portion of Lots 19 and 20 Wadsworth's Olive Grove; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116968, recorded on Microfilm Roll No. 77, accepting deed of Mike O. Severe and Juanita L. Severe, bearing date November 2, 1953, conveying easement and right of way for street purposes in portion of Lot 23 Block 4 Asher's Clover Leaf Terrace; setting aside and dedicating to the public use as and for public street, and naming the same Goldfield 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 Wincote, adopted.

RESOLUTION NO. 116969, recorded on Microfilm Roll No. 77, accepting deed of Western Mutual Corporation, bearing date February 4, 1954, conveying portion of Lots 26, 27, 33, 35 Block 10 Tres Lomas; setting aside and dedicating the same to public use and naming the property Potomac Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116970, recorded on Microfilm Roll No. 77, accepting deed of Erwin W. Block and Marguerite M. Block, bearing date January 15, 1954, conveying easement and right of way for sewer purposes in portion of Lots 17 and 18 Victory Manor; authorizing and directing the City Clerk to file said deed

in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116971, recorded on Microfilm Roll No. 77, accepting deed of Joe A. Chavez and Betty G. Chavez, bearing date February 2, 1954, conveying easement and right of way for sewer purposes in portion of Lots 16 and 17 Victory Manor; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116972, recorded on Microfilm Roll No. 77, accepting Deed of Arthur H. Hannah and Genevieve N. Hannah, bearing date January 16, 1954, conveying easement and right of way for sewer in portion of Lot 24 Victory Manor; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116973, recorded on Microfilm Roll No. 77, accepting deed of L. E. McKinstry and Agnes I. McKinstry, bearing date February 7, 1954, conveying easement and right of way for sewer purposes in portion of Lots 22 and 23 Victory Manor; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116974, recorded on Microfilm Roll No. 77, accepting deed of Roger B. Nutter and Thelma V. Nutter, bearing date January 13, 1954, conveying easement and right of way for sewer purposes in portion of Lots 23 and 24 Victory Manor; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116975, recorded on Microfilm Roll No. 77, accepting deed of Coast Security Corporation, Inc.; bearing date February 17, 1954, conveying easement and right of way for storm drain purposes in portion of Lots 17, 18, 19, 20 Block 38 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116976, recorded on Microfilm Roll No. 77, accepting deed of Coast Security Corporation, Inc., bearing date February 17, 1954, conveying easement and right of way for storm drain purposes in portion of Lots 7 and 8 Block 38 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 Schneider, seconded by Councilman Wincote, adopted.

Unanimous consent was granted to Glenn A. Rick, to present the next matter, not listed on the Council's agenda:

Mr. Rick said that Mr. Baker was here regarding a subdivision (Resubdivision of Lot 36 Block 12 Tres Lomas), and that it was intended that the matter would be here for this meeting but was not on account of a misunderstanding. He referred to it as being a 3-lot subdivision, with no paving either way. Mr. Rick told the Council that Harry Haelsig (Asst. Planning Director) had gone to the Planning Department for the papers, and that he would bring the document.

The Mayor said that the Council can act, and get the papers later. He said that the City Manager had told him that the paving should not be required.

Councilman Schneider moved to approve the Tentative Map under terms outlined by Mr. Rick, which motion was seconded by Councilman Wincote, eliminating paving, sidewalk and curb requirements - which resulted in:

RESOLUTION NO. 116977, recorded on Microfilm Roll No. 77, suspending Sections 102.16-8, 102.18, 102.17-c of San Diego Municipal Code re Tentative Map of Resubdivision Lot 36 Block 12 Tres Lomas, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116978, approving Tentative Map of Resubdivision of Lot 36 Block 12 Tres Lomas, subject to 4 conditions, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

There being no further business to come before the Council, the Mayor declared the meeting adjourned, at the hour of 10:46 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, California, Tuesday, March 9, 1954.

Present—Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Absent—Councilmen None
Clerk—Fred W. Sick

The Regular Meeting, held this date, was brought to order by the Mayor at the hour of 10:05 o'clock A.M.

Mayor Butler announced that members of the Council had determined to renew a former tradition of opening the Council meetings with invocation, to be conducted by representatives of the Roman Catholic, Protestant and Jewish faiths. He told of the need for this country pitting itself against the rising menace of communism. He introduced Dr. Stanley S. McKee, president of the Council of Churches, and pastor of the First Methodist Church. The Mayor asked all present to arise during the invocation, which was given by Dr. McKee.

The Minutes of the Regular Council meetings of Tuesday, March 2, 1954, and of Thursday, March 4, 1954, were presented to the Council by the Clerk.
On motion of Councilman Schneider, seconded by Councilman Dail, they were approved without reading, after which they were signed by the Mayor.

At this time long-time City employees were honored for their service, by presentation of awards by the Mayor.

They were:

Sydney M. Franklin, Fire Marshal, in charge of the Fire Prevention Bureau, with rank of Battalion Chief - 20 years;
Wm. Allen Perry, Park Superintendent of the Park and Recreation Department, including Parks, Plazas, Municipal Golf Course, Street Trees Section, and Cemeteries - 25 years.

Councilman Godfrey was excused from the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for Public Library, College Heights Branch - the Clerk reported that 10 bids had been received, which were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

Said bids were as follows:

John Godwin, 2285 Newton Ave., San Diego, accompanied by bond written by General Casualty Company of America in the sum of 10% of maximum amount of bid, given Document No. 486371;

Riha Construction Co. (a corp.), 8150 Center Street, La Mesa, accompanied by bond written by Seaboard Surety Company in the sum of 10% of amount bid, given Document No. 486372;

Rogers Construction Company, 3669 California St., San Diego, accompanied by bond written by United States Fidelity and Guaranty Co. in the sum of 10% of the amount bid, given Document No. 486373;

Nielsen Construction Company, 3127 Jefferson St., San Diego, accompanied by bond written by United States Fidelity and Guaranty Company in the sum of 10% of the amount bid, which was given Document No. 486374;

Teyssier and Teyssier, 680 Chula Vista St., Chula Vista, accompanied by bond written by Seaboard Surety Company in the sum of 10% of maximum bid, given Document No. 486375;

J. P. Bender Jr. Construction Co., 3708 Adams Avenue, San Diego, accompanied by bond written by Royal Indemnity Company in the sum of 10% of amount bid, given Document No. 486376;

Arthur P. Loring, 860 - 8th Avenue, San Diego, accompanied by bond written by Glens Falls Indemnity Company in the sum of 10% of the amount bid, given Document No. 486377;

K. G. Bitter and Haddock-Engineers, Limited, a Joint Venture, 2288 San Diego Ave., San Diego, accompanied by bond written by The Travelers Indemnity Company in the sum of 10% of the amount of the bid, given Document No. 486378;

B. O. Larsen, 1340 "E" Street, San Diego, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, given Document No. 486379;

Van Der Wyk and Lewis, 4641 Market St., San Diego, accompanied by bond written by Great American Indemnity Company in the sum of \$6500.00, given Document No. 486380.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for construction of storm drains and appurtenances in Streamview Drive, 54th Street and Public Right of Way, within the limits and as described in Resolution of Intention No. 115496, the Clerk reported that 10 bids had been received, which were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

V. R. Dennis Construction Co., (V. R. Dennis an individual);-accompanied by bond written by American Surety Company of New York for \$14,000.00, given Document No. 486381;

Invocation
Bids

H. H. Peterson, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$15,000.00, given Document No. 486382;

L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of \$15,000, given Document No. 486383;

Schafer and Stowers, accompanied by bond written by Indemnity Insurance Company of North America in the sum of \$14,000, given Document No. 486384;

L. Castillo and Russell L. Thibodo Construction Co., a Joint Venture, accompanied by bond written by United States Fidelity and Guaranty Company in the \$16,000, given Document No. 486385;

Walter H. Barber and H. B. Breeden, as Joint Venturers, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of \$13,000, given Document No. 486386;

Johnson Western Constructors, accompanied by bond written by Fidelity and Deposit Company of Maryland in the sum of \$20,000, given Document No. 486387;

Dan E. Pace dba Pace Construction Company, accompanied by bond written by American Surety Company of New York in the sum of \$11,641, given Document No. 486388;

Cameron Brothers Construction Co., accompanied by bond written by Glens Falls Indemnity Company in the sum of \$14,000, given Document No. 486389;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$10,500, given Document No. 486390.

Councilman Godfrey returned to the meeting.

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

Councilman Kerrigan was excused from the meeting.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Del Rey Street, within limits and as described in Resolution of Intention No. 116056, the Clerk reported that 6 bids had been received, and presented them to the Council.

On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1,500., given Document No. 486413;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1,500., given Document No. 486414;

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 \$1,900.00, given Document No. 486415;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$2,000., given Document No. 486416;

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$2,000., given Document No. 486417;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$1,400., given Document No. 486418.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Alley Block 50 Ocean Beach, within limits and as described in Resolution of Intention No. 116055, the Clerk reported that 5 bids had been received, and presented them to the Council.

On motion made and seconded, they were publicly opened and declared.

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 of New York in the sum of \$500.00, given Document No. 486408;

John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$600.00, given Document No. 486409;

William M. Penick and Lloyd T. Penick, copartners doing business under firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$600.00, given Document No. 486410;

Gilman Grading Co., accompanied by bond written by The Phoenix Insurance Company in the sum of \$550.00, given Document No. 486411;

Councilman Kerrigan returned to the meeting.

Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty of New York in sum of \$600.00, given Document No. 486412.

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

The hour of 10:00 o'clock A.M., having arrived, the latest time set for receiving bids for paving and otherwise improving Alley Block 3 Normal Heights, within limits and as described in Resolution of Intention No. 116054, the Clerk reported that 4 bids had been received, and presented them to the Council.

On motion made and seconded, they were publicly opened and declared.

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 of New York in the sum of \$600.00, given Document No. 486391;

William M. Penick and Lloyd T. Penick, copartners doing business under firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$600.00, given Document No. 486392;

Gilman Grading Co., accompanied by bond written by The Phoenix Insurance Company in the sum of \$550.00, given Document No. 486393;

Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$600.00, given Document No. 486394.

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

A majority of the members of the Council signed the following undertakings for Street Lighting; with San Diego Gas & Electric Company:
 University Avenue Lighting District No. 2;
 El Cajon Boulevard Lighting District No. 2;
 Hermosa Lighting District No. 1;
 Talmadge Park Lighting District No. 4.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 116398 for paving and otherwise improving Alley Block 67 Park Villas, and Public Right of Way, and Villa Terrace, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners desired to be heard.

No one appeared to be heard 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 of Intention No. 116399 for paving and otherwise improving Arbor Drive, the Clerk reported that written protests had been received from Florence Chambers, Acting Agent A. L. Murphy; and from Carolyn B. Bauman and others, which were presented to the Council.

The City Engineer reported on the protests, which he gave as 45.5%, and said that reasons given were regarding high cost and not being able to afford. He spoke of 9 signers on the one petition, and one which had been added. Answering questions of the Council, the Engineer said that 1 of the signers was on the original petition; that there was still a petition of over 50%.

Councilman Wincote warned that the Council better look carefully at the project.

The Mayor inquired if any interested affected property owners desired to be heard.

Arthur L. Murphy said he protested because the improvement is not necessary.

The Mayor said that there was not a majority protest.

Mr. Murphy spoke of bringing in a new protest.

The Mayor and the City Engineer said that they had been counted.

The City Engineer showed a map to the Council regarding original petitioners, and the protests.

Mr. Murphy said he owned Lots 25, 26, 27, 28 Block 17.

The Clerk, checking the ownerwhip list, corrected the description to Lots 13, 14, 15, 16.

Willard Olson, of the City Engineer's office, said that the lots are at the end, and the charge would be small.

Mr. Murphy asked about the main.

Mr. Olson said that was under a separate contract.

Councilman Wincote said under that property owners pay part.

Councilman Schneider said he had been told by the Engineer that the Murphy total charges would be under a \$100.00.

The Mayor stated that bids received now by the City are low.

A man whose name was understood to be Benton said that Mr. Olson had stated about \$200. - also \$50.00 - and \$75.00 - and he referred to 2 women affected.

The Mayor advised checking with Mr. Beermann (the Water Director) regarding the water main.

Councilman Dail spoke to Mr. Murphy regarding cost on account of water main replacement.

Councilman Schneider said that perhaps the cost would not be as great as is thought.

RESOLUTION NO. 116979, recorded on Microfilm Roll No. 77, overruling and denying protests of property owners and Florence Chambers against proposed improvement of Arbor Drive within limits and as described in Resolution of Intention No. 116399, overruling and denying all other protests, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

On motion of Councilman Kerrigan, seconded by Councilman Dail, proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 116400 for paving and otherwise improving Boundary Street, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners were present to be heard.

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

On motion of Councilman Burgener, seconded by Councilman Wincote, the proceedings were referred to the City Attorney for preparation and presentation of Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 116401 for paving and otherwise improving Haines Street, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners were present to be heard.

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

On motion of Councilman Burgener, seconded by Councilman Wincote, proceedings were referred to the City Attorney for Resolution Ordering Work.

Bids
 Contracts for lighting signed
 Hearings

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 116402 for paving and otherwise improving 17th Street, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners were present to be heard. No one appeared to be heard, and no written protests were presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2204 for paving and otherwise improving Beaumont Avenue, within limits and as otherwise described in Resolution of Intention No. 113131, the Clerk reported that no written appeals had been received.

The Mayor inquired if any interested affected property owners were present to be heard. No one appeared to be heard, and no written appeals were presented.

RESOLUTION NO. 116980, recorded on Microfilm Roll No. 77, confirming and approving the Street Superintendent's Assessment No. 2204 for paving and otherwise improving Beaumont Avenue, under Resolution of Intention No. 113131; authorizing and directing the Street Superintendent to 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 Street Superintendent's Assessment No. 2205 for paving and otherwise improving Franklin Avenue, within limits and as otherwise described in Resolution of Intention No. 112023, the Clerk reported that written appeals had been received from James E. Nolden, and Gilbert C. Groff, which were presented to the Council.

The City Engineer, answering a question put by the Mayor, replied that there was a 5.4% appeal, and spoke of Lots in 2 subdivisions.

The Mayor inquired if any interested affected property owners were present to be heard.

Mr. Groff said to the Council that the cost is excessive, and referred to 2 assessments on the same 50-foot lot.

Councilman Schneider was excused.

Willard Olson, of the City Engineer's office, replied to Mr. Groff.

RESOLUTION NO. 116981, recorded on Microfilm Roll No. 77, overruling and denying appeals of James E. Nolden and Gilbert C. Groff from the Street Superintendent's Assessment No. 2205 made to cover costs and expenses of paving and otherwise improving Franklin Avenue and Commercial Street, under Resolution of Intention No. 112023; overruling and denying all other appeals; confirming and approving said Assessment, authorizing and directing the Street Superintendent to attach his warrant and issue the same in the manner and form provided by law, directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment No. 2206 for paving and otherwise improving of Tonopah Avenue, Asher Street, Lieta Street, Littlefield Street and Morenci Street, within limits and as otherwise described in Resolution of Intention No. 111080, the Clerk reported that written appeals had been received from Marceau Coven, Joyt Bruce Moore, Jr.; Mrs. Jack Calton, Mrs. E. A. Rexilius, Mrs. W. C. Harvison, Paul C. DeBaca, which were presented to the Council.

Asked for a report on the written appeals, the City Engineer said that it was 6.7% by area. He reviewed the appeals.

The Mayor inquired if any interested affected property owners were present to be heard.

H. B. Moore said that contractor had built the driveway to coincide with the street, in relation to a 2-foot drop drive. He said that the assessment on his property is out of proportion, and is high.

Mayor Butler pointed out that the work was done under bid, and that the lowest bid was accepted.

Mr. Moore told the Council that he purchased the property 6 months ago, and had a \$914.00 for this work - although he said that it had been stated that it would be \$700.00 (it was not said by whom the figure was given). He told about various costs, and maintained that "the contractor" should pay.

The Mayor said that it is on the property, and that it is not possible for the City to run down each individual contract for buildings built, driveways constructed, etc.

Discussion between the Mayor and Mr. Moore followed over what Mr. Moore identified as Lots 86 and 85, which proved to be the number of the assessments. (Clerk's search shows assessments 95 and 96)

Willard Olson, of the City Engineer's office spoke of there already having been a water service.

Next there was general discussion between Councilmen Wincote, Schneider and Mr. Moore.

Councilman Schneider stated that the work had been let out under the lowest, based on a majority wish for the improvement. The only protest, he declared, is to be considered on the question of the fairness or unfairness of the cost.

The City Engineer made the statement that the bid was 22.9% below the estimate. He spoke of having given an estimate of \$1200.00 assessment (as opposed to the one Mr. Moore has for \$914.00; which he stated was to have been \$700.00), from his records.

Discussion was carried on between the Mayor and Mr. Moore, during which the Mayor informed the appellant that there is a ten-year period allowed for payment of the assessment.

Mr. Moore spoke of the Council being able to work out the cost with the contractor, and that it should holdup the contract and the hearing. He told the Council that he makes \$3,500.00 per year, and has a \$10,000.00 home.

The Mayor replied that there is a 6% protest.

Councilman Godfrey agreed that Mr. Moore has a problem, and that 72% of the property owners were in favor of having the work done. He pointed out that the people started it - not the City. He said, also that there had been 2 previous hearings, with no protests. He said that a lot of improvements are

had been installed. He mentioned the job being 23% below the estimate. He, too, said that the people wanted it and got what they wanted.

Continuing, Mr. Moore said that it was "not fair".

Mrs. Doris (whose last name was not understood), said that Johnson's assessment was lower - \$100.00 less. She said Tonopah was not on the petition. The speaker told of Lieta being low, that a car got into the bank, and referred to a high slippery street.

C. DeBaca asked whose jurisdiction was concerned regarding lowering the driveway to get access to the garage.

The City Engineer said that the houses, where difficulty is now being experienced, had been after plans and proceedings had been started, and that there are deep cuts. He entered into discussion with Councilmen Godfrey and Schneider.

The Mayor told Mr. DeBaca that the street had been built to established grade.

The City Engineer agreed that it was built to established grade - except for a small area. The grade was in effect before the building was done, he announced.

The Mayor said that the error had been made by the owners' contractors.

Mr. DeBaca asked who is liable.

The Mayor advised seeing a lawyer.

Councilman Burgener spoke to Mr. DeBaca regarding his contractor's action.

Mr. DeBaca said that he does not want to go into legal action, if not needed.

Councilman Burgener spoke to Mr. DeBaca again, regarding the grade. He said that if drive had gone in at level it would have gone nowhere.

Councilman Wincote told Mr. DeBaca that he can talk to the City Manager, but felt that he can't help.

Mrs. J. R. Calton said she has a higher assessment than others.

Mr. Olson showed Mrs. Calton regarding her assessment from the assessment roll. They were joined by a woman who did not identify herself.

Mrs. E. G. Rexilius spoke about having no water during construction.

The City Engineer said all were figured on the same basis, although some assessments are higher.

Mr. Olson went into the matter of assessment which he had explained to some individuals, and said that one woman had stated that the real estate agent put one over on her.

Members of the Council entered into discussion with a woman who did not identify herself.

The Engineer re-iterated that the assessment had all been figured on the same basis, and that charge for services was made where installed. He told of lots not being the same size, not the same services installed to each, and that they are in different locations.

Mr. Moore said when he moved there it was a cow pasture. He told about the contractor having changed the grade.

The City Engineer disagreed, and pointed out that the work had been put in at grade.

Mr. Moore insisted that an error had been made somewhere in engineering.

Councilman Wincote said something was changed.

The City Engineer said that Cox (Cos Brothers Construction Co.) had the contract, and that there had been a sub-contract on a portion.

RESOLUTION NO. 116982, recorded on Microfilm Roll No. 77, overruling and denying appeal of Marceau Coven, Hoyt Bruce Moore, Jr., Mrs. Jack R. Calton, Mrs. A. E. Rexilius, Mrs. W. C. Harvison, Paul C. DeBaca, from the Street Superintendent's Assessment No. 2206 made to cover the costs and expenses of the work of paving and otherwise improving Tonopah Avenue, Asher Street, Lieta Street, Littlefield Street and Morenci Street, under Resolution of Intention No. 111080; overruling and denying all other appeals thereon; confirming and approving the Street Superintendent's Assessment No. 2206; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and file said warrant, diagram and assessment in his office, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M., the time set for hearing on the Street Superintendent's Assessment No. 2207, made to cover the cost and expenses of paving and otherwise improving Monte Vista Avenue, under Resolution of Intention No. 111924, the Clerk reported that no written appeals had been received.

The Mayor inquired if any interested affected property owners wished to be heard.

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

RESOLUTION NO. 116983, recorded on Microfilm Roll No. 77, confirming and approving the Street Superintendent's Assessment No. 2207 made to cover the cost and expenses of paving and otherwise improving Monte Vista Avenue, under Resolution of Intention No. 111924; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and file said warrant, diagram and assessment in his office, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M., the time set for hearing on the Street Superintendent's Assessment No. 2208, made to cover the cost and expenses of paving and otherwise improving Francis Street and Public Rights of Way, under Resolution of Intention No. 110164, the Clerk reported that written protests had been received (appeals) from Willie H. Gibson and Mrs. Lois L. Gibson, Maude C. Harris, Fortunato G. Atienza, Sr., William Lonow, which were presented to the Council.

Asked for a report, the City Engineer told of an 11.8% protest for a variety of reasons. He pointed out that the bid was 6% under the estimate.

The Mayor inquired if any interested affected property owners wished to be heard.

Willy Gibson protested the cost and the grade, as well as the specifications. He said plans were to "grade down".

The City Engineer showed Mr. Gibson, Councilmen Burgener and Schneider plans.

Mrs. F. K. Atienza, Sr., spoke regarding sidewalk grade. She told the Council she had to put in the new walk for receiving mail. Councilman Burgener discussed the matter with her.

During the discussion, it was indicated that the matter of the grade would be referred to the City Manager (however, the final Resolution did not include that motion, but the City Manager's office - O. K. Cope - was notified by the Clerk by the Council's interest).

Mrs. Martin Zatarian, Jr., told of the big drop of 12 feet in the front of her property.

The City Engineer held a conference over plans with property owners and Councilman Burgener.

RESOLUTION NO. 116984, recorded on Microfilm Roll No. 77, overruling and denying the appeals of Willie H. Gibson, Fortunato G. Atienza, Sr., William Lanon, Mrs. Martin Zatarian, from the Street Superintendent's Assessment No. 2208 for the paving and otherwise improving of Francis Street and Public Rights of Way, under Resolution of Intention No. 110164; 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 the same in his office, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, set for hearing on Resolution No. 116623 of Preliminary Determination for improvement of Broadway (removal of existing light standards, installation of new standards, etc.) the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners desired to be heard.

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

RESOLUTION NO. 116985, recorded on Microfilm Roll No. 77, determining that proposed improvement of Broadway, within limits and as described in Resolution No. 116623 of Preliminary Determination is feasible and that lands to be assessed will be able to carry the burden of the proposed assessment, also finding and determining that public convenience and necessity require proposed improvements and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, set for hearing on Resolution of Preliminary Determination No. 116624 for paving and otherwise improving portions of Jamacha Road and Flicker Street, the Clerk reported no written protests had been received.

The Mayor inquired if any interested affected property owners desired to be heard.

A written protest against Flicker Street paving - asking that any and all signatures be cancelled for the work - was handed in.

RESOLUTION NO. 116986, recorded on Microfilm Roll No. 77, continuing hearing on Resolution of Preliminary Determination No. 116624 for improvement of Jamacha Road and Flicker Road to the hour of 10:00 o'clock A.M., March 16, 1954, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, set for hearing on Resolution of Preliminary Determination No. 116625 for sewer in Klauber Avenue, Pierino Drive, Zeller Street, Plover Street, Hilger Street, Gibson Street, Tarbox Street, Medera Street and Public Rights of Way, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners desired to be heard.

James E. Hamilton told the Council that 8 neighbors have 2270 feet affected by the proposed sewer. He spoke of the new septic tanks and cesspools, and that he would have 150 feet to 200 feet to go to reach the sewer.

The City Engineer, answering a question, said that it depends on the attitude of the Health Department, and existing conditions regarding requirement to hooking up.

Councilman Dail expressed an interest in the cost.

The City Engineer said it would be about \$300.00 per 50-foot lot. He spoke of there being no obligation to hook up under the proceedings, which he declared to be a health matter.

Members of the Council carried on discussions with several persons, none of whom was identified.

Councilman Dail spoke of the high ground, and that the Health Department would have something to say. He told of many large ownerships, including small farms.

The Mayor said that the hearing should be continued 1 week for protests, and for the Health Department to make a report.

Willard Olson referred to previous petitions, not attached to the file before the Council.

The City Engineer spoke of there being a 68% petition.

An unidentified woman said the area is not thickly populated.

RESOLUTION NO. 116987, recorded on Microfilm Roll No. 77, continuing hearing on proposed improvement of Klauber Avenue, Pierino Drive, Zeller Street, Plover Street, Hilger Street, Gibson Street, Tarbox Street, Madera Street and Public Rights of Way, under Resolution of Preliminary Determination No. 116625 to 10:00 o'clock A.M., March 16, 1954, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed Ordinance amending the San Diego Municipal Code by adding various sections and amending sections, also repealing a number of Ordinances, all having to do with regulating Trailer Parks, the Mayor said that it was 12:15, and asked Morey Levenson, attorney, if this could be held over until this afternoon.

R. W. Harper, with the De Anza Trailer, said that the proposal would make a difference.

The Mayor told the Council that Senator Kraft, on behalf of the Trailer Coach Assn., had asked for a 30-day continuance. He said he felt that would be a long time.

Mr. Levenson said that one of the reasons for concern was on account of the conferences which had been held with the City Manager and that it had been thought that all were in agreement. He said that the Ordinance proposed does not agree on account of the retroactive features. Mr. Levenson said that it could well be referred back to the City Manager.

Councilman Dail agreed that if there is a conflict, the subject could be referred back to the City Manager.

The Mayor said he felt 2 weeks would be more reasonable than the 30 days asked for.

Councilman Godfrey stated that the City Attorney had told the Council about the present difficulty.

116984 - 116987

Trailer Park hearing

Mr. Levenson replied that operations have been carried on under the existing ordinance for 15 years. He said that there were not any serious differences.

Councilman Schneider moved that the City Manager continue with conferences on the subject, and that the hearing be continued 4 weeks.

Douglas D. Deaper, Deputy City Attorney told of having spoken with Mr. Levenson regarding the 3 year term in the ordinance, and that the Council is aware that it is desirable to have amendments.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the hearing was continued for 4 weeks - to April 6, 1954.

H. W. Merley tried to talk to the Council about there being no more drainage of water from Morena Reservoir.

There was no action.

At the hour of 12:20 o'clock Noon, the Council took a recess until the hour of 2:00 o'clock P.M. this date.

Upon reconvening, at the hour of 2:10 o'clock P.M., the roll call showed the following:

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

Absent---None

Clerk---Fred W. Sick

Petition of property owners for modernizing by replacing street lighting system on Broadway between Eighth and Twelfth Avenues, was presented.

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

Certificate of the City Clerk giving results of canvass of election returns relative to annexation of Rolando Tract to the City of San Diego - election conducted March 2, 1954 - was presented.

RESOLUTION NO. 116988, recorded on Microfilm Roll No. 77, declaring result of the Special Election held in certain territory designated as "Rolando Tract", in the County of San Diego, State of California, on Tuesday, March 2, 1954, upon the proposition to annex said territory to the City of San Diego, as follows: "Shall Rolando Tract be annexed to The City of San Diego, and the property therein be, after such annexation, subject to taxation equally with the property within said City, to pay the bonded indebtedness of said City outstanding at the date of said annexation"

The whole number of votes cast is 1850;

The number of votes given in favor of the annexation is 1098;

The number of votes given against the annexation is 746;

that the number of votes cast in each precinct for and against said annexation are recorded in the Election Returns Book of The City of San Diego, which shall be considered as a part of the records of the County; that more than one-half of the voters voting at said Special Election were in favor of said annexation, and said proposition or measure is declared to be carried; directing the City Clerk to enter on the minutes a statement of votes cast upon said proposition or measure, the number of votes in said territory for and against the proposition or measure, and statement that number of votes given for and against the proposition or measure are recorded in the Election Returns Book, and to make results of the canvass returns public immediately by publishing returns in The San Diego Union, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent reporting on bids received February 25, 1954, for repair of Bulkhead Wall along Harbor Drive between Foot of Columbia Street and Eighth Street, from 6 bidders, was presented. It recommended award to M. H. Golden Construction Company, low bidder, in the amount of \$29,869.00 - estimate was \$35,000.00.

RESOLUTION NO. 116989, recorded on Microfilm Roll No. 77, accepting bid of M. H. Golden Construction Company for repair of the bulkhead wall along Harbor Drive between the Foot of Columbia Street and Eighth Street; awarding contract, authorizing and instructing majority of the members of the Harbor Commission to enter into and execute contract with M. H. Golden Construction Company, 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, with City Manager's stamp of approval, reporting on bids received March 5, 1954, for furnishing City's requirements of sectional cement burial boxes for period of one year beginning March 1, 1954, was presented. It states a single bid was received from Greenwood Cemetery Association, present contractor - prices identical with those charged the City for the past 2 years - and it was found that prices paid in Los Angeles were found to be no lower than in San Diego. It recommended award.

RESOLUTION NO. 116990, recorded on Microfilm Roll No. 77, accepting bid of Greenwood Cemetery Association for furnishing sectional cement burial boxes for one year beginning March 1, 1954: #00 Box \$7.50 each; #0 Box at \$7.50 each; #1X Box at \$7.50 each; #1 Box at \$8.50 each; #3 Box at \$16.00 each; #5 Box at \$17.50 each, plus sales tax; awarding contract, authorizing and instructing 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 Wincote, adopted.

Communication from the Purchasing Agent, with City Manager's stamp of approval, reporting on bids for furnishing approximately 1000 ft. 1-1/2", 4000 ft. 2-1/2", and 900 ft. 3" Double Cotton Jacketed

116988 - 116990

Petition

Rolando Annexation certificate

Lined Fire Hose received February 4, 1954, from 4 bidders, was presented.

It reports that low bid received was that of John F. Wardlaw Fire Equipment, Rivera, California, who bid on supplying Eureka fire hose, and bid carried statement that samples had been shipped direct from factory in New Jersey, but 2 weeks after bid opening date samples had not been received - and still have not been received - etc. The report states that the Chief of the Fire Department advises the Fire Department is urgently in need of the new hose, and that hose furnished by Wardlaw in 1950 was unsatisfactory and portions purchased at that time are now being condemned. It recommends rejecting the John F. Wardlaw Fire Equipment bid for non-compliance with specifications, and award be made to Gould Hardware Company of San Diego at a total price of \$6,891.36 plus State Sales Tax - approximately 7% higher than the low bid.

RESOLUTION NO. 116991, recorded on Microfilm Roll No. 77, accepting bid of Gould Hardware & Machinery Co. for furnishing Double Cotton Jacketed Rubber Lined Fire Hose; 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 Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent reporting on bids received February 24, reporting on bids received February 24, 1954, from 5 bidders for Fire Damage Repairs to Sheds at Fish Market Building, was presented. It recommends award to Nielsen Construction Company, low bidder in the amount of \$2444.00 - estimate was \$3000.00.

RESOLUTION NO. 116992, recorded on Microfilm Roll No. 77, accepting bid of Nielsen Construction Company for Fire Damage Repairs to Sheds at Fish Market Building; 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 Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, with City Manager's stamp of approval, reporting on bids received March 3, 1954, for furnishing Radio Tubes for period of one year beginning March 1, 1954, from 2 bidders, was presented. It recommends award to Radio Parts Company of Amsac, Inc.) of San Diego, low bidder - in accordance with detailed report attached.

RESOLUTION NO. 116993, recorded on Microfilm Roll No. 77, accepting bid of Radio Parts Company (Amsac, Inc.) for furnishing Radio Tubes for period of one year commencing March 1, 1954; 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 Wincote, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids received for furnishing 1 400 Ampere Skid Mounted Engine DC Arc Welding Machine from 4 bidders; recommending award to G. S. Parsons, of San Diego, low bidder meeting specifications, at \$1,326.00 f.o.b. City Shops, terms 1% - 10 days, plus State Sales Tax, was presented.

RESOLUTION NO. 116994, recorded on Microfilm Roll No. 77, accepting bid of G. S. Parsons for furnishing 1 Lincoln Arc Welder, Type S-7066, 400 Amperes; awarding contract, authorizing and instructing the City Manager to enter into and execute contract pursuant to 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, with City Manager's stamp of approval, submitting Resolution authorizing advertising for various items of communication equipment for the office of the Civil Defense - listed therein - was presented.

The Resolution was adopted on motion of Councilman Burgener, seconded by Councilman Wincote.

After a question was asked of the City Manager regarding the equipment, action was reconsidered.

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

Communication from the Purchasing Agent, with City Manager's stamp of approval, submitting Resolution authorizing bids for Laboratory Equipment for Municipal Sewage Treatment Plant, as per specifications on file in the office of the City Clerk under Document No. 486233, was presented.

RESOLUTION NO. 116995, recorded on Microfilm Roll No. 77, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Laboratory Equipment at Municipal Sewage Treatment Plant, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116996, recorded on Microfilm Roll No. 77, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of parking meter curbs on Harbor Street between Harbor Drive and 8th Street, bearing Document No. 486204; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 116997, recorded on Microfilm Roll No. 77, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of sanitary outfall sewer in The Muirlands (Northerly Section) in portions of West Muirland Drive, El Camino Del Canon, Muirlands Drive and El Camino Del Teatro, bearing Document No. 486205;

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Communication to Mgr.

authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 116998, recorded on Microfilm Roll No. 77, authorizing and directing the Purchasing Agent to advertise for sale and sell automotive equipment belonging to the Department of Public Works - listed in the Resolution - no longer desirable for use or retention by the City; directing that all expenses in connection with sale shall be deducted from proceeds received from the sale, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the next two matters, recommendations were adopted, then reconsidered later.

Communication from the Planning Commission submitting Resolution suspending 3 sections of the Municipal Code relative to Tentative Map of Goodwin Heights, and approving Tentative Map of Goodwin Heights, were presented.

After some other actions had been taken the 2 Resolutions were reconsidered, when Duke Goodwin was heard. Mr. Goodwin objected to a condition having to do with road widening, at this time. He referred to improvement of .9 of mile to Linda Vista Road and 395 as being a hazard.

Councilman Kerrigan stated that there was a Committee hearing on the subject.

Mr. Goodwin stated that he had given a right of way to the City with the expectation that he would get something.

At request of the Council, the Clerk read the conditions attached to recommendation for approval of the tentative map.

Mr. Goodwin spoke of water on 2 lots, and sewer on 1. He said he does not want to fix the street.

See later action, on this page.

Communication from Board of Architectural Review (City Planning Dept.), submitting recommendation relative to Minimum Floor area of houses, etc., for incorporation into the Building Code, was presented.

RESOLUTION NO. 116999, recorded on Microfilm Roll No. 77, referring communication from Board of Architectural Review submitting recommendation on minimum floor area of houses to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Application of Kay Cudd, for cabaret license at Kay's Lucky Strike, 1807 Fifth Avenue, was presented together with recommendations for approval.

RESOLUTION NO. 117000, recorded on Microfilm Roll No. 77, granting permission to Mrs. Kay Cudd to conduct cabaret with paid entertainment at Kay's Lucky Strike, 1807 Fifth Avenue, where liquor is sold, subject to regular license fee and compliance with existing regulations, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Application of Eugene H. Field for cabaret license at "The Elbow Room" 704 Garnet Street, was presented together with recommendations for approval.

RESOLUTION NO. 117001, recorded on Microfilm Roll No. 77, granting permission to Eugene H. Field to conduct cabaret with paid entertainment at "The Elbow Room", 704 Garnet Street, where liquor is sold, subject to regular license fee and compliance with existing regulations, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Application of Louis Vlagos for cabaret license at The Skyliner, 3365 Fifth Avenue, was presented together with recommendations for approval.

RESOLUTION NO. 117002, recorded on Microfilm Roll No. 77, granting permission to Louis Vlagos to conduct cabaret with paid entertainment at The Skyliner, 3365 Fifth Avenue, where liquor is sold, subject to regular license fee and compliance with existing regulations, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Communication from Personnel Director, submitting Ordinance establishing position of Airport Attendant, Standard Rate of Pay No. 14 - \$256 to \$311 per months - was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, Ordinance creating position of Airport Attendant in the Classified Service, and establishing Schedule of Compensation, 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 Council returned to the items referred to on this page as Goodwin Heights.

Harry Haelsig identified the property as being on Linda Vista Road, near Chesterton and Magnolia Downs. He told of the Magnolia Downs improvement, and of the Engineer's recommendation for the improvement in the proposed subdivision.

Duke Goodwin said he could do the work later on the street, and be assessed. Mr. Goodwin told the Council that telephone lines are in line with the proposed street.

Mr. Haelsig said it is an isolated area, the same as the Cotton proposed development. If service road is provided, there would not be requirement on the street. It would cost less "this way", he said, and told of a number of small ownerships.

Mr. Goodwin told the Council that the longest line is 198 ft., the shortest 138 feet. The

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Ord. introduced

Goodwin Heights - considered and re-considered.

street would be better than the service road, he stated. Mr. Goodwin identified the property as R-1. He told of the development on Linda Vista Road.

Mr. Haelsig made a point of not being able to bind future owners, in connection with agreements made by Mr. Goodwin for improvements.

Mr. Goodwin said this would be the only improvement, and be isolated.

The Mayor spoke of a Council policy relative to the improvement now, or at a later time. He said that the next one (referring to an adjoining street or service road) would be the same, and would go in with the subdivision. He told Mr. Goodwin that it would save money to do the work now. He referred to Mr. Goodwin having donated land "to play ball".

Councilman Schneider was excused.

Mr. Goodwin said that he would not put in all at once, under the 1911 Act proceedings.

Councilman Godfrey stated that the improvement would be reflected in the value of the property.

Mr. Goodwin stated that the matter had been brewing for a long time - even before being considered as a subdivision. He said that the Attorney had advised him that the requirement for filing a subdivision on so few lots is not a law.

Councilman Kerrigan agreed, but added that it is a policy.

Mr. Goodwin asked how about the 3 lots.

Councilman Godfrey said that there is no perfect solution.

Mr. Haelsig said that the easement was for Linda Vista Road right of way.

Councilman Burgener said that it is not necessarily supposed that one is to get something for granting a right of way.

Councilman Burgener asked about the policy for the excess width.

Mr. Haelsig said that it is not an excess width, and referred to the Clairemont Boulevard set-up, with the center being paved.

Councilman Burgener said that there is a difference between 1 and 4 lots

RESOLUTION NO. 117003, recorded on Microfilm Roll No. 77, suspending Sections 102.11-1, 102.18 and 102.17-c of San Diego Municipal Code in connection with Tentative Map of Goodwin Heights, a 4-lot subdivision of portion of Lots 3 and 4, Subdivision of the East 1/2 of Pueblo Lot 1215, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117004, recorded on Microfilm Roll No. 77, approving Tentative Map of Goodwin Heights, subject to 7 conditions, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the City Engineer, with City Manager's stamp of approval, recommending that proceedings for paving, etc., Alley Block 46 Ocean Beach, be amended to include storm drainage structures in addition to grading, paving and sewer laterals, as outlined, was presented.

The City Manager told the Council that it is an alley where there is a petition, and that there is need for culvert and drain. If the alley is paved, it is necessary to get the water out, he said, and added that it would cost \$2,000. to \$2,500.00. They should pay that cost, or the Council abandon the proceeding.

RESOLUTION NO. 117005, recorded on Microfilm Roll No. 77, adopting recommendation of the City Engineer under Document No. 485969, for amending petition for improvement of Alley in Block 46 Ocean Beach in accordance with recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Petition of Civic Club of Encanto, dated March 4, 1954, signed by A. Harry Beran, president and Mrs. Harold Eddy, Cor. Secretary, was presented. It refers to a traffic problem at the intersection of Merlin Drive and Market Street. The petition refers to suggestion that corners be cut.

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

Communication from San Diego Junior Chamber of Commerce, signed by Marvin W. Moar, manager, dated March 3, 1954, was presented. It submits request for \$250.00 for advertising City resources in connection with Miss San Diego Pageant Committee plans, and thanks the Council for cooperation given in the past.

RESOLUTION NO. 117006, recorded on Microfilm Roll No. 77, referring communication from San Diego Chamber of Commerce, under Document No. 486303, requesting appropriation, to Council Conference (Budget), was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from San Diego Symphony Orchestra Ass'n, Suite 2 House of Hospitality, Balboa Park, dated March 2, 1954, signed by Donald A. Stewart, attorney for the Ass'n., was presented. It requests renewal of existing lease between the City and the Association for use of Balboa Park Bowl on Tuesdays in the months of July and August, which existing lease expires with completion of the coming summer series.

The Mayor asked Mr. Stewart if he wished to be heard.

Mr. Stewart replied that he did not.

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

Communication from San Diego Symphony Orchestra Association, House of Hospitality, Balboa Park, dated March 1, 1954, signed by Mrs. Fred G. Goss, President, requesting \$5,000. appropriation for the 6 concerts in Balboa Park Bowl during July and August, 1954, was presented.

RESOLUTION NO. 117007, recorded on Microfilm Roll No. 77, referring to City Manager for Budget Conference communication from San Diego Symphony Orchestra Association, requesting appropriation

of \$5,000.00, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Charles J. Hall, 2534 E Speedway, Tuscon, Arizona, dated March 1, 1954, was presented. It refers to the Tuscon boys band appearance in San Diego last July, and having played on the east side of the Civic Center in the patio, at which time letter from the Mayor of Tuscon was presented. It tells of plan for making return visit to San Diego, and being confronted with matter of accommodations for the band, which will consist of sixty boys and a staff of ten adults. The communication asks if it would be possible to arrange accommodations in Balboa Park during the two weeks in San Diego from 5 June through 26 June. It says that if accommodations could not be secured at that time they would be happy to change the date to conform. Accommodations with sleeping facilities, showers and lavatories and cooking facilities are requested. In addition, it mentions having used Alpine school last year with all facilities required, but that it will not close until the end of June; also that if accommodations cannot be had in San Diego invitation will be accepted for the Alpine school with date changed to July.

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

8 Communication from Lester J. King, 3814 Mississippi Street, San Diego, Calif., dated Mar. 4, 1954, objecting to higher bus fares in San Diego, relative to announcement that application is made therefor, was presented.

The Mayor said he felt the communication should be answered, and offered to do so.

On motion of Councilman Kerrigan, seconded by Councilman Dail, the communication was referred to the Mayor.

Communication from Richard T. Parsons, 2660 E St., San Diego, dated March 5, 1954, objecting to increased bus fare, troubles caused to parking on account of the Bus Company, and the inconvenience caused on location of bus stops, etc.

On motion of Councilman Kerrigan, seconded by Councilman Dail, the communication was referred to the Mayor.

Communication from Mrs. E. D. Newport, 3657 National Ave., San Diego 13, dated March 3, 1954, thanking the Council for its resolution commending the Aztec (State College) basketball players, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincob, the communication was ordered filed - and referred to the Mayor for reply.

RESOLUTION NO. 117008, recorded on Microfilm Roll No. 77, directing notice of filing of the Street Superintendent's Assessment No. 2218 made to cover paving and otherwise improving Alley in Block 4 Washington Heights, under Resolution of Intention No. 113491, and of time and place of hearing, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117009, recorded on Microfilm Roll No. 77, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley lying easterly of and contiguous to Lots 1 to 24 inclusive, Block 1 Tract 1382 Wilshire Place, 43rd Street and Public Right of Way; approving Plat No. 2529 showing exterior boundaries of district to be included in the assessment; 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 Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117010, recorded on Microfilm Roll No. 77, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Olney Street and Felspar Street; approving Plat No. 2584 showing exterior boundaries of district to be included in the assessment; 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 Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 117011, recorded on Microfilm Roll No. 77, for the paving and otherwise improving Alley Block 25 Ocean Beach, under Resolution of Intention No. 116281, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 117012, recorded on Microfilm Roll No. 77, for the paving and otherwise improving Alley Block 76 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions of Acre Lots 16, 37, 45, 46; Blocks 150 and 151 Pacific Beach, under Resolution of Intention No. 116282, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 117013, recorded on Microfilm Roll No. 77, for the paving and otherwise improving Alley Block 76 University Heights, under Resolution of Intention No. 116283, was on

motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117014, recorded on Microfilm Roll No. 77, accepting offer of Pacific Union Metal Co., filed in the office of the City Clerk under Document No. 485960, agreeing to furnish 27 Union Metal single light Octa-flute Monotube pendent type standards, Design No. 403 Cat. F250-B2, to any and all contractors desiring to bid on installation of ornamental lighting system in 30th Street between Wightman Street and Upas Street, and Ray Street between University Avenue and Wightman Street, at prices named in said offer and license agreement, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117015, recorded on Microfilm Roll No. 77, accepting offer of Econolite Corporation, filed in the office of the City Clerk under Document No. 485960, agreeing to furnish 27 General Electric Form 109 Mercury vapor luminaires complete, and 27 General Electric 400 watt 6.6. ampere Type ILH Series ballasts, to any and all contractors desiring to bid on installation of ornamental lighting system in 30th Street between Wightman Street and Upas Street, and Ray Street between University Avenue and Wightman Street, at prices named in said offer and license agreement, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 117016, recorded on Microfilm Roll No. 77, for installation of street light standards, etc., in portions of 30th Street, Upas Street, Ray Street, University Avenue, within limits and as described therein, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 117017, recorded on Microfilm Roll No. 77, for closing Bessemer Street as described in said Resolution; setting out exterior boundaries of lands to be affected by said work and improvement, and to be assessed to pay the damages, costs and expenses, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117018, recorded on Microfilm Roll No. 77, for paving and otherwise improving Alley lying easterly of and contiguous to Lots 1 to 24, inclusive, Block 1 Tract 1382 Wilshire Place; 43rd Street, and Public Right of Way, within limits and as described therein, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117019, recorded on Microfilm Roll No. 77, for paving and otherwise improving Olney Street and Felspar Street, within limits and as described therein, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117020, recorded on Microfilm Roll No. 77, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 86 Point Loma Heights, within limits and as described therein, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117021, recorded on Microfilm Roll No. 77, ascertaining and declaring wage scale for installation of street lighting system in Diamond Street and Cass Street, within limits and as described therein, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117022, recorded on Microfilm Roll No. 77, ascertaining and declaring wage scale for paving and otherwise improving Thorn Street, within limits and as described therein, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117024, recorded on Microfilm Roll No. 77, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Alleys Blocks 4 and 5 Frary Heights, and Thorn Street, described in Resolution of Intention No. 113130 and to be assessed to pay the expenses thereof; was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117025, recorded on Microfilm Roll No. 77, finding that public interest will be served by making contribution, and providing such contribution in amount of \$3,310.00 toward cost of 1911 Act proceeding for paving and otherwise improving 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, Southerly Alley Block 34 La Jolla Shores Unit No. 6, La Vereda and Public Land being portion of Kellogg Park, within limits and as described in Resolution of Intention No. 116761; directing the City Auditor and Comptroller to make payment in that amount to The Griffith Company, a corporation, contractor for the work, on or before 30th day following confirmation of assessment roll therefor; directing the Street Superintendent to modify assessment roll by deducting from the total cost of the work to be assessed the amount of \$3,310.00, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117026, recorded on Microfilm Roll No. 77, establishing parking time limit of two hours, between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted:

Both sides of A Street, between the east line of Columbia Street and the west line of State Street;
establishing parking meter zone; authorizing the City Manager to install parking meters and ~~install parking meters~~ and designate parking meter spaces; authorizing installation of necessary signs and markings, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117027, recorded on Microfilm Roll No. 77, establishing parking time limit of two hours, between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted:

India Street, between the northerly line of Ivy Street and the southerly line of Juniper Street;
establishing parking meter zone; authorizing the City Manager to install parking meters and install parking meter spaces; authorizing installation of necessary signs and markings, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117028, recorded on Microfilm Roll No. 77, establishing parking time limit of two hours, between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted:

Both sides of Kansas Street, between north line of El Cajon Boulevard and south side of Meade Avenue;
establishing parking meter zone; authorizing the City Manager to install parking meters and install parking meter spaces; authorizing installation of necessary signs and markings, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117029, recorded on Microfilm Roll No. 77, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Keating at Puterbaugh Street;
Keating at Linwood Street;
Seventh Avenue at Date Street,

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

RESOLUTION NO. 117030, recorded on Microfilm Roll No. 77, authorizing and empowering the City Manager to do all the work in connection with moving cathodic protection anode at Station "H" on the Bonita Pipe Line, near 45th and Market Streets, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION NO. 117031, recorded on Microfilm Roll No. 77, authorizing and empowering the City Manager to remove 125 cubic yards of earth from intersection of Chamoune Avenue and Redwood Street; cost not to exceed \$137.50, payable from Ordinance No. 5341 (New Series); was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Said Resolution states that The City of San Diego has heretofore entered into contract with Griffith Company for grading, paving and otherwise improving Chamoune under a 1911 Street Improvement Act proceeding, that Drawing 10837-L shows excavation to be done by City forces, for drainage purposes; that Griffith Company, contractor, has offered to do the work for \$137.50 and City Manager has recommended acceptance.

RESOLUTION NO. 117032, recorded on Microfilm Roll No. 77, authorizing and directing the City Manager to enter into agreement, on behalf of the City, with Public Housing Administrator of the United States of America for improvement of Opal Street and Dawes Street upon terms and conditions contained in agreement filed in the office of the City Clerk as Document No. 486494, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Said resolution states the Public Housing Administrator of the United States of America is engaged in operation of war housing project on land bounded in part by Opal Street and Dawes Street, which streets are unimproved; that the Administration and The City are desirous of entering into and executing agreement whereby the Administration shall pay the City, upon satisfactory completion of the improvements to said streets, a share of the cost, and that the City Manager has recommended such an agreement.

RESOLUTION NO. 117033, recorded on Microfilm Roll No. 77, authorizing and directing the City Manager for and on behalf of the City, to make application to the Board of Supervisors of the County of San Diego, and take all necessary steps to acquire from the State of California, tax-deeded lands which may purchased by the City by entering into option with the Board of Supervisors of the County:

Choates Addition: All Blk 57, All Blk 59, All Blk 60, Lots 6 to 19 incl., Blk 81, Ls 1 to 9 incl., & Frac'l Lot 10 Block 82, Frac'l Lot 15 & all Lots 16 to 24 incl., Blk 82, Ls 1 to 20 incl., Blk 84, Ls 1 to 20 incl., Blk 85, Lots 1 to 9 incl., Frac'l Ls 10 & 15 Blk 87, Lots 6 to 12 incl., Blk 88, Frac'l Lots 10 & 15 Blk 110, Lots 1 to 10 incl., Blk 112, Lots 1 to 9 incl., Frac'l 10 & 15 & all Lots 16 to 24 incl., Blk 115, Lots 6 to 19 incl., Blk 116, Lots 1 to 10 incl., Ls 11 to 24 incl., Blk 133, Lots 1 to 24 incl., Blk 136, Lots

1 to 11 incl., & (Exc Freeway Ope) Lot 12, Lots 20 to 24 incl., Blk 137, Lots 1 to 8 incl., Blk 145, Lot 24, Blk 145, Lots 1 to 24 incl., Blk 146, Lots 1 to 14 incl., Blk 147, Lot 45, Blk 121, Frac'l Lot 25, Blk 124, Lot 25 Blk 128, Lot 40, Lot 44 Blk 150; Choate's Addition Map No. 167:
 Lot 23 Blk 126, Lot 25, Blk 127, Choate's Addition No. 156: Lot 7 Blk 336,
 was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117034, recorded on Microfilm Roll No. 77, approving request of W. A. Robertson & Company, dated February 15, 1954, contained in Change Order No. 2, for extension of 30 days, to and including March 17, 1954, heretofore filed with the City Clerk as Document No. 486318, in which to complete contract for installation of Small Water Main Replacements, Group VII (Specification No. 45), contract contained in Document No. 473265; extending completion time to March 17, 1954, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117035, recorded on Microfilm Roll No. 77, approving request of F. E. Young Construction Co., dated March 1, 1954, contained in Change Order No. 59, for extension of 31 days, to and including March 31, 1954, heretofore filed with the City Clerk as Document No. 486320, in which to complete contract for construction of San Diego Public Library, contract contained in Document No. 451108 on file in the office of the City Clerk; extending completion time under said contract to March 31, 1954, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117036, recorded on Microfilm Roll No. 77, granting permission to Kathleen Cosby, 4386 Pacific Highway, San Diego 10, to install 4" cast iron sewer line along easterly lines of Lot 5 Block "H" Subdivision of Encanto Heights, and Lot 34 Block "G" Subdivision of Encanto Heights, and across Madrone Avenue and in Alley said Block G, to point of intersection with public sewer; to serve property at 6407 Madrone Avenue, subject to approval of Chief Plumbing Inspector, Property Department, City Engineer (Sewer Division) and City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117037, recorded on Microfilm Roll No. 77, granting permission to Orrin E. Klapp and Evelyn Klapp, 6430 Montezuma Road, San Diego 15, to install a 4-inch cast iron sewer line between property line and sidewalk, to be placed 1 foot outside property line and to run in westerly direction, parallel to southerly line of Lot 61 Cosgrove Mesa Subdivision, to point of intersection with public sewer; to serve property at 6420 Montezuma Road; subject to approval of Chief Plumbing Inspector, Property Department, City Engineer (Sewer Division), and City Manager, and upon conditions set out, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117038, recorded on Microfilm Roll No. 77, granting permission to Whiting-Meade Company, P.O. Box 1391 San Diego 12, to install 48-foot driveway, as measured at top of full-height curb, on south side of L Street approximately between points 14 feet and 62 feet east of east line of 13th Street, adjacent to Lot A Block 152 Horton's Addition; to provide access from L Street to recently completed mill building, via three large overhead doors, on conditions set forth therein, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117039, recorded on Microfilm Roll No. 77, endorsing program and giving support to Sixth Annual Institute on Government sponsored by all the public employee groups in the San Diego area, Institute to be held on April 9, 1954, in Conference Building, Balboa Park, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

(This Resolution was repealed on March 11, 1954 - eliminating the word "all" re public employee groups).

RESOLUTION NO. 117040, recorded on Microfilm Roll No. 77, vacating easement acquired by The City of San Diego for storm drain purposes in portion of Lot 59 Beacon Hill, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolution says easement has not been used for purpose acquired, and is unnecessary for present or prospective public use; that from and after vacation title shall revert to owners of land free from rights of the public; authorizing and directing City Clerk to cause certified copy of Resolution, attested by him under seal, to be recorded in the office of the County Recorder of San Diego County.

RESOLUTION NO. 117041, recorded on Microfilm Roll No. 77, vacating easement acquired by The City of San Diego for storm drain purposes in portion of Lot 66 Beacon Hill, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolution says easement has not been used for purpose acquired, and is unnecessary for present or prospective public use; that from and after vacation title shall revert to owners of land free from rights of the public; authorizing and directing City Clerk to cause certified copy of said Resolution, attested by him under seal, to be recorded in the office of the County Recorder of San Diego County.

Proposed Ordinance approving annexation to the City of San Diego of portions of Tidelands of San Diego Bay, in the County of San Diego, State of California, known and designated as "San Diego Harbor Tidelands", first presented on February 16, 1954 and continued to February 23, 1954; then continued on that date to March 2, 1954; continued from March 2, 1954, to this date, was presented again.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the proposed Ordinance was continued to the meeting of Tuesday, March 16, 1954.

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 vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 5994 (New Series), recorded on Microfilm Roll No. 77, amending San Diego Municipal Code by amending Section 101.0405 relating to R-1 Zone (the change provides for not more than 2 persons in addition to members of the family to be boarded or lodges, and that all boarders and/or lodgers shall be housed within the single family dwelling and not in any permitted accessory building), 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 Dail, the reading of the next ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 5995 (New Series), recorded on Microfilm Roll No. 77, changing name of Landon Street to Lovelock Street, was on motion of Councilman Burgener, seconded by Councilman Dail, 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 next ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the reading of said ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 5996 (New Series), recorded on Microfilm Roll No. 77, appropriating \$13,200.00 from Unappropriated Balance Fund, for providing funds to pay sewer assessments against City-owned property in Pueblo Lots 299, 300, 1100, 1101, Blocks 356, 386, 387, portions of Blocks 357 and 358 Old San Diego, and Lots 15 to 23 inclusive Block E Silver Terrace Addition to San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the reading of said ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 5997 (New Series), recorded on Microfilm Roll No. 77, appropriating \$2,980.00 from Unappropriated Balance Fund, and transferring same to City Planning Department Fund - To Personal expense \$2,516.00, To Equipment Outlay \$464.00 - was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Wincote, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Wincote, seconded by Councilman Burgener, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the reading of said ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 5998 (New Series), recorded on Microfilm Roll No. 77, appropriating \$2,000.00 from Unappropriated Balance Fund, for purchase and installation of directional signs in Mission Bay area, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Burgener, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of said ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 5999 (New Series), recorded on Microfilm Roll No. 77, appropriating \$1,300.00 from Unappropriated Balance Fund for providing funds to assist San Diego Junior Chamber of Commerce in promoting Harbor Day Celebration, to be held in the Spring of 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Wincote; Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Burgener, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of said ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 6000 (New Series), recorded on Microfilm Roll No. 77, establishing grade of Alleys Block 3 Alhambra Park: North and South Alley between south line of Monroe Avenue and north line of East and West Alley; East and West Alley between east line of 51st Street and west line of 52nd 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 Burgener, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of said ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 6001 (New Series), recorded on Microfilm Roll No. 77, establishing grade of Alleys in Block 12 Normal Heights: Northwesterly and Southeasterly Alley between northerly line of Copley Avenue and southeasterly line of North Mountain View Drive; Northeasterly and southwesterly alley between northerly line of West Mountain View Drive and southwesterly line of Northwesterly and Southeasterly Alley, 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 Wincote, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of said ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 6002 (New Series), recorded on Microfilm Roll No. 77, establishing grade of Alleghany Street, between line drawn southerly at right angles to northerly line of Alleghany Street from point of intersection of northerly line of Alleghany Street with northwesterly prolongation of southwesterly line of Reo Drive and westerly line of Sea Breeze Drive, 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 Wincote, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of said ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 6003 (New Series), recorded on Microfilm Roll No. 77, establishing grade of Bowman Lane, between southerly line of Mohawk Street and southerly termination of Bowman Lane, 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 Wincote, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of said ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 6004 (New Series), recorded on Microfilm Roll No. 77, establishing grade of Mohawk Street, between westerly line of 67th Street and westerly termination of Mohawk 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 Burgener, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of said ord-

inance 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 day of final passage a written or printed copy.

ORDINANCE NO. 6005 (New Series), recorded on Microfilm Roll No. 77, establishing grade of Saranac Street, between northerly prolongation of easterly line of 67th Street on the south, and northerly prolongation of westerly line of 67th Street on the south, 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 Wincote, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of said ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council.

ORDINANCE NO. 6006 (New Series), recorded on Microfilm Roll No. 77, establishing grade of 67th Street, between northerly line of El Cajon Boulevard and westerly prolongation of northerly line of Saranac 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 Burgener, ordinance approving Annexation to The City of San Diego of territory in the County of San Diego, State of California, designated as "Rolando Tract", was introduced, ~~on motion of Councilman Kerrigan, seconded by Councilman Burgener,~~ 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 given unanimous consent to present the next matter, not listed on the agenda:

RESOLUTION NO. 117042, recorded on Microfilm Roll No. 77, granting revocable permission to University of California, College of Agriculture, to shoot predatory birds in and in the immediate vicinity of the United States Department of Agriculture Field Station, located east of Highway 101 on Torrey Pines Road, subject to conditions that shooting be done only between 8:00 a.m. and 5:00 p.m. Monday through Friday and that no more shooting will be done than is required to alleviate the problem; and that permission, unless sooner revoked, shall expire on the 14th day of May, 1954, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The City Manager requested, and was given unanimous consent to present the next matter, not listed on the agenda:

RESOLUTION NO. 117043, recorded on Microfilm Roll No. 77, directing notice of filing of Street Superintendent's Assessment No. 2219 made to cover the costs and expenses of work done upon installing Sanitary Sewer Main, Water Main and Steel Standpipe Water Storage Reservoir, in Kearny Mesa Improvement District, under Resolution of Intention No. 109064, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

The Mayor declared the meeting adjourned - there being no further business to come before Council at this time - at the hour of 2:45 o'clock P.M.

Upon adjournment, 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, California,
Thursday, March 11,
1954

Present---Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler
Absent---Councilman Kerrigan (out of City on City business)
Clerk---Fred W. Sick

The meeting was called to order by the Mayor at the hour of 10:04 o'clock A.M.

At the Mayor's request, the next 4 matters were considered first.
Carl Reupsch, Acting Port Director, explained the matters to the Council.

Communication from the Harbor Department, signed by Carl F. Reupsch, dated 4 March 1954, attaching form of sublease and amendment granted by R. E. Hazard Contracting Company to Anthony's Fish Grotto, was presented. It states Hazard is leasing to Anthony's a building which represents an investment of approximately \$60,000., approximately 40% of which is located on tidelands, remainder on lands owned by R. E. Hazard Contracting Company. Rental paid by Anthony's is 5% of gross receipts, or \$400.00 per month. The communication records show no approval of sublease on the tidelands although restaurant has been operating at the location for some time. Consideration for approval is increase in prime rental of 1¢ per square foot per year.

RESOLUTION NO. 117044, recorded on Microfilm Roll No. 77, ratifying, confirming and approving sublease and amendments, copies on file in the office of the City Clerk bearing Document No. 486251, between R. E. Hazard Contracting Co., a California corporation, Sublessor, and Anthony A. Ghio, Cottardo M. Ghio, Catherine B. Ghio and Roy Weber, partners, doing business under name and style of "Anthony's Fish Grotto", Sublessees, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, dated 9 March 1954, enclosing for approval form of Agreement covering services to be rendered by Willis L. Lipscomb, consulting engineer, to prepare plans and specifications covering electrical work in connection with proposed construction of new transit Shed No. 2 on "B" Street Pier - to be paid 6% of contract cost - was presented.

RESOLUTION NO. 117045, recorded on Microfilm Roll No. 77, authorizing and directing Harbor Commission to execute for and on behalf of The City of San Diego Agreement for professional services in preparing plans and specifications covering electrical work in connection with proposed construction of new transit Shed No. 2 on "B" Street Pier with Willis L. Lipscomb, Consulting Engineer, under form of agreement on file in office of City Clerk under Document No. 486441, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the Harbor Department, signed by Carl F. Reupsch, Acting Port Director, dated 4 March 1954, attaching form of sub-lease being entered into between Llano D. Briggs, doing business as San Diego Marine Exchange and P. R. Bryant, doing business as Band B Radio Co; Briggs leasing approximately 270 square feet of space in his building at \$50.00 per month for period from 1 March 1954 to 1 September 1954, was presented. During time sub-lease is in effect, Mr. Briggs is to pay Harbor Department \$10.00 per month.

RESOLUTION NO. 117046, recorded on Microfilm Roll No. 77, ratifying, confirming and approving sublease, copy of which is on file in Office of City Clerk bearing Document No. 486245, between Llano D. Briggs, doing business as San Diego Marine Exchange, Sublessor, and P. R. Bryant, doing business as Band B Radio Co., Sublessee, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the Harbor Department, signed by Carl F. Reupsch, Acting Port Director, dated 4 March 1954, enclosing form of lease with United States Department of Commerce covering premises in Lindbergh Field Terminal Building for use by the Weather Bureau, was presented. It states space covers approximately 1,224 square feet of second floor, and in accordance with established policy there is no rental paid. Lease is for 3 years commencing on 1 March 1954.

RESOLUTION NO. 117047, recorded on Microfilm Roll No. 77, ratifying, confirming and approving agreement, copy on file in Office of City Clerk as Document No. 486248 between City of San Diego, Harbor Department acting through Harbor Commission as Grantor, and The United States of America, Department of Commerce, Weather Bureau, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

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The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on appeal of Travelodge Corporation from Board of Zoning Adjustment denying sign at corner of Rosecrans Street and Harbor Drive, Lots 7 through 12 Block 62 Roseville, at 5102 North Harbor Drive, Zone R-4, Councilman Burgener told the Council that he wants to look at it.

On motion of Councilman Burgener, seconded by Councilman Wincote, the continued hearing was continued to Tuesday, March 16, 1954.

Petition of residents, signed by communication from L. H. Robinson, 4284 Saginaw, San Diego 17, requesting better bus system in the Clairemont area, was presented. It mentions population of over 5,000 residents, that they are working people, and that there is no bus service after 6:45 in the evening and no service at all on Sundays and holidays.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the matter of zoning and re-zoning in the Kearny Mesa area, the zoning report was read to Council. The report, signed by Glenn A. Rick, City Planning Director, forwarded drawing showing zoning plan of property which was subject of a public hearing February 24, 1954 by the Planning Commission. It also attached certain documents pertaining to the subject which were forwarded to the Planning Commission by the City Council, and other documents on the subject including copies of minutes of hearings on January 27 and February 24. It states that after conducting hearing, inspecting property, listening to arguments both for and against proposed zoning as requested by the Commandant of the 11th Naval District and the San Diego Union and Evening Tribune, the Planning Commission failed to get five votes either for or against the zoning. For that reason, according to the communication, the Zoning Ordinance requires that the matter be forwarded to the City Council as a report rather than a recommendation. The property which was the subject of the hearing is identified as that portion of San Diego lying within a 12,000 foot circle, having its center at the intersection of runways 10-28 and 6-24 at the Miramar Air Station. It mentions location of the point of intersection having been identified by the 11th Naval District as follows:

"The reference point of the U. S. Naval Air Station, Miramar, bears North 64° 37' 31" West (Lambert Bearing) a distance of 6822.5 feet from the Southeast corner of Section 18, Township 15 South, Range 2 West, according to Record of Survey Map No. 1000, filed in the office of the San Diego County Recorder on April 13, 1942, File No. 2037".

The communication says 80% of the property in question was annexed to the City on petition of property owners on October 22, 1951, balance on April 10, 1953, and that there were no protests to the annexation except that made by the City Planning Commission. The report mentions an assessment district for water and sewer mains authorized by the City Council in November, 1952, and part of the property is now encumbered for approximately \$550 an acre. Also, it says certain subdivision maps were given tentative approval by the City Planning Commission and the City Council within the area prior to the request of the Navy, as mentioned in attached documents.

It refers to property having been placed in different zones, as follows:

Zone	Acres
R-1	446.51 (city owns 157 acres)
R-1B	206.61
CP	124.63
C	2.02
M-1A	313.04
Total	1092.81

under authority of the following ordinances:

Ordinance No.	Date
5252 N.S.	7-1-52
5331 N.S.	9-25-52
5582 N.S.	5-12-53
5775 N.S.	9-3-53
5793 N.S.	12-15-53
5890 N.S.	12-15-53

according to the report, which adds that some of the ordinances will have to be repealed wholly and some of them only insofar as the property in question is affected.

The Mayor stated that the matter is before the Council without recommendation, and that the City Attorney had been asked to prepare an ordinance.

Glenn A. Rick, City Planning Director, identified the proposed M-1A zone as being in the 12,000 foot area.

Councilman Dail observed that the Secretary of the Navy's letter should be part of the record.

The Mayor pointed out that the Navy is not in a position to purchase or "swap" property.

Councilman Dail spoke of the need for explanation from Mr. Rick, and referred to this being the first instance where the City would have made such zoning.

The Mayor replied that 2 other cities on the West Coast have done such, in relation to flight patterns.

Mr. Rick spoke of property involved being outside the normal approach used by the Navy, and that flights over are in connection with training, especially at Miramar. He spoke of there being pending the matters of height limitations and the manufacturing

Appeal continuance continued again

Petition

Zoning Kearny Mesa area

zone. He said that he does not know of another case in the country where there is such use. He expressed the belief that it should result from Eminent Domain instead of by Police power.

The Mayor opened the hearing by inviting Lawrence K. Cahill, attorney, of Los Angeles who was representing property owners, to speak.

However, before Mr. Cahill was heard, the Mayor read a telegram from the Secretary of the Navy, R. B. Anderson, dated Feb 24, 1954, addressed to him.

It reads: "In regard to your letters of February 4 and 5 and to confirm our telephone conversation this date we have given this matter our sincere and complete study in view of the circumstances and in the best interests of all concerned it is felt that the Navy Department cannot change its present and long stated position of the zone extending to twelve thousand feet also the matters of property exchanges and purchases have been reviewed. There are no Navy funds available which can be properly or legally utilized for those purposes. I do appreciate the cooperation that has existed between The City of San Diego and the Navy Department in this matter and feel certain that a solution within the above limitations can be successfully concluded. Sincerely yours. R B Anderson Secretary of the Navy. SECNAV WASHDC

Mr. Cahill, after identifying himself as Attorney at Law, 606 South Hill Street, Los Angeles, said he was not a new hand in this matter, which had gone on for 4 years. Clients were not and are not speculators, he said. In 1951 Capt. Johnson had told of residential need, according to the speaker. Mr. Cahill identified individuals as developers in other cities, and told about being engaged for various purposes. He spoke of Emerald Bay, Lagune Beach, developers having come in to seek housing, rather than speculation. He related that a year ago the Navy had created a problem, and that he had asked the Navy to handle the situation on a local level, rather than in Washington. He related the problem having been taken up. Mr. Cahill told of a change in the Federal Government in relation to several individuals. He spoke of having told the Planning Commission about the problems, and mentioned the City problem resulting from housing on account of the approaching 1/2 million population in San Diego. In his opinion the City of San Diego is going to move to the 1 million mark, Mr. Cahill stated, and told of the City being bounded by the ocean and the bay. As a result, there is a choice of building up into the air, or on Kearny Mesa, he said. Reference was made to a Tribune article of yesterday about dropping of bombs. San Diego would be a total loss, on account of not being spread as Los Angeles is, the speaker pointed out. If the area is broken up too badly, the great City San Diego should be, it will not, Mr. Cahill declared. He asked how much time would be allotted for the presentation.

The Mayor replied that the Council does not want to limit the time on the question.

Councilman Burgener spoke of the other hearing being continued until Tuesday.

The Mayor said it had been asked to hold it to 1-1/2 hours, but that the Council would go into the afternoon if necessary. He said that brevity would be appreciated, and an orderly presentation would be needed.

After saying that several witnesses would be called, Mr. Cahill called Mr. Davis.

Don Davis, of San Francisco, with Stone & Youngberg (member and representative of purchasers of the City of San Diego Improvement bonds to be issued to represent unpaid assessments for sewer and water improvements in the Kearny Mesa Improvement District) appeared. He spoke of the improvement having been initiated in the Fall of 1952, but there had been no interest until the Council had taken action relative to residential property. He mentioned the City having approved subdivisions, and it was felt that development would go forward and that the bonds would be sound. Acceptance of improvements indicated approval of land for residential purposes, Mr. Davis said. In the middle of 1953 there had been request made for rezoning, and that would not be the best use of the property, according to Mr. Davis. He told of potential loss to property owners and purchasers of bonds. There is a moral obligation on the part of the Council in relation to there being residential subdivision property, he stated. The speaker referred to it being a matter of slightly under \$1,000,000.00. If those bonds are affected, there may be difficulty in getting bids in subsequent proceedings, he told the Council. He added that people will look with a jaundiced eye on another proposal of the like.

Councilman Schneider asked Mr. Davis if houses should be built and sold, even if the Navy uses its flight.

Mr. Davis replied that it is a situation between the Navy and the property owners, and that the City will become involved if it changes the zone.

Councilman Schneider asked if it would be reasonable to build homes there, under the circumstances.

Mr. Davis' answer was he had been told that it would.

Next, Mr. Cahill called the Kearny Investment Co. attorney, Francis Drohan.

Mr. Drohan told the Council that he represented 4 corporations, with 495 acres. Some 300 acres are zoned M-1 and other zoning, he said. It had been the original intent to develop it as housing except for a small area in M-1, Mr. Drohan stated. He told of being unable to obtain V.A. certificates for housing construction; then asked for rezoning at the north end. He spoke of there being available some 400 acres of M-1A or at least surrounding. Mr. Drohan spoke of working with the City and the Chamber of Commerce regarding an industrial area. He declared that newspaper articles and editorials have retarded the area. When the hue and cry dies down, Mr. Drohan said he thinks it will improve. He asked to have the matter settled. He mentioned not having asked to rezone 200 acres, and will not unless warranted. In the future, adjoining land may be for other uses, he stated.

Councilman Burgener asked about inquiry being made to the V.A.

Mr. Drohan replied that the V.A. would allow less than the value on account of the flight pattern.

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Mr. Cahill spoke about Lynn Platner being unable to be here on account of a broken leg. He stated, on Mr. Platner's behalf, from a letter which had been written by him which he wants considered as his view. He said that Mr. Platner had said 596 lots were approved - providing he deed 8 acres for a freeway - which he did. Mr. Platner has contributed some \$20,000 property, by request, Mr. Cahill said. The U.S. Navy owns no immediate land in the City, according to Mr. Cahill, who added that the Navy undertook to bring the dangerous activity into the City. He declared that the bond issue was unwarranted for M-1 property use. He referred to the Navy having said 5,700 feet. Next, he said Mr. Selten was here to speak.

Councilman Wincote asked about a letter being read.

The Clerk said no.

Victor Selten spoke of a letter from him, Mr. Platner and Mr. Thompson. He said that the letter represents Mr. Platner's and his views, and that he does not want to repeat.

Councilman Dail was excused.

Mr. Selten said that the property was supposed to be residential and commercial area. The property is valuable, he said. He declared that the best use would be residential.

Councilman Dail returned.

Mr. Selten referred to having spent money.

Mr. Cahill spoke of Mr. Greenwood and Mr. Redfield having gone into escrow, but that the 200 houses are not there. He then referred to portion of land having passed to the City. Mr. Cahill said, further, that Mr. Redfield as trustee under deed of trust had the bond issue ahead of his deed of trust.

Councilman Wincote asked Mr. Cahill if the idea of purchasing the property had been pursued.

Mr. Cahill told about President Eisenhower having agreed to reduce taxes. However, money is given to Europe, and now they are beginning to do so to Guatemala and to South America. If needed, the Navy can get funds, Mr. Cahill said he felt sure. He said he had been told that Mr. Kimball proposed the shifting of the runway. He declared that the Congress will vote any sum that the Navy needs. Mr. Cahill said that the City of San Diego should be protected against jet bombers hitting some structures. It is a problem, he agreed.

Councilman Schneider spoke of effect on residences.

Mr. Cahill agreed, and amplified it to include the entire City. He had a file of clippings regarding jets falling and exploding, which he did not introduce, and added again that it is a real problem. He said that what is needed is to buy lands, and that the property owners should be protected by the Navy or by the City. Appropriation can be had to purchase lands to protect people of the United States, he said.

Councilman Schneider pointed out that many depend upon the base for their livelihood.

Mr. Cahill replied that it could be moved some 15 miles - away from the populated areas. It is quite likely that jets may get larger, or be replaced, he told the Council.

H. M. Redfield told the Council that he is trustee of the estate of a previous owner, now deceased. He declared that he opposed the menace to the trust deeds, covering some 600 acres of property. He stated that he was not able to sell the land as industrial property. He spoke about if more it will become competitive and be sold at a sacrifice to pay the bonds. Bond assets would become worthless, he said. He stated only income is from property sale, which property might revert to the bond holders. He urged consideration to what will happen to the property owners. He referred to Council statement regarding value of property being one hundredth of the value of Miramar. He spoke for compensating property owners for the land. He wondered about the sincerity of petitioners for rezoning. He referred to industrial plans, and one of financiers having called the Commandant's office regarding the Navy's petition. He said he was told that if developers persisted, the Navy would condemn. He agreed that he was not sure if that was true. Men who were going to do financing have backed out, according to Mr. Redfield. A manufacturer is no longer interested in San Diego, and is now located outside of San Diego County, he stated. He said he wondered if industrial zoning is the real question, or if it is the stopping of all building.

There was discussion between Councilman Schneider and Mr. Redfield regarding there being no development.

Councilman Schneider declared that it is Navy-created problem. What the City does in zoning is to try to help every manouver, he said. Councilman Schneider said that the City has tried to help, but there is a Navy threat.

Mr. Redfield said that property owners feel that they can develop housing.

Councilman Schneider spoke of that passing on the danger to individual property owners.

Mr. Redfield said that if there ^{are} houses there would be pressure to move the training area.

The Mayor spoke of conferences which have been had with Admirals Henderson and Dyer, and it had been learned that it would not be possible to move the \$50,000,000.00 the installation, and that it would not be feasible.

Councilman Burgener asked if a great investment would be practicle. He wondered if property owners should go to court.

Mr. Redfield said that is an avenue, but an expensive and lengthy procedure - maybe a number of years. There would still be bonds on the property, he added.

Councilman Burgener wondered if housing under the flight pattern would be advisable or safe. The Navy economy is important, he declared. He suggested, however, that the Navy should compensate owners. Curtailment would be a greater loss, according to him.

Mr. Redfield took the position that it is a matter between property owners and the Navy.

Councilman Schneider spoke of there having been exhausted talks with Washington.

Zoning Camp Kearny Mesa.

ington.

Mr. Redfield spoke of approach on the problem locally first, then through Congressmen and members of the Senator. He said that it was either inconvenient, or funds were not available to buy the property.

Councilman Wincote asked about the situation relative to 600 acres under the flight.

Mr. Redfield spoke about there being some in the 2,000 - 3,000 foot area as closest, with some at 12,000 feet on Murphy Canyon.

Councilman Wincote wondered if property owners would be glad to get out.

Mr. Redfield told of property owners having offered to compromise - and mentioned the figure of being close to two to three million dollars. He said that does not include the bonds, which come ahead.

Councilman Schneider, addressing Mr. Redfield, said that the matter may be a lengthy one, or it may end soon. If there is a re-zoning, proceedings could be instituted.

The Mayor referred to his having a letter, which he passed to the Clerk. The Clerk read it - dated February 1, 1954 - from Messrs. Thompson, Selten and Platner.

Councilman Dail asked the City Attorney about the Council's liability, if the property is rezoned.

Mr. Deaper stated that he had repeatedly advised the Council and property owners that there is no liability in connection with money damages in the re-zoning. He said that property owners may acquire vested rights, but not apply here regarding Tentative maps or subdivisions. He added that property owners are not bound by the Attorney, however, and that they can establish their position in court.

Mr. Cahill indicated that his side could finish by Noon.

The Mayor wondered if there were new points.

Mr. Cahill started to say something about Mr. Andeck, but was interrupted.

Councilman Godfrey said that it is more important to have all the evidence than it is to save time. He suggested that necessary time be given to determine action.

Councilman Wincote admitted a moral obligation, and said that he wanted to ask a lot of questions.

Councilman Dail said that the Council should recess at 12:00 to 2:00.

Councilman Godfrey moved to recess at noon, and return at 2:00 P.M., which motion was seconded by Councilman Schneider.

Councilman Wincote said that if the Council comes back to this hearing, it should complete the agenda first.

Mr. Cahill agreed. He said that Mr. Andeck wants to amplify the remarks he had made regarding Mr. Platner.

Andrew Andeck said that in conversation with Lyn Platner it had been agreed that this is a "considerable question". He said that Planning Director Glenn A. Rick had declared that it is not a proper use of the area to protect it against the flight pattern or use of the field. He said that there is no problem at either end of the field, and that the original primary function was regarding jet take offs. He said that there has now been added a new use regarding the additional flight pattern. Mr. Andeck told of the new concept, but there had been any compensation. He said that when the Council carries out contracts to residents, but becomes a party to rezoning, it becomes a party with the Navy. Mr. Andeck said that property owners don't want to "go in" on an inflated price, but that they would be willing on a just basis with only the fair value of the land. The basis should be regarding the proper use of land for the zoning. Residential use is proper, he declared. If the flight is dangerous for residences, it would be even more dangerous for factories with more people. There is a greater danger, he repeated. The City has an obligation regarding original understandings, where others have filled their obligations, Mr. Andeck contended.

Mr. Deaper said that there is nothing to prevent adoption of the Zone Ordinance.

Mr. Andeck told about property owners having entered into in good faith the matter of giving land for roads, etc. The City, he declared, has a moral and legal obligation, and that property owners should be protected.

Councilman Wincote said he could not agree, except for the Council having been tried in the newspapers. Also, he said that the City might be doing damage relative to there being no positive actions. He referred to the matter having been tried not on merits, but on clamor. He spoke about "some one" being convinced regarding the land owners' rights.

Mr. Andeck said that it is difficult to believe that the Navy would leave the installation - and referred to a previous quote.

Councilman Schneider spoke about a lot of people being employes, and the public pressure, as well as the affect upon many.

Mr. Andeck, referring to his earlier statement said that Brown Field is not to be used, and that there is a changed plan there. He spoke of there being no problem with property owners.

Councilman Godfrey referred to valid points: regarding this being proper today to resolve the issue; also the greater damage "this way or that". He wondered if the Council was the right body to go into the several phases of the problem, and also what should be done. He said that the Council can't avoid the valid point of property owners regarding the proper body to act.

Councilman Dail declared that the Attorney is the legal adviser to the Council. He said that the Attorney has given an opinion which he thinks will stand up.

Mr. Andeck said that the City is not a part of the controversy now, but would be if it changed the zone to manufacturing.

Councilman Godfrey asked what is the authority for zoning. He said that much is done in the interest of property owners.

Mr. Rick said that there should be evidence to justify expansion. To have this knowledge has not been well established, he said. There are people here to establish that, if possible to justify the position, he told the Council. He declared that the zoning should be on merits - not done by pressure.

The Mayor said that in addition to need for zoning, there is a police problem regarding residential use being more hazardous.

Councilman Godfrey asked if the flight pattern is hazardous.

Mr. Deaper said that Mr. Rick has mentioned the need for industrial zoning. He pointed out that the Council could also zone against residential use, in connection with its police powers. He said that several people have spoken regarding zoning to protect the Navy. Mr. Deaper said that if the ordinance would not be to protect the Navy, but the people under the flight pattern, the Ordinance would fall in court.

Councilman Wincote wondered if the Navy would have to prove hardship. He spoke of there being a narrow corridor.

The Mayor spoke of there being 2 corridors. Then he asked Mr. Cahill about a recess.

Mr. Cahill said that a new thought had been injected, and suggested further continuance of the hearing this afternoon.

(See also page 381 of these Minutes, for continuance of this hearing)

Communication from the Planning Commission, signed by Harry C. Haelsig, reporting on tentative plan for trailer park located in portion of Pueblo Lot 1151, at the northerly termination of 35th Street and the extension of B Street, was presented. It reports on the matter of a road, and recommends that no action be taken by the Council which would preclude requirement of a road through or adjacent to the property. It says that to determine exact location of road would require considerable study on the part of the Planning Department and the City Engineer, and probably a community plan hearing would be held to determine the effect of any road alignment on the adjacent properties.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of final map of Catoctin Tract Unit No. 3, subject to posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 117048, recorded on Microfilm Roll No. 77, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Al V. Carpenter and Jane A. Carpenter, for installation and completion of unfinished improvements and the setting of monuments required for Catoctin Tract No. 3 subdivision; directing the City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117049, recorded on Microfilm Roll No. 77, adopting Map of Catoctin Tract Unit No. 3, being a subdivision of portion of Lot 30 and portion of Lot A La Mesa Colony; accepting on behalf of the public Saranac Street, Leo Street, Alumni Place and unnamed easements shown thereon for public purposes; declaring them to be public streets and easements and dedicated to the public use; authorizing and directing the Clerk of the City as and for the act of the Council to endorse upon said map that it is approved and that all streets and easements are accepted on behalf of the public directing the City Clerk to transmit said map to the Clerk of the Board of Supervisors, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, with Assistant City Manager's stamp of approval, recommending that proceedings be started to change property line grades on California Street, Bean Street, Kurtz Street, as described therein, was presented.

RESOLUTION NO. 117050, recorded on Microfilm Roll No. 77, adopting recommendation of the City Engineer that proceedings be started on changing property line grades for portions of California Street, Bean Street, and Kurtz Street; that the City allocate funds to pay the cost of proceedings; directing the City Engineer to furnish description or plat for change of property line grades, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Division of Highways, District XI, State of California, 4075 Taylor Street, signed by E. E. Wallace, District Engineer (by R. A. Hayler, Assistant) dated March 1, 1954, was presented. It states that the Commission adopted as a State Highway Road XI-SD-12-SD, A LaMesa, portion of Camino del Rio (Mission Valley Road) and Alvarado Canyon Road between Cabrillo Freeway (Route 77) and El Cajon Boulevard in La Mesa. On motion of Councilman Schneider, seconded by Councilman Wincote, the communication - with plat attached - was ordered filed.

Communication from San Diego County and Municipal Employees, Local Number 127, dated March 9, 1954, signed by Otto W. Hahn, Business Representative, was presented. It pointed out that the Resolution of the Council endorsing and giving support to the program of the Sixth Annual Institute of Government being held April 9, 1954 in the conference building, mentions that the meeting was sponsored by all the public employee groups in the San Diego area. The writer says that is not a true statement, and asks that the records be corrected.

RESOLUTION NO. 117051, recorded on Microfilm Roll No. 77, endorsing the program and giving support to the Sixth Annual Institute on Government, sponsored by public employee groups in the San Diego area; repealing Resolution No. 117039, was on motion of Schneider, seconded by Councilman Wincote, adopted.

(The resolution deletes the word "all" from 117039).

Communication from Streicher's, 1025 - 1033 Fifth Avenue, dated March 5, 1954, signed by Max Streicher, was presented. It refers to the "Trail Period No Parking" plan on portion of Fifth Avenue, which has been in effect since on or about January 11, be immediately ended for the several reasons outlined.

On motion of Councilman Schneider, seconded by Councilman Burgener, the communication was ordered filed, and the Mayor requested to reply.

Communication from Silver & Cavanagh, 1792 Titus St., dated March 8, 1954, signed by Frank E. Cavanagh, protesting the removal of parking meters on the north side of Broadway between 11th and 12th Avenues, was presented. It states it is realized the South side is a bus loading zone but the north side should be available for meter users (and parking).

On motion of Councilman Schneider, seconded by Councilman Burgener, the communication was ordered filed, and the Mayor requested to reply.

Communication from The San Diego Society for Crippled Children - hospital 850 South 36th Street; clinic & therapy pool 851 South 35th Street - signed by Dwight Keider, President of the Board of Directors, was presented. The communication, dated March 5, 1954, favors overpass on Highway 395 at Frost Street to handle traffic from the Medical Center, County Juvenile Hall entrances, and access to Linda Vista by the Transit System.

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

Communication from San Diego Hospital Association, 410 Bank of America Building, signed by Douglas Young, president, 354 Eleventh Avenue, San Diego 1, similar in effect to the communication from San Diego Society for Crippled Children, listed above, was presented.

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

Communication from Old San Diego Chamber of Commerce, 3960 Mason Street, dated March 6, 1954, signed by J. Francis Mergen, Pres., Edgar S. Welty, Secy., was presented. It refers to plans for the Historical Shrine in Old San Diego, and to protection of property rights of local citizens. It states that the Chamber has set up a cultural commission through which it hopes to coordinate its activities with those of others interested in the neighborhood.

On motion of Councilman Burgener, seconded by Councilman Schneider, the communication was referred to the Planning Department.

Communication from residents, one being addressed to Councilman Schneider and the others to the Mayor and members of the Council, protesting pigeon nuisance in the vicinity of 34th Street and Adams Avenue, was presented.

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

Communications from several individuals opposing further increases in bus fares, and complaining of poor bus service, were presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, they were ordered filed, and the Mayor requested to reply.

Communication from San Diego Municipal Employees' Association, Inc., 202 Broadway Pier, dated March 10, 1954, signed by Mary E. Harvey, executive secretary, was presented. It requests submission of Charter Amendment to permit the City to make health insurance available for City employees.

RESOLUTION NO. 117052, recorded on Microfilm Roll No. 77, referring communication from San Diego Municipal Employees' Association, Inc., requesting consideration of placing on June 8, 1954, Election a proposition to make health insurance available for City employees, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The Harbor Department matters, listed at this point on the Council's agenda, were acted upon earlier in the meeting.

Proposed Resolution authorizing the City Manager to execute agreement with Service Auto Parks providing for development of detailed plans and specifications for construction of public parking facilities underneath the Plaza - in substantial conformity with "Plan B" of their proposal, was presented. (That plan did not accompany the proposed Resolution).

The Mayor said that the matter has been re-referred to the City Manager, and this should be filed.

It was filed.

117052
Communications
Resolution filed

3/11/54

Proposed Resolution prohibiting parking of automobiles between 4:00 P.M. and 6:00 P.M., Sundays excepted on both sides of Fifth Avenue, between A Street and E Street, etc., was presented.

Councilman Wincote mentioned having talked about the question to the Traffic Engineer, and said that there should be a poll made on Broadway.

The City Manager said that Reading (Traffic Engineer) is going to make the poll.

Councilman Schneider said that it should go back to Conference.

On motion of Councilman Godfrey, seconded by Councilman Dail, the Clerk was directed to put the matter on the agenda for the meeting of Tuesday, March 16, 1954.

RESOLUTION NO. 117053, recorded on Microfilm Roll No. 77, approving Change Order No. 60, dated March 4, 1954, heretofore filed with the City Clerk as Document No. 486444, issued in connection with contract between the City of San Diego and F. E. Young Construction Company 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 contract price of \$552.44, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117055, recorded on Microfilm Roll No. 77, allowing bill of San Diego City and County Convention Bureau, dated March 8, 1954, in sum of \$1,336.92 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund for fiscal year 1953-1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117056, recorded on Microfilm Roll No. 77, authorizing the City Manager to attend meeting of American Society for Public Administrators in Chicago March 17 to 21, inclusive, and authorizing incurring all necessary expenses, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117057, recorded on Microfilm Roll No. 77, accepting subordination agreement executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date March 4, 1954, subordinating all right, title and interest in and to portion of Lot 13 Block 1 Tract 1382 Wilshire Place, 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 Godfrey, adopted.

RESOLUTION NO. 117058, recorded on Microfilm Roll No. 77, accepting subordination agreement executed by The First National Trust and Savings Bank of San Diego, beneficiary, and The First National Trust and Savings Bank of San Diego, trustee, bearing date February 10, 1954, subordinating all right, title and interest in and to portion of Lot 4 La Jolla Highlands to 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 deed 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. 117059, recorded on Microfilm Roll No. 77, accepting deed of W. L. Large and Ida Large, bearing date February 25, 1954, conveying portion of Lots 2, 3, 4 Block 70 Arnold and Choate's Addition; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117060, recorded on Microfilm Roll No. 77, accepting deed of Hans Starr and Mary S. Starr, bearing date February 22, 1954, conveying portion of Rancho San Bernardo; 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. 117061, recorded on Microfilm Roll No. 77, accepting deed of Herbert C. Kelly and Helen G. Kelly, bearing date March 3, 1954, conveying portion of Lots 17 and 20 inclusive, Block 7 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 Schneider, seconded by Councilman Godfrey, adopted.

Duplicate

RESOLUTION NO. 117061, recorded on Microfilm Roll No. 77, accepting deed of Herbert C. Kelly and Helen G. Kelly, bearing date March 3, 1954, conveying portion of Lots 17 to 20 inclusive, Block 7 Spring Garden Tract; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to 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. 117062, recorded on Microfilm Roll No. 77, accepting deed of Herbert C. Kelly and Helen G. Kelly, executed March 3, 1954, conveying portion of Lots 17 to 20, inclusive Block 7 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117063, recorded on Microfilm Roll No. 77, accepting deed of Kenneth M. MacLeod and Elaine Kyle MacLeod, bearing date February 19, 1954, conveying easement and right of way for alley purposes in portion of Lot 23 Soledad Terrace, setting aside and dedicating the same to 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 Godfrey, adopted.

RESOLUTION NO. 117064, recorded on Microfilm Roll No. 77, accepting deed of Cesere B. Bolchini and Rose Bolchini, bearing date December 11, 1953, conveying easement and right of way for street purposes in portion of Lot 124 Morena; setting aside and dedicating the same to the public use as and for public street, and naming the same Galveston 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. 117065, recorded on Microfilm Roll No. 77, accepting deed of Solon S. Kipp and Della A. Kipp, bearing date November 27, 1953, conveying easement and right of way for street purposes in portion of Lot 125 Morena; setting aside and dedicating the same to the public use as and for a public street, and naming the same Galveston 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. 117066, recorded on Microfilm Roll No. 77, accepting deed of John E. Fitzgerald, Jr. and Carol B. Fitzgerald, bearing date March 3, 1954, conveying easement and right of way for street purposes in portion of Lot 2 Block 17 La Jolla Hermosa; setting aside and dedicating the same to the public use as and for a public street, and naming the same La Jolla Hermosa 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. 117067, recorded on Microfilm Roll No. 77, accepting deed of Harold E. Hoobler and Thelma F. Hoobler, bearing date March 3, 1954, conveying easement and right of way for street purposes in portion of Lot 3 Block 17 La Jolla Hermosa; setting aside and dedicating the same to the public use as and for a public street, and naming the same La Jolla Hermosa 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. 117068, recorded on Microfilm Roll No. 77, accepting deed of Frederick G. Jennings and Violet A. Jennings, bearing date March 3, 1954, conveying easement and right of way for street purposes in portion of Lot 7 Block 17 La Jolla Hermosa; setting aside and dedicating the same to the public use as and for a public street, and naming the same La Jolla Hermosa 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.

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RESOLUTION NO. 117069, recorded on Microfilm Roll No. 77, accepting deed of Ernest R. Paul and Florence S. Paul, bearing date March 3, 1954, conveying easement and right of way for street purposes in portion of Lot 4 Block 18 La Jolla Hermosa; setting aside and dedicating the same to the public use as and for a public street, and naming the same La Jolla Hermosa 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. 117070, recorded on Microfilm Roll No. 77, accepting deed of Elizabeth W. Graham, bearing date February 12, 1954, conveying easement and right of way for street purposes in portion of Lot 1 Block 13 First Addition to Asher's Clover Leaf Terrace; setting aside and dedicating the same to the public use as and for a public street and naming the same Lieta 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. 117071, recorded on Microfilm Roll No. 77, accepting deed of Kenneth Mc McLeod and Elaine Kyle MacLeod, bearing date February 23, 1954, conveying easement and right of way for street purposes in portion of Lot 23 Soledad Terrace; setting aside and dedicating the same to the public use as and for a public street, and naming the same Los Altos Road; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117072, recorded on Microfilm Roll No. 77, accepting deed of Joseph Bennett, bearing date February 24, 1954, conveying easement and right of way for storm drain purposes in portion of Lots 44, 45 and 46 Block 188 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117073, recorded on Microfilm Roll No. 77, accepting deed of Harvey E. Brown and Marillyn B. Brown, bearing date February 23, 1954, conveying easement and right of way for storm drain purposes in portion of Vista Street (closed) now known as Saramac Street, contiguous to Lot "B" La Mesa Colony; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117074, recorded on Microfilm Roll No. 77, accepting deed of Clairemont Company, bearing date February 17, 1954, conveying easement and right of way for storm drain, public sewer, water pipeline and public utilities through, along and across portion of Lot 7 Eureka Lemon 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117075, recorded on Microfilm Roll No. 77, accepting deed of Margaret C. Lawthian, bearing date February 22, 1954, conveying easement and right of way for storm drain, public sewer, water pipe line and public utilities in portion of Lot 759 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 Godfrey, adopted.

RESOLUTION NO. 117076, recorded on Microfilm Roll No. 77, accepting deed of Harvey H. Searl and Mary G. Searl, bearing date February 1, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 13 Block 1 Tract 1382, Wilshire Place; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117077, recorded on Microfilm Roll No. 77, accepting deed of Henry K. Albertson and Mildred Albertson, bearing date February 10, 1954, conveying

easement and right of way for water main purposes in portion of Pueblo Lot 1774; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117078, recorded on Microfilm Roll No. 77, accepting Deed of William M. Loeltz and Luetta M. Loeltz, Francis E. St. George, Marge E. St. George and S. Fred Littler, bearing date February 2, 1954, conveying easement and right of way for water main purposes in portion of Pueblo Lot 1774; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117079, recorded on Microfilm Roll No. 77, accepting Deed of Lucille N. Lyle, bearing date January 15, 1954, conveying easement and right of way for water main purposes in portion of Pueblo Lot 1774; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Proposed Ordinance incorporating portion of Pueblo Lot 1202 into R-1 Zone as defined by Section 101.0405 of the San Diego Municipal Code and repealing Ordinance No. 5193 (New Series) insofar as the same conflicts, was on motion of Councilman Godfrey, 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 - and hearing set thereon for March 30, 1954.

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

RESOLUTION NO. 117080, recorded on Microfilm Roll No. 77, expressing the sincere gratitude and esteem of the people of San Diego to and for the people of Portugal, her President, General Francisco Higinio Craveira Lopes; her Premier, Antonio de Oliveira Salazar, and the creator of the statue of Cabrillo - sculpted by Alvara de Bree, and presented by the people of Portugal to the people of the State of California - was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted. The Resolution authorizes Colonel Ed Fletcher, on the occasion of his forthcoming visit to Portugal to give further expressing of gratitude and esteem as the emissary of this City, and present certified copies of said Resolution to President General Francisco Higinio Craveiro Lopes and to Premier Antonio de Oliveira Salazar and to sculptor Alvara de Bree.

In addition, the Resolution says that since 1940 The City of San Diego has been the honored custodian of the statue of Cabrillo; that it is felt that the people of Portugal, their President, their Premier and the sculptor would be pleased to know, or be reminded, that the imposing statue of a Portuguese explorer, Juan Rodriguez Cabrillo, looks out over the blue Pacific, which shall be forever connected with his name from its eminence atop Point Loma, near the point of his first landing in California in 1542 and is the focal point of the most frequently visited National Park in the United States.

At the hour of 12:04 o'clock Noon, the Council took a recess until the hour of 2:00 o'clock P.M. this date, upon motion of Councilman Schneider, seconded by Councilman Dail.

Upon reconvening, at the hour of 2:04 o'clock P.M., the roll call showed the following:

Present--Councilmen Burgener, Wincote, Dail, Mayor Butler
Absent---Councilmen Schneider; Kerrigan (absent from the City on City business) and Godfrey.
Clerk----Fred W. Siok

The hearing held at the morning meeting on the matter of zoning and rezoning in the Kearny Mesa area - shown on page 372 of these Minutes, was resumed.

Douglas D. Deaper, Deputy City Attorney, stated that the proposed Ordinance could be only introduced today, and that it would need only 4 votes of the Council to do so.

Lawrence M. Cahill, attorney, who had spoken as representative of property owners in the district, was the first to be heard at this time. He wondered, at the outset if Councilmen Schneider and Godfrey, who had been present in the earlier session, would be back.

Mayor Mutler replied that they would - soon.

Mr. Cahill spoke of co-owners in both the City and the County, with about 220 acres in the City. He said that Ray Lippincott, architect and builder of Los Angeles, was here. Mr. Cahill called him.

Mr. Lippincott identified himself to the Council as an architect and town planner with experience in large and small town planning.

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Councilman Godfrey entered the meeting.

Mr. Lippincott declared that it is no safer for plants in such an area than for residences - declaring that perhaps neither would be advantageous. He told of having studied the matter in detail, and that he had done work for architectural clients in this area - particularly in La Jolla. The need to rezone the property is non-existent, he declared, and added that there should be no change. He called it a clever move on the part of the Navy to put the property on ice.

Councilman Schneider entered the meeting.

Mr. Lippincott continued, by referring to the development in the north area of the City.

Mr. Cahill, who observed that Councilman Schneider had just entered, said that he would call witnesses to present evidence regarding residences on the subject property, rather than 5, 6, 7 miles away on account of the jets falling. He had a file of clippings about jets falling, which clippings he exhibited, but did not file. He told of the danger in falling, explosion and the damage being great 5 to 15 miles away instead of at the point of take off. Mr. Cahill told the Council of deaths in Los Angeles and Signal Hill. He started to speak of clients' opinion, but was interrupted, so did not finish. He told about the V.A. being committed to so much money which is going to have to be cut that loans would be down 10% to 15% on account of the lower value because of the noise. Mr. Cahill told the Council that he is willing to add his own money.

Councilman Burgener asked Francis E. Drohan regarding valuation being reduced.

Mr. Drohan said it is regarding the valuation certificates.

Next, Fred J. Howard, developer of Laguna Beach and Emerald Bay, was called by Mr. Cahill. He said that the V.A. does not state that residences cannot be built, but that it can reduce the loans. He spoke of individuals having the privilege of putting in their own money.

Colonel Wilson was called next by Mr. Cahill. He told the Council that President Eisenhower, whose picture hangs in the Council Chamber would grasp the colonel's hand in friendly greeting. Col. Wilson said that he was interested in Councilman Schneider's earlier question regarding safety in connection with the building of houses in the zone. He agreed that he would not want to build a house under the 12,000-foot pattern. The Navy says it needs 12,000-foot flight pattern, and as a result wants to change the zone to M-1, he declared. M-1 is more valuable, he said, and then asked what the land would be for. Col. Wilson said that speaking for only his 1/6 interest, he had taken an option on 1,200 acres, at \$345.00 per acre. He told of not having exercised option on the "Smith" property, resulting in \$18,000.00 going down the drain. The speaker maintained that the Navy will stay, and that someone will have to buy, if so decided. He said that it is not a question of building, but a question of right. Col. Wilson asked what property owners are entitled to for a profit. He stated that he was interested only in fair profit.

Councilman Schneider stated that it is a matter of urgency, from various angles, including the matter of the military putting in its budgets in Washington. He wondered if attempts had been made by the Government to purchase the land.

Col. Wilson replied that if so, he does not know of it.

Councilman Wincote spoke of being interested in the price, and the dropping of the option.

Col. Wilson stated that he had dropped the land co-option, and declared that 90% or 95% of the land is buildable. He said that he was not willing to get out at the purchase price, but that he was willing to sell at a fair price for his 1/6, the same as the City gave for the 180 acres adjoining - for 30 days.

Councilman Wincote spoke about trying to pursue the angle of the Navy purchase and the bailing out of somebody.

Col. Wilson said that no one should build there, that he appreciates the Navy's saving, but that it affects people there.

Councilman Wincote pointed out that it is the policy of the Government not to purchase property, and take it off the tax rolls.

Col. Wilson wondered about the flying right over the property.

Councilmen Wincote said that the Navy is there; is flying, and will keep on flying.

The reply of Col. Wilson was that on the Navy drawing boards there may be a different idea.

Councilman Schneider said that when bought (presumably Miramar Air Base) the Navy planes were different.

Councilman Wincote said they are there, and flying. He spoke of the CAA saying not to fly, and referred to being faced with alleviating the situation as far as property owners are concerned.

Councilman Dail asked Col. Wilson if his property is in the 10,000-foot area.

Col. Wilson replied that is both in and out of the 12,000 area.

Councilman Dail discussed with Col. Wilson regarding the land in the 10,000-area, and spoke to S. H. Woodruff regarding conversation with the Planning Department.

Councilman Burgener agreed with Col. Wilson that there should be compensation for the land. He said that the public ought to acquire it - but asked who is the public. He said that should be all the people, with tax payers of the whole country who should pay.

Mr. Cahill said that, according to news reports, there is apparently a change under way regarding the Secretary of the Navy (Charles S. Thomas). He referred to the Mayor having spoken of the situation being changed. Mr. Cahill told of having called on Mr. Thomas and that he had stated the problem to him. The speaker referred to Mr. Thomas as being a resident of Los Angeles, and Vice President of Foreman-Clark. It

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was stated by Mr. Cahill, that Mr. Thomas was sympathetic to the problem. He added that the Department of Defense will not interfere with the Navy. Mr. Cahill said that with Mr. Thomas as Secretary of the Navy he would likely get the money if he goes to Congress for it, since there is the National safety involved.

Councilman Schneider referred to being one of the same field, that there be great cost, and that the City would be in the real estate business.

Councilman Wincote said he hoped that Mr. Cahill is correct in that the new Secretary of the Navy would be working out the problem.

Mr. Cahill expressed hope that it would go through without litigation and delay.

Mr. Woodruff gave the history of how he was brought into the case. He referred to having a large development, and told about not being speculators, but architectural engineers and developers. Mr. Woodruff told of having designed projects for the Navy Public Works, and referred to an officer having told of a great dearth of housing in San Diego. He said that the same officer had asked Mr. Woodruff why not get busy to help out. Mr. Woodruff said he had found the land ~~is-a-question-as-to-whether-it-is-not~~ profitable and desirable on account of the arroyas and ridges. He said that it costs more than it should to build there than on level land. As a result, buyers have to pay the difference in the costs. Instead of 5 houses to the acre there would be 4 or 4-1/2, now reduced to 2 on account of the roughness of the terrain. He said that a Goodwin Co. representative, introduced by the Navy, knew of the situation. He told of having selected site on the Kearny Mesa, and that it is bonded over \$500.00 per acre. That land is wonderfully level, he declared. He spoke of having completed the freeway, developed Clairemont, and donated land along the south line of the property. Everything is there, he said, "except these obstacles". Mr. Woodruff told about Col. Fletcher having offered land where Cabrillo Heights is now located, for \$300.00 an acre, more or less, but that the Navy has purchased land at \$1200.00 per acre. Mr. Woodruff mentioned the utilities which had been put in and which are now available. He, too, spoke of not having the idea of excessive profits, but regarding need at a less price. The speaker told of being experts at the line of developing property, but not at great profit. He told about experienced men being in this kind of planning and development. He repeated the matter of \$550. per acre, under a bond issue. Everything is there to establish a precedent to San Diego and its inhabitants, Mr. Woodruff stated. The bonding people had been lead to believe the City was back of the plan; all were encouraged, Mr. Woodruff said. He said that "our end" should be considered, and contended that it is a mess. Mr. Woodruff declared that the Council and the developers are in it, that he is willing to give but that it should not be too tough.

Mr. Woodruff, answering Councilman Schneider, told of "raising the area", and perhaps not wanting to take all of the City. He said that Capt. Porter (Capt. C. W. Porter, 11th Naval District engineer), had staged a flight during a meeting. He declared that the Government, the Navy, the Defense Department do not have the right to grab the property. He said that citizens should be willing to make any sacrifice relative to the safety of the country.

Councilman Godfrey said that Councilman Schneider was speaking about the effect of the flight pattern, and the zoning. The zoning will not change the land, he said, and contended that the land is blighted now.

Mr. Woodruff said that the blight extends.

Councilman Godfrey stated that the zoning is insignificant; now the land is unsuitable for residences, and maybe it is not suited for industry. Does the Navy want to purchase it, he asked.

Mr. Woodruff said that the Navy would rather have the use of the land. He advocated reduction, rather than increase of areas.

Councilman Godfrey said that the re-zoning is of little consequence.

Mr. Woodruff wondered if it was a case of the Navy using the zone to stop use of the property.

Councilman Godfrey replied that if so, the City Attorney says that would be illegal.

Councilman Wincote said that the people who bought the bonds were not speculators, and that somebody was going to get hurt.

Councilman Godfrey said that the atmosphere is one of presenting the facts. He added that when the flag is waved, it gets waved both ways.

Mr. Woodruff said that it is a case of the Navy protecting "us", knowing who the Navy is. He talked about bond buyers refusing to bid. He said that he understands the Council is trying to figure out the right answer.

Councilman Wincote maintained that the Navy should buy the land, but that maybe it can't achieve the right. If the property is vacant, rather than built upon, it would be more possible to save the pilot, save the plane and save others.

Mr. Woodruff said that the flight should be shifted away, and that its presence would ruin the property in question, and the City also.

Councilman Dail talked to Mr. Woodruff regarding a compromise.

Mr. Woodruff agreed that a partial loaf is better than none. He said it should be 10,000 feet. He said that he had never expressed an opinion against light industry. Value of the district, and value to the City depends on how the matter is handled, he stated. It can be made a success, if handled right, Mr. Woodruff said. He said, again, that he was not making a statement against industry. He urged willingness to give in to a compromise.

Joseph D. Schulman told the Council that when Myers Bros. were going to develop, they had withdrawn on account of amount of commitment. He said that it would be possible to use his own money. Mr. Schulman spoke of putting money in, not as an investor, but as a developer. He said that he knows he can't stop the Navy flying over the property, and that it is his own risk. If the zoning goes through, the owners have nothing, he stated. That renders the property sterile, referring to the parcel of property over which the Navy can fly. He said that he was willing to take a chance on building, but that if there is the zoning, it takes away the use. He asked the Council to leave the property alone, or urged that somebody step in and take the property off the owners' hands. He stated that he is easy to deal with. (The speaker was referred to as "Silverman" by the Mayor; his name, however, was understood to be Schulman).

Councilman Godfrey asked Mr. Schulman about residences on the property.

Mr. Schulman said that they would not be so satisfactory, but the flight would not preclude their construction and occupancy. He told of being willing to build, and added that he has in San Fernando. He said that he might not go in now, but that he does own property now.

Councilman Wincote asked how many acres.

Mr. Schulman replied 260 acres - a portion of which is in the City.

Councilman Wincote said that some may lose their property. If it is for the safety of the people, subsequent buyer is hurt, he said. He asked how much is past the 10,000-foot area.

Col Wilson replied that outside the 10,000 ft. area, there are 175 acres in the City.

Councilman Wincote spoke about being industrial inside the 10,000-foot area, residential outside. He said that the best solution would be to buy out at the best price, or that it be left in the same position it is now.

Members of the Council and others held a conference over a map spread out on the Council table.

Mr. Cahill said that there is a group of small owners, and that they were represented at the hearing by Mrs. Lee.

Reginald H. Bell, Lt. Comdr., U.S. Navy, appeared.

Councilman Godfrey said that the Council would be in the meeting today, and tomorrow also, if necessary.

The Mayor asked Comdr. Bell to be brief, please.

Comdr. Bell said that he spoke as a taxpayer, and not connected with the Navy. He said that he was planning on going out of the Navy. He said that 47% are paying the taxes for 53%, that the 10,000-ft. pattern was established by Eminent Domain, and that the 12,000-ft area is fictional. He said that the training pattern is a false premise.

The Mayor said that if the Navy buys the property, it will be taken off the tax roll.

Comdr. Bell spoke of having a house on Point Loma in an area which is flown over by jets, and that it is unpleasant. He asked that the status quo remain. He spoke of more and more property being taken over. He said that the Navy's jet program is not here to stay.

Mr. Cahill called Mrs. H. F. Lee, representative of the Kearny Development Association.

Mrs. Lee said that in representing the Association, she was in agreement with what has been said against the rezoning. She spoke of there being 100 members outside the 10,000-ft. area.

W. H. Nichols said he was interested in the right and the wrong of the individual citizens. All the value of the land is in its use, and when that is taken away all the value is taken away, Mr. Nichols said. The speaker contended that the Navy is seeking to make a damaging use without compensation, and that there is no justice to take away the owners' rights. He said that some may lose their rights.

Councilman Burgener said that he wished this were a court, and that if he were the judge he would award a justment to the owners.

Mr. Nichols said that the Navy may continue expanding, and that the City was being asked to aid the Navy against the property owners.

Mr. Cahill said that he had listened to Mr. Deaper's remarks after reading the Thompson letter. He told the Council that he and his clients are trying to avoid suits and difficulty. He stated that if the rezoning is being done for the Navy, it will go out the window. If the planning is for the protection of the people, it would stand. He said that the record shows that the property owners would not be here, except for the Navy. He said that files are loaded with material regarding the Navy's desire. Mr. Cahill said that it is going to be for the benefit of owners, or for the Navy. He spoke of zoning for Mr. Drohan, in M-1, but that he has not been able to sell. He contended that the City has enough industrially-zoned land for years, and referred to the enormous industrial area to the North. Mr. Cahill predicted that San Diego will be connected with Los Angeles by freeway, in relation to industrial activity. San Diego will increase in 25 years to a population of 1,000,000, he said. Mr. Cahill said that San Fernando Valley was empty a short while ago, and that it is now filled up, and that suburbs will be built up. Where are people going to go, he asked. He mentioned their moving into Orange County and into San Diego County, now. He asked where another 1/2 million people will be put. He read from a San Diego Union editorial of today, which referred to people having to go up to Kearny Mesa.

Capt. C. W. Porter, USN, said that to clear the record, that it was in 1940 that first fleet carrier landing plans flew off Kearny Mesa, and that the situation went on from there. He reviewed the history of the Mesa. He said that in 1947 Marine planning was taken over, and that in 1949 the Secretary of the Navy announced that Miramar was to be the jet base. He said owners have suggested Brown Field, that it is used to the saturation point for the same type of flights. He told of a Navy letter in December, 1952, regarding development, the last paragraph of which he read regarding preventing hazard to the public and to fliers. In March, 1953, a letter had been written by the Navy to the City Manager, including a flight pattern smaller than 10,000 feet, he said. Capt. Porter said that the Navy had sent what it had to the Manager. He told about discussions and meetings, and check made as to where planes were flying. He spoke of the noise level, and the flight pattern. He said that experienced pilots flew within the 10,000 feet, but that occasional planes went outside. He referred to the noise level being over 100 decibels. Capt. Porter told of having checked with the Electronics Laboratory and doctors, that doctors had recommended 50 decibels but that no area had such low intensity level. Up at 6th and Broadway the noise level is 80 decibels, he stated. People are living in that high level noise, according to the speaker. He said that 12,000-foot area had been established on that basis. Capt. Porter told about jet planes being dependent on thrust, and not the same as propeller type planes. The jets are slower, he said. Planes in the 10,000-ft. circle....he started to say, but was interrupted. Next, Capt. Parter said that if a pilot blanks out he can go only straight ahead. He referred to speakers having

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mentioned increased value to property if it is for industrial use. He told about a luncheon at the Kona Kai during which planes were making noise. Capt. Porter referred to there being industries compatible with air operations, and the future. He said that there is a definite need for support facilities. He mentioned that he would hate to see the thought entertained that if there are not residents the land would be a total loss. He said that the Secretary of the Navy has expressed his views.

Harry Evans, of the Chamber of Commerce, told of having talked to Chamber people, and that their original stand on Kearny Mesa zoning remains unchanged - and has been the same for over 2 years. He said that he was convinced that when the zoning is determined, industry will go ahead. Mr. Evans told the Council that he has a list of prospects in his file, which he felt he could not reveal, several of them national organizations which want to come here.

Councilman Godfrey asked Mr. Evans if reference to 2-1/2 years referred to today.

Councilman Dail referred to a letter which he had received from Planning Director Rick.

Mr. Evans referred to Board of Director minutes, for the Council's benefit. They were not filed.

Councilman Dail read regarding withdrawal of a letter of April, 1953, in connection with industrial sites. He said that was in connection with annexation, not regarding flying.

Mr. Evans said that the Chamber of Commerce was among the first in the annexation matter, and the M-1 Zoning for a limited area.

Councilman Godfrey agreed that was for a limited area, and was not significant as of now.

Councilman Wincote referred to the M-1A matter being about a year ago, or less.

Mr. Evans stated that M-1A was in effect prior to his coming to San Diego.

Mr. Rick talked to Mr. Evans about prohibiting residences in industrial areas.

Mr. Evans told the Council that the Chamber of Commerce has traditionally sponsored the notion of industry on Camp Kearny Mesa, and that the Navy recommends M-1A. The Mayor told about the M-1A zone in July of 1952, and that the 12,000-foot matter was sometime in 1953.

Mr. Rick spoke about the M-1A zone being several months after the property had been annexed.

Mr. Evans said that the Chamber of Commerce endorses the last statement, and that it had been encouraged by prospects on Kearny Mesa when established.

Joseph H. Roush spoke about having a selfish reason, to make money on the Mesa. He said that he had sold over 5,000 acres around Kaiser Industries years ago. He told about having been asked by Kearny Park Development people to check up. He told about having met with Admiral Reece in the Pentagon regarding the flight pattern change. He said that the area qualifies for light industry only. Mr. Roush said that he was interested in the objections. He referred to the frequent landings and take-offs at Lindbergh Field. He spoke of the noise level downtown and in the industrial area being higher than doctors think is safe. He spoke of this as being one nation, with many airports, and said that industries are gathering around them. Mr. Roush said that it would be his own money for development, and told about having property in Los Angeles, Fontana and in Orange County. He spoke about the sewerage, and the good bearing land. It has these things, plus greater incentive to work, Mr. Roush said. If he were a hypocrite, he would ask the Council not to zone the property, but would enjoy a monopoly on his present holdings. He referred to his extensive trips east, dealings with railways, etc., which look for more industrial land. He referred to zoning in various cities for industry. Plants are more economical when spread out, and they need ample parking space, he said. He told about the small cramped area spreading from 1 acre to 10. Plans will spread, he said. Mr. Roush recognized that the Council is behind the 8 ball, relative to having its word about houses. He stated that all over the nation there is a trend to take more area, and referred to new plants beyond Saugus and Sacramento opening 7 miles to the North, and spoke about San Francisco moving down the Peninsula. San Diego is an attractive place to live and that will bring industry, he said. He referred to satellite industries which must move here. The West is going on, and that industry will locate here, he said. Mr. Roush referred to land being about 35¢ per square foot for industry over the country, with as much as \$1.50 in Los Angeles. He said that he had met many city men with whom the Council should work.

Councilman Dail asked how they stand on the zoning.

Mr. Roush replied that they can use more than is zoned now. He said that land price has risen from \$100. to \$5,000. per acre on the Mesa. He recommended considering the present ordinance for the future, and for the welfare of the City.

On motion of Councilman Dail, seconded by Councilman Schneider, the hearing was closed.

Councilman Burgener asked Mr. Deaper if the zone change would jeopardize the claim against the Navy or anyone else.

Mr. Deaper answered Council Burgener by saying that he was being put in the position of being attorney for the owners. The court could take the position that the land is zoned for a certain use, or it could ignore. He said that he could not answer, in that there are too many imponderables.

Councilman Schneider asked Mr. Deaper about proof on account of interest and welfare of the City.

The Mayor replied by saying that the Council could make a finding that one or the other need.

Councilman Dail said that he was interested in the Woodruff statement regarding there being no particular objection to the 10,000 feet. If the property were zoned at the 10,000-foot line, property owners could not stop the Navy from flying over, he declared. He said that the Council should modify the ordinance, to 10,000 feet, instead of 12,000.

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Councilman moved to modify the ordinance from 12,000 feet to 10,000 feet. Councilman Wincote said he would be glad to second the motion, based on information received today. He said that if owners in the 10,000-foot area would compromise, the Navy would be well served.

Councilman Dail spoke about every attempt having been made to compromise. The Mayor said that a compromise motion is no compromise.

Councilman Wincote said that would be the nearest to the obligation, and that it would be a happy solution for the Navy.

The Mayor said that the City would be wrong if the Navy were to find that 12,000-foot instead of 10,000-foot area did not provide protection for property owners.

Councilman Dail spoke of the danger of a crashing jet. He said that the Council should be in the position to see what can be done best.

Councilman Burgener expressed the opinion that the Navy had relief on the worst kind of economy, in its proposal and request. He told about the calculated risk.

Councilman Wincote suggested withdrawal of the motion.

Councilman Godfrey mentioned that the ordinance could be introduced today by a vote of 4 - with 5 votes on introduction.

Councilman Schneider, said that if the ordinance cannot be introduced today, it can't be adopted next week.

Councilman Godfrey said that the adjoining property owners are getting a rough deal. He said he felt there are 2 bases: need for more land; the protection of safety and welfare of the people. The jets put a blight upon the area, he declared. He said that to rezone the property, the Council has to think of removal of the danger. He pointed out that owners would have relief in court. He said rezoning would neither add or detract from the property. He declared that the flight pattern would continue.

The Mayor spoke of 2 things: an Eminent Domain proceeding, and there being no City responsibility, but the Navy's. He said that the City has been warned that it is not feasible to build under the flight pattern, therefore the City would be exercising its police power relative to safety in protecting the people. In his opinion, the Council has no alternative but to introduce the ordinance.

Councilman Godfrey said that the Navy is affecting the property as much as if it were driving trucks through. He spoke of the M-1A zone being for a modern industrial area, with space unoccupied. He said that the concern is in connection with keeping houses out from under the planes.

Councilman Schneider asked Councilman Dail if a majority would accept the 10,000-foot zone.

The Mayor made the reply, stating that some are in the 10,000-foot and some in the 12,000-foot zone.

Councilman Dail spoke of not being bound by the Ordinance, and that anything could be established.

Councilman Godfrey pointed out that the Council could have the hearing on 12,000 feet - and go to less.

A conference over maps was had by several individuals. It went on to such lengths that the Mayor rapped for order.

Councilman Wincote warned that the Council is traveling a narrow line on who the zoning is being done for.

Councilman Burgener asked that the Council vote on this - or on another motion.

The Mayor said that there is a procedural point.

Councilman Wincote said that if the attorney representing the protesting owners could go to the Navy and get the money (to purchase the property) that is O.K. He said that property inside the 10,000-ft. area is O.K. for M-1.

Mr. Deaper said that under the ordinance as proposed there is no way for a Court to decide why it had been adopted. He declared that it would hurt none if the ordinance recites the matter of inverse condemnation. He said that the Council can find reasons to protect people from living under the flight pattern.

Councilman Godfrey asked if there is a written opinion from the Attorney.

Mr. Deaper's reply was "no".

Councilman Godfrey insisted that he wants an opinion, this being a matter of great import. A preamble, setting out the purposes, should be in the ordinance, he said.

Councilman Wincote wondered if the Godway would be against the issue, or would be a vote for it.

Councilman Godfrey said that the preamble should state the issue.

Mr. Deaper said that a preamble is not necessary, that there are legal grounds, this being a normal zoning pattern.

The Mayor said that the basis in the ordinance, regarding the value.

Councilman Godfrey continued, by saying that a preamble is a good idea.

Mr. Deaper agreed that a court would not know what the basis is, without a preamble.

Councilman Godfrey agreed, saying that the Navy doesn't want mothers with children under their arms protesting that they don't want the planes overhead.

The Mayor read the "whereas" from the proposed ordinance. He said that a statement regarding the Navy's jet flights over the area could be added.

Councilman Wincote declared that the City is doing this - the zoning - just for the Navy.

Councilman Dail told the Council that he had been authorized to talk to the property owners when the Mayor was in Heifa, and as a result he caught hell. He said that if the Council goes into a huddle with the Attorney and stipulates, that it will enhance the City's position.

Mr. Deaper said that if the Council passes the ordinance as a matter of bargaining it would weaken the ordinance.

Councilman Burgener declared that there is no solution.

Councilman Wincote said that he does not want a preamble.

The motion and second were withdrawn.

Kearny Mesa zoning

The Mayor suggested introduction of the ordinance; with a preamble. Councilman Schneider proposed that the Council adopt a preamble as read by the Mayor (the Clerk did not have it).

Mr. Deaper said that the Council has an ordinance for the 12,000 feet. He said that if it is not going to introduce that ordinance, preparation of one should be directed.

The Mayor again advocated a change in the preamble and introduction of the ordinance.

Mr. Deaper said that danger can be run into if the flight pattern is changed. He spoke of the necessary to think out things.

Councilman Burgener moved to instruct the City Attorney to prepare an ordinance in the 12,000-foot circle - with amendments.

Mr. Deaper informed the Council that it would have to wait 6 days to adopt.

The Mayor said it would seem to be devaluating; under the proposal.

Councilman Burgener urged introduction of the ordinance - as is.

Mr. Deaper said that it is not the best that he could recommend.

The Mayor declared that the only solution is to introduce the ordinance as is.

Mr. Schulman said that the Council is trying to find reasons for adopting the ordinance. He declared it is outrageous collusion.

Councilman Wincote seconded the motion to introduce the ordinance.

Councilman Godfrey said that the zone is for the purpose of protecting the people.

The Mayor declared that the ordinance would stand, and said that if the question comes to suit the minutes of this hearing are evidence.

Councilman Godfrey, who said he realized the hearing is closed, asked Mr. Schulman about his objections.

Mr. Schulman replied that all the conditions existing were there when the property was annexed, and when the bonds for the improvements put on.

Councilman Dail said that any statement made by the Council that the property is zoned for any purpose other than for the Navy is hypocrisy. Every member of the Council knows that it is for the Navy, he said.

Capt. Porter arose and said that when the people went in they knew there was a flight pattern there.

On motion of Councilman Burgener, seconded by Councilman Wincote, Ordinance incorporating portions of Lots 72 and 78 Rancho Mission of San Diego, into M-1A Zone as defined by Section 101.0412.1 of the San Diego Municipal Code and repealing Ordinance No. 5252 (New Series), approved July 1, 1952, Ordinance No. 5331 (New Series), Ordinance No. 5582 (New Series), Ordinance No. 5775 (New Series), Ordinance No. 5793 (New Series), Ordinance No. 5890 (New Series), insofar as the same conflict, was on motion of Councilman Burgener, seconded by Councilman Wincote, by the following vote, to-wit: Yeas-- Councilmen Burgener, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays-- Councilmen Absent-- Councilman Kerrigan.

On motion of Councilman Dail, seconded by Councilman Schneider - there being no further business to come before the Council at this time - was adjourned at the hour of 4:59 o'clock P.M.

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,
Tuesday, March 16,
1954

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

In opening the meeting, the Mayor presented the Rt. Rev. Msgr. Francis C. Ott, of the Blessed Sacrament Church.

Msgr. Ott delivered the invocation.

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

He presented Al Rosecrans, a member of the San Diego Chamber of the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America - in connection with petition which had been before the Council on March 2, 1954 for approval of solicitation of funds in connection with traveling to a contest, and for endorsement.

Mr. Rosecrans spoke to the Council briefly, and expressed thanks for the permission granted to solicit funds in connection with attendance at a contest.

The Barber Shop quartet sang "I Love You California", and "California Here I Come".

The Mayor thanked the men for having sung to the people in the Council Chamber, and wished them success in their venture.

The Minutes of the Council meetings of Tuesday, March 9 and Thursday, March 11, 1954, were presented to the Council.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 116453 for paving and otherwise improving Alley Block 45 Normal Heights, within the limits and as described in said Resolution, the Clerk reported that written protests had been received from Magnolia Robinson, which was presented to the Council.

Asked for a report, the City Engineer stated that there was a 3.9% protest.

Councilman Godfrey entered the meeting.

The Mayor inquired if any interested affected property owners were present to be heard.

No one appeared to speak, and no additional written protests were presented.

RESOLUTION NO. 117081, recorded on Microfilm Roll No. 77, overruling and denying protest of Magnolia Robinson against improvement of Alley Block 45 Normal Heights, under Resolution of Intention No. 116493; overruling and denying all other protests, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

On motion of Councilman Burgener, seconded by Councilman Schneider, proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 116494 for paving and otherwise improving 35th Street, Webster Avenue, Pardee Street, 36th Street and Pardee Place, within the limits and as described in said Resolution, the Clerk reported no written protests had been received.

The Mayor inquired if any interested affected property owners were present to be heard.

Mrs. Simmons asked for information regarding an alley. She said she had been told by the Engineer it would be paved. Mrs. Simmons said she had a notice for assessment, and that she can't use the alley. She said that the house was "put up", and that she can't reach the alley.

The City Engineer said that Mrs. Simmons wants the alley paved, but that it is not in this job.

Mrs. Simmons said she was told last year it would be paved.

The Mayor told Mrs. Simmons that if she wants the alley paved she would need to circulate a petition.

Mr. Olson said that the Engineer's office has an application, and that he will look at it. He said it is not in this job, is a 10-foot alley, and not usable.

Councilman Godfrey said Mrs. Simmons wants the junk cleared out. Mrs. Simmons told of a pole, a tree, and a manhole in the alley. The Mayor suggested reference to the City Engineer. Councilman Kerrigan said the City might not approve paving a 10-foot alley. Councilman Schneider told Mrs. Simmons she would be loaded up with expense for the street paving.

RESOLUTION NO. 117082, recorded on Microfilm Roll No. 77, referring to the City Manager the matter of access in Alley in connection with paving and otherwise improving 35th Street, Webster Avenue, Pardee Street, 36th Street and Pardee Place, under Resolution of Intention No. 116494, for report, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

No protests were entered, written or verbal.

On motion of Councilman Burgener, seconded by Councilman Schneider, proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 116621 for paving and otherwise improving Logan Avenue and Florence Street within limits and as described in said Resolution, the Clerk reported no written protests.

The Mayor inquired if any interested affected property owners were present to be heard.

Mr. Dantzler said there was an alley in the notice, and none on "this" referring to notice of adoption of Resolution of Intention mailed by the Clerk. He said it is between National Avenue and Logan.

Willard Olson of the City Engineer's Office said that reference is made to termination of the Alley.

The City Engineer said there is no alley paving; 2 terminations.

Mr. Dantzler said it is a dead-end street.

A conference was held over the notice. Councilman Wincote read it.

Councilman Godfrey read a "general statement" mailed with the notice.

Mrs. Smith asked if it would "take care of all".

Mr. Olson said 659 feet east of 59th Street includes the price estimated.

The Mayor said proceedings should be referred to the Engineer for the assessment.

On motion of Councilman Schneider, seconded by Councilman Burgener, the proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2209 made to cover paving and otherwise improving Alley Block 109 Central Park under Resolution of Intention No. 111921 the Clerk stated written appeal had been received from Gladys A. & John T. Burke, which appeal was presented to the Council.

The City Engineer reported a 4.2% appeal, stating appellant referred to bill being different from notice, and that they have 2 lots.

The Mayor inquired if any interested affected property owners were present to be heard.

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

RESOLUTION NO. 117083, recorded on Microfilm Roll No. 77, confirming and approving the Street Superintendent's Assessment No. 2209 for paving and otherwise improving Alley Block 109 Central Park under Resolution of Intention No. 111921; overruling and denying all other appeals; in addition to appeal of Gladys A. & John T. Burke; authorizing and directing the Street Superintendent to attach his warrant to the Assessment and issue the same in manner and form provided by law; directing him to record in his office the 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. 2210 made to cover paving and otherwise improving Alley Block 52 Park Villas under Resolution of Intention No. 112244, the Clerk reported written appeal from Mrs. Rose K. Guyette, which was presented to the Council.

The City Engineer reported a 4.2% appeal regarding fence knocked down by the contractor, who will fix it. There were no verbal and no additional written protests.

RESOLUTION NO. 117084, recorded on Microfilm Roll No. 77, overruling and denying appeal of Mrs. Rose K. Guyette from the Street Superintendent's Assessment No. 2210 made to cover costs and expenses of paving and otherwise improving Alley Block 52 Park Villas under Resolution of Intention No. 112244; confirming and approving the Assessment; authorizing and directing the Street Superintendent to attach his warrant and issue the same in manner and form provided by law; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman 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. 2211 made to cover paving and otherwise improving Alley Block 80 City Heights and Dwight Street under Resolution of Intention No. 111922, the Clerk reported no written protests.

The Mayor inquired if there were any interested affected property owners present to be heard.

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

RESOLUTION NO. 117085, recorded on Microfilm Roll No. 77, confirming and approving the Street Superintendent's Assessment No. 2211 made to cover cost and expenses

of paving and otherwise improving Alley Block 80 City Heights, and Dwight Street, under Resolution of Intention No. 111922; authorizing and directing the Street Superintendent to attach his warrant and issue the same in the manner and form provided by law; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2212 made to cover cost and expenses of paving and otherwise improving 51st Street and Alley Block 42 Tract 1368, under Resolution of Intention No. 108554, the Clerk reported no written protests had been received.

The Mayor inquired if any interested affected property owners wished to be heard.

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

RESOLUTION NO. 117086, recorded on Microfilm Roll No. 77, confirming and approving the Street Superintendent's Assessment No. 2212 for the cost and expenses of paving and otherwise improving 51st Street and Alley Block 42 Tract 1368 under Resolution of Intention No. 108554; confirming and approving the assessment; authorizing and directing the Street Superintendent to attach his warrant and issue the same in the manner and form provided by law, was on motion of Councilman Schneider, seconded by Councilman Burgener,

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2213 made to cover the cost and expenses of installation of ornamental lighting system in Kingsley Street, James Street, Oleander Drive, Poinsettia Drive, Oleander Place, Hyacinth Drive and Wisteria Drive, under Resolution of Intention No. 1109911, the Clerk reported no written protests had been received.

The Mayor inquired if any interested affected property owners wished to be heard.

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

RESOLUTION NO. 117087, recorded on Microfilm Roll No. 77, confirming and approving the Street Superintendent's Assessment No. 2213 made to cover the cost and expenses of installation of ornamental street lighting system in Kingsley Street, James Street, Oleander Drive, Poinsettia Drive, Oleander Place, Hyacinth Drive and Wisteria Drive, under Resolution of Intention No. 109911; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing electric current in College Park Lighting District No. 1, for a period of one year, the Clerk reported no written protests.

The Mayor inquired if any interested affected property owners were present to be heard.

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

RESOLUTION NO. 117088, recorded on Microfilm Roll No. 77, confirming the Engineer's Report and Assessment for College Park Lighting District No. 1, filed in the office of the City Clerk February 5, 1954; adopting the report as a whole, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing electric current in Collwood Lighting District No. 1, for a period of one year, the Clerk reported no written protests.

The Mayor inquired if any interested affected property owners were present to be heard.

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

RESOLUTION NO. 117089, recorded on Microfilm Roll No. 77, confirming the Engineer's Report and Assessment for Collwood Lighting District No. 1, filed in the office of the City Clerk February 5, 1954; adopting the report as a whole, 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 Resolution No. 116724 of Preliminary Determination for paving and otherwise improving Commercial Street, the Clerk reported no written protests.

The Mayor inquired if any interested affected property owners were present to be heard.

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

First, the "Resolution of Feasibility" was adopted, but when Laurence Salcedo appeared to ask a question, the Council reconsidered its action of adopting the Resolution.

Mr. Salcedo asked about sidewalk and curb, and told the Council the property is mostly industrial. Identifying his property as Lots 29 & 30, Mr. Salcedo said he felt it should be indicated by the individual property owners whether they want sidewalk and curb, or driveway.

Willard Olson, of the City Engineer's Office, answered Mr. Salcedo by saying that sidewalk would be put in where wanted. All have the gutter, he added.

RESOLUTION NO. 117090, recorded on Microfilm Roll No. 77, determining that

that proposed improvement of Commercial Street, within limits and as described in Resolution No. 116724 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 Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 116725 of Preliminary Determination for installation of sewers in Maple Street, Laurel Street, 44th Street, Alleys in Blocks 19, 14, 15 Swan's Addition, 45th Street, Highland Avenue, Public Rights of Way in Lots 33 to 44 inclusive, Block 14; Lots 20 to 24 inclusive, Block 15; Lots 25 to 27 inclusive, Block 19 Swan's Addition; Alley in Block B Swan's Second Addition; Alley in Block 2 Swan's Addition, Olive Street, Alley in Block 20 Swan's Addition, and Fairmount Avenue, the Clerk reported no written protests.

First, the "Resolution of Feasibility" was adopted, but when a Mrs. Whitney shouted at the Council that it was going too fast and that it was not possible to keep up, the Council reconsidered its action in adopting the Resolution.

After checking into Mrs. Whitney's statement, it was shown she was talking about a proceeding which the Council had not reached.

RESOLUTION NO. 117091, recorded on Microfilm Roll No. 77, determining that proposed improvement of installation of sewers in Maple Street, Laurel Street, 44th Street, et al within limits and as described in Resolution No. 116725 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 Special 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. 116726 of Preliminary Determination for paving and otherwise improving Mohawk Street, 71st Street, 72nd Street, the Clerk reported no written protests.

RESOLUTION NO. 117092, recorded on Microfilm Roll No. 77, determining that proposed paving and otherwise improving of Mohawk Street, 71st Street, 72nd Street, within limits and as described in Resolution No. 116726 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 Special Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued from March 9, 1954, on Resolution No. 116624 of Preliminary Determination for facing and otherwise improving of Jamacha Road and Flicker Street, Councilman Dail spoke about protest as of last week having been referred to the City Engineer.

The City Engineer said that the protest on Flicker Street was 64.9% of Flicker. He suggested elimination of that street from the proceedings.

Harold J. Partusch, 619 Flicker, told the Council that he had circulated the petition, and that 100% of the property owners on the street had signed it. He told of City Water Department having said that up to \$1800. would be cost for water. Sewer is on Flicker, he said.

Willard Olson said that the contract would call for putting in 2 sewer laterals on vacant lots.

Mr. Partusch said his property is not vacant, and that sewer is only 1/2 way - thru Lot 2.

Mr. Olson said that if the property is built upon, the sewer would be available.

Mr. Partusch insisted the sewer is available.

Members of the Council joined the City Engineer in conference over a map spread on the Council table.

Mr. Olson said that a lateral was to be put in, so as not to break the paving later.

Councilman Godfrey asked G. B. Baker what the City Engineer had said that he doesn't believe.

A discussion was conducted between Councilman Godfrey and Mr. Baker about the lateral.

Councilman Schneider said that water services are fed from another source. Councilman Dail reviewed the protest which had been given to him by Mr.

Baker.

There was discussion between Councilman Dail and Mr. Partusch over the protest.

Councilman Dail declared that in the petition the same false issues are raised. He declared that black top mentioned in the protest petition is asphalt concrete. He told of the necessity of not breaking up the street for laterals.

The City Engineer made an estimate of \$450.00 for a 50-foot lot, except where sewer and water laterals are to be installed.

There is necessity to get the thing straight, according to Councilman Godfrey.

The City Engineer said that the \$450.00 is for paving and curb; there will be 3 sewer laterals, 3 water laterals: \$57.00 for each of the 3 water laterals, \$135.00 for each of the sewers.

The Mayor said that no sewer and water mains are to be torn up.

The City Engineer said that there is no water main in the job; it is to be put in by the City Water Department.

Councilman Dail spoke of that as being subsidized by the City.

Councilman Godfrey talked to protestants regarding cost to them - \$100.00 for the water main.

Councilmen Wincote and Godfrey entered into discussion about connections.

Councilman Godfrey spoke to the people who had gathered at the rail, regarding the cost for laterals where they are not in now.

Mr. Partusch told of water on Lisbon Street.

Councilman Dail maintained that nobody on the Council is trying to sell the job - but when the facts are distorted they need to be cleared up. Maintenance will be on the existing basis, he said.

Answering a question about time regarding the doing of the work, the City Engineer said it would be sometime in this Summer before it would be finished.

Mr. Partusch told of having "got everybody to sign". He asked the Clerk to read the petition.

However, an argument between Mr. Partusch and Mr. Baker.

Councilman Dail related calls from the people, and added that the petition is heavier than the 60% required. He said it would be unfair to drop the proceedings. If the property owners do nothing for themselves, the City is not going to, Councilman declared.

The Clerk was now given the opportunity to read the petition for the improvement - which he did.

Mr. Partusch said all had agreed as to what was to go in.

Mr. Baker said that Mr. Partusch had spoken about being in favor of putting in the improvement on the big cost basis.

The City Engineer broke down the various costs under the proposal to individuals.

Mr. Baker and Mr. Partusch entered into another argument.

Councilman Godfrey said that the water extension has nothing to do with this proceeding.

Mr. Olson said he thinks the water will go ahead.

Councilman Godfrey reviewed for Mr. Baker the assessment proposal.

Mr. Baker said that he has 3 or 4 proxies.

Discussion was held between Councilman Godfrey and Mr. Baker over the protest.

Mr. Baker asked for information regarding the water.

Mr. Partusch told of the Lomita Village improvement having put in although it is "poorer".

Councilman Dail said that the past system of putting in bids of improvements, for political purposes, is gone.

Next, there was discussion between Councilman Dail and Mr. Baker.

RESOLUTION NO. 117093, recorded on Microfilm Roll No. 77, overruling and denying the protest of George Brooks Baker and others, against proposed improvement of Jamacha Road and Flicker Street, under Resolution of Preliminary Determination No. 116624, overruling and denying all other protests, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117094, recorded on Microfilm Roll No. 77, determining that the paving and otherwise improving of Jamacha Road and Flicker Street, within the limits and as described in Resolution No. 116624 of Preliminary Determination is feasible and that 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 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. 116625 of Preliminary Determination for installation of sewers in Klauber Avenue, Pierino Drive, Zeller Street, Plover Street, Hilger Street, Gibson Street, Tarbox Street, Madera Street and Public Rights of Way, continued from the meeting of March 9, 1954, the continued hearing was held.

Mrs. Thelma Whitney, who had attempted to speak on another proceeding, was heard. Shouting to the Council, she said she would try to keep herself in order as much as the Council permits - "if they know what she means". She said it does not seem like the Council can get its stories together. Mrs. Whitney said she does not like what she has seen in the Civic Center, and that she is going to change that. She stated that her husband was "coded to death", it not being clear what the speaker meant. She said that when property was bought, her husband signed - but for sewer. She said that she went to the Civic Center, and the City Engineer had told her he did not know when the sewer would go in on Plover Street. Mrs. Whitney said she has 286 feet frontage, and has invested in septic tank and drain lines. After percolation test, she was told she would have to have a cesspool. All are working hand in glove, together, to get their money, Mrs. Whitney charged. It was all arranged through the Civic Center, she said. She argued with the Mayor regarding the cost, on account of a sewer. Many were told different figures, she stated. Then she hurled threats, saying that she has rights in Sacramento, etc.

Councilman Godfrey, said that with the accusations made by Mrs. Whitney, he wants the matter straightened out. He referred to Mr. Yellman having said \$4.50 and \$3.00.

The City Engineer gave an estimate of \$6.00 per front foot.

Mrs. Whitney said that would be \$1,800.; that she had just laid out \$1,000.00. She wanted to know who is going to get the job.

The Mayor replied that it will be on bid, which is the City's procedure.

Councilman Schneider, speaking to Mrs. Whitney, asked for names.

Councilman Godfrey said that if Mrs. Whitney thinks the matter is wrong, she can go to the Grand Jury.

Mrs. Whitney said changes need to be made, and said that the Council is supposed to be working for "us".

Councilman Dail checked with the City Engineer as to reasons why all the streets were included. He spoke of having information from the Health Department, which is ready to give it to the Council.

Jas. P. Slater, of the Health Department, who had been asked to give a report on existing conditions, said he had found septic tanks and cesspools are not desirable, and that building has been restricted. He said that sewers are imperative and that they would make the area more desirable. Answering a question put by Councilman Dail, he described the terrain as being a hilly area.

Mrs. Whitney entered into discussion with Mr. Slater.

W. C. Floyd said that he is not fighting the original petition. He asked why the City was trying to shove a bill onto the property where 90% have septic tanks and cesspools. The people below need the sewer on account of the stink, and that he is not fighting that, Mr. Floyd said. He asked why go up on Klauber.

The Mayor pointed out that the more houses which are built, the more undesirable the area becomes on account of lack of sewers.

Councilman Burgener entered into discussion with Mr. Floyd.

Councilman Dail stated that it is beautiful property, on the hill, and that there will be a demand for it. He said that it is against the Health Department's policy to permit septic tanks and cesspools where not proper. He said that there is need for study in connection with City participation. He spoke of a large lateral district, and said the matter could be studied in Conference. Mr. Dail said that when property owners go to the Health Department to get septic tank, drain lines and cesspool permits, they are told they have to get percolation tests.

James E. Hannibal told the Council that his daughter had a percolation test made, and that she had been told of the report to the effect relative to one hole, that it (water in the test) did not go down fast enough. Mr. Hannibal stated that the man who made the percolation test did not even stick a rod into the ground.

Mrs. Whitney said that was Mr. Miller of El Cajon.

Councilman Godfrey said that the man engaged to make the test is a private contractor - not a City employee. He asked why he was paid, if he had not made the test, as had been charged.

Councilman Dail spoke about the Health Department having condemned the system of previously permitting cesspools and septic tanks. He stated that he knew, from experience, that they don't last.

Mrs. Whitney wondered why the City Plumbing Inspector had approved without septic tank.

Councilman Dail referred to a different condition.

Councilman Godfrey said that a percolation test is reasonable. He repeated that property owners hire their own contractors to make the test.

There was discussion between Councilman Wincote and a woman who did not identify herself in connection with payment being made when nothing had been done. (She was evidently Mr. Hannibal's daughter, as indicated by conversation).

Councilman Godfrey talked to several unidentified individuals regarding the merits of the tests.

Councilman Dail said that the hearing could be continued further, and be referred to Conference regarding a possible contribution to the cost by the City.

The City Engineer said that most of the protests come from owners on Klauber. He showed members of the Council a map. Answering a question relative to percentages, he said he did not have them figured.

Councilman Godfrey said that the Council had heard from people who are in protest, but that there are some in the district who favor it. He said that the Council should hear from those favoring the work.

Willard Barr, 1421 Tarbox, ~~1421-Tarbox~~, said that he had circulated the petition, and that Mr. Slater had told of the need for the improvement. He said that 8 septic tanks are running over into the streets. He said that they will have to be pumped out, and that they are no good. He told of not getting improvements in the area until the sewer is put in, because it is unsanitary now.

Frank Psaute told of his son having gone in over the tops of his shoes on Klauber Avenue, on account of the improper drainage. He handed in a petition favoring the sewer on Klauber.

Councilman Dail spoke of the City having a fund regarding extensions.

Councilman Wincote said that on Klauber Avenue owners on one side are for the sewer improvement; the other side is against it.

Mr. Barr and Mr. Hannibal entered into discussion, expressing opposite views.

The City Engineer told the Council that he cannot identify some signatures on the petition of protest turned in by Mr. Hannibal, and that he thinks they are outside the district.

Mr. Hannibal spoke about the individuals who had signed by addresses, rather than by property, as being owners.

The City Engineer said that they had indicated street addresses only - not legal descriptions.

Mr. Barr spoke of being restricted on account of small amount of chickens, so why not the sewers, he asked.

Mayor Butler said Councilman Dail wants the matter referred to Conference.

RESOLUTION NO. 117095, recorded on Microfilm Roll No. 77, continuing the hearing on proposed improvement of Klauber Avenue, Pierino Drive, Zeller Street, Plover Street, et al, under Resolution of Preliminary Determination No. 116625, until the hour of 10:00 o'clock A.M., March 23, 1954; referring the matter of possible inclusion of a contribution from City funds toward cost of installation of sewers to Council Conference, 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 the Travelodge Corporation appeal from decision of Board of Zoning Adjustment denying permission to erect and operate a 40-square foot standard Travelodge sign on private property at corner of Rosecrans Street and Harbor Drive - Lots 7 through 12 Block 62 Roseville - at 5102 North Harbor Drive in Zone R-4, continued from meetings of March 4, 1954, and March 11, was considered.

Councilman Burgener, who had asked for continuance so he could look at the property, said that he disagreed with the Planning Commission. He stated that property owners do not object to the proposed sign.

The Mayor said that if granted the sign situation would continue on and on.

Councilman Wincote said that a sign on the building, or on top of it would look worse than what is requested.

Councilman Schneider moved to deny the appeal, and sustain action of the Board of Zoning Adjustment in denying the application, which motion was seconded by Councilman Kerrigan.

Councilman Burgener moved to grant the appeal. (The Mayor said that there was already a motion).

Councilman Godfrey spoke of the signs in South La Jolla, and said that would be the same.

Councilman Schneider said that in La Jolla they are set back, whereas the proposed sign would be almost at the sidewalk. On the building (as permitted) it would be authorized, he said.

Mr. Rick showed a plat to the Council.

Councilman Burgener discussed the issue with Mr. Rick.

The roll was called on the motion to deny the appeal, and sustain the Board of Zoning Adjustment, as follows: Yeas--Councilmen Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen Burgener, Wincote, Godfrey. Absent--None.

(The motion was not carried).

Considerable discussion followed between various Councilmen and appellant over a picture, after the action had been taken.

After action on the next matter - but continued here for the sake of continuity - Councilman Schneider moved to reconsider the action, which motion was seconded by Councilman Burgener.

At the request of Council members, Douglas D. Deaper, Deputy City Attorney, read from from the San Diego Municipal Code the regulations covering erection of signs.

Mr. Rick told about signs which are not permitted, being in existence.

Councilman Wincote maintained that the motel has the right to advertise.

Mr. Rick replied that it would help the administrative department if the Council would pass the ordinance which it wants. He told of some being not allowed, but that Travelodge had erected them anyway.

The Mayor said that once someone gets a variance, it breaks down the zoning, and that the breakdown continues.

Councilman Burgener moved to grant the appeal, and sustain the Board's action.

RESOLUTION NO. 117096, recorded on Microfilm Roll No. 77, denying and overruling the appeal of The Travelodge Corporation, by Richard S. King, Vice President, 3045 Moore Street, San Diego 10, from decision of the Board of Zoning Adjustment's Resolution No. 8026, application No. 12654, for permission to erect and operate a 40-sq. ft. standard Travelodge sign on private property at the corner of Rosecrans and Harbor Drive, on Lots 7 through 12 Block 62 Roseville, at 5102 N. Harbor Drive, in Zone R-4; sustaining the Board's decision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen Burgener, Wincote, Godfrey. Absent--Councilmen None.

Petition of property owners for annexation of Uninhabited property - according to map attached - being portion of Lot 67 Rancho Mission of San Diego, identified as "Steinbaum Tract", was presented.

Mr. Christiansen, who did not identify himself but who is known to the Clerk, asked the Council about the time element for the annexation.

Orin Cope, Assistant to the City Manager said that the matter had already gone to the Boundary Commission, that it will be a normal range regarding dates required - about 3 months.

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

Councilman Godfrey requested, and was granted unanimous consent to present the next matter not listed on the agenda. It was a report by the Police Department on application of Samuel Surakka for peddlers' license.

Walter

The applicant proposed to sell St. Patrick's Day novelties in the downtown area. The report states that applicant had stated he had been granted approval previously and could not understand this refusal. It mentions applicant having been granted a

a peddlers license for March of Dimes on the strength of his identification card. The report says it was explained to Mr. Surakka that peddling is not permitted in certain restricted areas which include the downtown business district where he proposed to work, and that sale of novelties in said manner was frequent cause of complaints.

Mr. Surakka came to the Council rail in a wheel chair.

The Mayor said that the petition had not been granted by the Police Department, and that if the Council grants a peddler's license it can't refuse anyone else.

Mr. Surakka told the Council that he sells papers, and has for 25 years throughout the United States. People are doing the same thing he proposed without a license, and why he could not.

The Mayor said that if there are violations, Mr. Surakka should report them. He mentioned that license had been issued to Mr. Surakka for 5 years, for another purpose.

The City Manager told of the license for March of Dimes, peddler's license granted by the Council 1951 and renewal in 1953.

Councilman Godfrey said that it had pointed out by the Mayor and the City Manager that if what is requested is granted, the same would have to be done for everybody.

Mr. Surakka wanted to know what he would do with the stuff he already has.

Councilman Wincote wondered how long the police record was in existence. He said Mr. Surakka could write to the Council regarding the various licenses he has had, and why they were allowed.

The Mayor pointed out that the Police recommends against the request, and that they don't want peddlers on the street. He said Mr. Surakka could obtain a business license, if he sold on private property.

Discussion between Mr. Surakka and several members of the Council followed.

RESOLUTION NO. 117097, denying application of Walter S. Surakka for peddler's license to sell St. Patrick's Day novelties in the downtown San Diego area March 17, 1954, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The next 4 items were considered at this time - out of order - in connection with Tentative Maps of Linda Vista Units 5 and 7.

The communications and the resolutions were not read.

Councilman Schneider told about being impressed by conditions existing on 2 streets - particularly Comstock Street. He said that 3 members of the Council went out and looked at the area. Mr. Schneider said he was concerned and impressed regarding the Comstock Street widening, which would leave nearly no front yards. He said that the Linda Vista group would comprise regarding 36 feet. He said that Drescher Street has the same situation, in that there would be no front yards.

The Mayor said he had sat in on a preliminary meetings. He told of the series of compromises regarding improvements. He said that all had been taken up and agreed to regarding the general portion.

Harry C. Haelsig, Assistant Planning Director, told the Council that Comstock is an important feeder street in Linda Vista.

He had several photographs which he showed to the Councilmen, regarding streets. He referred to Redwood Village, isolated, which has severan 40-ft. streets. Clairemont 40-ft and 68-ft. roadways, Mr. Haelsig pointed out.

Councilman Schneider said the whole area was vacant when planned.

Mr. Haelsig agreed, and said that the streets are inadequate. The City should not "mop up" for the Federal Government where it has made mistakes, he declared. He read from an unidentified letter regarding cars hit on Comstock Street.

Councilman Schneider spoke of the possibility of there being alleys 20 feet wide. They would provide parking, he stated.

Mr. Haelsig spoke of the street serving 1,000 houses.

Councilman Schneider said that residents would want some front yard.

Councilman Burgener spoke to Mr. Haelsig regarding slower traffic on 36-foot than 40-foot streets.

Mr. Haelsig agreed that they would move more slowly, but that a wider street is safer. He explained to Councilmen the lines drawn on the photos (not filed or turned in to the Clerk)

Mrs. Faye Hartman, Special Field Representative, said there had been no original agreement on Comstock.

Jack Shellaby, civil engineer, filed maps for Comstock for 36 feet, he said. It was filed 1/7/54, drawn in October, 1953, he declared.

The Mayor talked to Mr. Shellaby regarding the widths, the widening, and equipment.

Mr. Shellaby said that Mr. Melville had held conferences with the City Manager.

The Mayor spoke about objections relative to decision made previously, and now decisions regarding the individual property owners.

Mrs. Hartman said that there had been no decision on the map, but maps had been filed.

The Mayor said that when filed it was understood that there were wide areas of differences. He stated that it had been decided with Mr. Melville that there would be adjustments made.

The City Manager said he and Mr. Melville had said that Comstock should go to 40 feet.

The Mayor advised Mrs. Hartman to check with Mr. Melville on that point.

Mr. Shellaby said that Mr. Silverman had looked at the area, mentioned not moving trees, and would present the matter to the Council with 4-foot sidewalks. He spoke of giving 13 feet additional. He said that Mrs. Hartman and others had met with the City Manager. Mr. Shellaby spoke regarding maps posted on the wall, regarding improvements, drains, alleys, and street widening. The map represents 75% of the lots in Linda

Vista. He referred to leading to confusion. The Mayor said the situation ought to be cleared with Mr. Melville, who had agreed to a 40-foot street.

Councilman Wincote concurred with Councilman Burgener regarding some of the houses being badly hurt. He asked Mr. Shellaby about that.

Mr. Shellaby said there would be "6" each side", evidently referring to space for passing in the street.

Councilman Wincote wondered about moving sidewalks on Comstock.

Councilmen Wincote and Godfrey conducted a discussion regarding children playing, and their safety.

The Mayor said that when the City Manager and Mr. Melville went out there had been concessions made.

Councilman Burgener asked if the area would be best served on a 36-foot street, rather than one of 40 feet.

Mr. Haelsig replied that it would be an asset to the community to have adequate streets for fire engines, etc.

Councilman Wincote said it is going to be a Council policy. He asked Mr. Haelsig if wide streets with narrow walks is better. Also, he wanted to know which is more important - the street or sidewalk. He said that he would rather have the sidewalk cut down than the street.

Mr. Haelsig said Mr. Silverman had been here in 1948 and 1950. He said that he had agreed regarding 40-foot streets on 4 main streets, and had already conceded some. Comstock is the most important street which leads to 1,000 people. There have been 4 compromises already, he said.

There was discussion between Councilman Wincote and Mr. Haelsig regarding Comstock continuation.

Mr. Haelsig spoke of the Council considering a 36-foot street, whereas a 40-foot street has been recommended.

Councilman Burgener said that a lot of compromises are necessary.

The Mayor stated that the City Manager and Mr. Melville had agreed to a 40-foot street.

There was discussion between Councilman Godfrey, Mrs. Hartman, and Mr. Shellaby regarding widths. Individuals who are affected by both proposals, were brought into the discussion.

Councilman Schneider said that the people in the area are affected. He told of priority and the need for protection.

In fairness to other people, Councilman Godfrey said that there is need for a fair thoroughfare. All have to be given consideration, he declared.

Councilman Dail talked to Mr. Shellaby regarding setting back of the houses.

Mr. Shellaby said "some would be 4 to 5 feet away". He had discussion with Mr. Haelsig regarding the narrower street, to provide for the alley.

Mr. Haelsig said that 12 feet is the absolute minimum for travel with the big buses.

Mr. Shellaby showed the Council air photo maps taken by the Navy. He said he would welcome Police reports regarding accidents on Comstock Street. He spoke about the City Engineer having 36 feet on Comstock, and said that a 20-foot alley would be paved.

Councilman Dail declared that 36 feet is not a safe width street.

Mrs. Hartman said that there has been talk about subdividing the Linda Vista property for 10 years. She said she was presenting what she had been told to do. She said that if "Melville said to tear off porches, on the phone, tear them off".

Mr. Haelsig declared that porches will not have to be taken off, but that it will be necessary to move steps. All steps are encroachments, he said.

A speaker who was not identified to the Clerk beyond Mr. O'Bryan, said that City officials had stated that the Council would have to decide. He spoke of there was no agreement with Mr. Melville. He spoke of the situation having changed a lot, and that there is no firm agreement.

The City Manager replied that his recommendation was firm. He added that he remembers Comstock in particular.

Mrs. Hartman said that people had been promised that they can buy, and that there are differences of opinion between engineers.

Councilman Schneider moved to adopt the maps for the 2 subdivisions, which motion was seconded by Councilman Burgener.

Councilman Wincote said he wants to go out with Mr. Haelsig and measure. He asked for a delay.

Councilman Dail, started to say something about movement of traffic on a 40-foot street, but did not complete the statement.

Councilman Wincote said that movement of traffic is most important.

The Mayor said that the 5-foot sidewalk had been compromised, and is now down to 3 feet.

Councilman Godfrey declared that his interest is in the serving the best interests of the community. What might be "best" today regarding front yards might result in a later objection regarding street widths. He spoke of a need to look at the situation, but also mentioned the need to expedite. He asked for a delay to Thursday, and that the Council look at it as a group.

Councilman Wincote said he wants to look regarding 13 feet.

Councilman Schneider told about having been on a trip yesterday to the same area, and having had no trouble parking. If there is no parking on one wide and 4-foot widening, a 1-car width would be gained, he said.

The Mayor asked why continue the matter to Thursday.

Councilman Godfrey told of Mr. Haelsig's statement regarding buildings.

Councilman Wincote said that the north side, which is an embankment, is difficult.

What's wrong with Councilman Schneider's idea regarding parking on one side only, Councilman Godfrey asked.

The Mayor said that it would be restricting the use, and told of there having been 10 years of negotiations.

Linda Vista 5 & 7 subdivisions

There was general discussion regarding movement of buses.
The Mayor said that there is another point in that there will be more traffic later.

Mr. Shellaby spoke about the face of the building, and Mr. Holliday having visited the City for the general picture. Mr. Holliday hoped that the people would not be crowded out of porches, yards and trees.

Mr. Rick said that the Resolutions carry the Planning Commission's recommendations. They could be adopted regarding the 40-foot street, and go ahead except for the streets under consideration - and then ask for amendment.

Councilman Wincote said that some streets were impossible.

Councilman Burgener said it might be better to go out and look at the situation.

The Mayor said that he has been out - a couple of times.

Councilman Wincote said the Council can get a different opinion by going out to look at the situation on the ground.

Councilman Dail moved to continue the matters until Thursday - March 18, 1954. The Mayor suggested going out at 7:30 o'clock A.M.

Councilman Godfrey said he would be down here at 7:30, and that the Engineer and the Planning Department representatives should be present.

Councilman Kerrigan said he thought it was not necessary to be here at 7:30 A.M.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the 4 matters were continued until Thursday, and decision made to meet at the Housing Office.

*After the action had been taken, Admiral Benton Decker spoke in behalf of Linda Vista residents. He said that the matter is between residents and the Council, rather than with Mr. Melville. He urged action as soon as possible.

Another man, who did not identify himself, spoke. He said he was with the Housing Authority, and that it should be decided yes or no regarding the streets.

Communication from the Purchasing Agent, with City Manager's stamp of approval, reporting on bids for installation of Adams Avenue and Mansfield Street Pipe received from 6 bidders March 2, 1954, was presented. It recommended award to L. B. Butterfield, low bidder, in the amount of \$60,585.00 - Engineer's estimate was \$73,100.00.

RESOLUTION NO. 117098, recorded on Microfilm Roll No. 77, accepting bid of L. B. Butterfield for installation of Adams Avenue and Mansfield Street Pipeline; awarding contract, 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 Dail, adopted.

Communication from the Purchasing Agent, with City Manager's stamp of approval, reporting on bids for furnishing 10 tons of Copper Sulphate snow crystals, received March 10, 1954, from 2 bidders, was presented. It recommended award to McKesson & Robbins, Incorporated, low bidder, for \$11.37 per cwt., terms 1% - 30 days, plus Sales Tax.

RESOLUTION NO. 117099, recorded on Microfilm Roll No. 77, accepting bid of McKesson & Robbins, Incorporated, for furnishing 10 tons of Copper Sulphate snow crystals; 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 Purchasing Agent, with City Manager's stamp of approval, reporting on bids for furnishing 70 Filing Cases of 5 types for the San Diego Public Library, received February 16, 1954, from 10 bidders, was presented. It recommends award to American Typewriter Company of San Diego, low bidder meeting specifications, for furnishing Items 1 and 5; to Nelson-Thomas & Company of San Diego, low bidder meeting specifications for furnishing Items 2 and 3; to Morton Equipment of San Diego, low bidder meeting specifications for furnishing Items 4, 6.

RESOLUTION NO. 117100, recorded on Microfilm Roll No. 77, accepting bid of Morton Equipment Company for furnishing Item 4, 1 vertical file equipped with 8 double card index drawers for 6 x 4" cards @ \$152.94; Item 6, 2 verticle files, 3-drawer jumbo size @ \$119.76 each; terms 2% - 10th prox., plus State Sales Tax, delivery 3 weeks; 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 Burgener, adopted.

RESOLUTION NO. 117101, recorded on Microfilm Roll No. 77, accepting bid of Nelson-Thomas & Company for furnishing Item 2, 12 - 5-drawer letter size verticle files @ \$78.62 each; Item 3, 19 - 4-drawer legal size vertical files @ \$84.68 each (including locks) terms net, plus State Sales Tax, delivery 30 days; 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 Burgener, adopted.

RESOLUTION NO. 117102, recorded on Microfilm Roll No. 77, accepting bid of American Typewriter Co. for furnishing Item 1, 34 - 4-drawer legal size vertical files @ \$74.80 each; and Item 5, 2 - 2-drawer letter size vertical files @ \$44.84 each; terms 2% - 60 days, plus State Sales Tax; 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 Burgener, adopted.

Burgener, adopted.

Communication from the Purchasing Agent, with City Manager's stamp of approval, reporting on bids for furnishing Compound Water Meters and Check Valves (Fire Service Type) received February 10, 1954, from 3 bidders, was presented. It recommends award to Squires-Belt Material Company for furnishing Item 1 and Item 4; award to Neptune Meter Company for furnishing Item 3; to Mission Pipe & Supply Company for furnishing Items 2 and 5.

RESOLUTION NO. 117103, recorded on Microfilm Roll No. 77, accepting bid of Squires-Belt Material Co. for furnishing Item 1, 3 8x4x1" Meters @ \$1,750.00 each; Item 4, 4 10" Detector Check Valves @ \$970.00 each, terms net, plus State Sales Tax; 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117104, recorded on Microfilm Roll No. 77, accepting bid of Neptune Meter Company for furnishing Item 3, 4 10" Fire Flow Meters @ \$2,240.00, terms net, plus State Sales Tax; 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117105, recorded on Microfilm Roll No. 77, accepting bid of Mission Pipe & Supply Co. for furnishing Item 2, 3 8" Detector Check Valves @ \$314.00 each; Item 5, 1 6" Detector Check Valve @ \$176.00, terms 2% - 30 days, plus State Sales Tax; 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 Burgener, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, with City Manager's stamp of approval, presenting Resolution authorizing the Purchasing Agent to advertise for bids for 1 1-ton Chassis and Cab with Special Body; 3 Canopy Express Trucks; 1 1/2-ton Panel Truck; 1 14,000 lb. GVW Chassis & Cab; 1 15,000 lb. GVW Chassis & Cab for the Public Works Department, as per specifications on file in the office of the City Clerk bearing Document No. 486805, was presented.

RESOLUTION NO. 117106, recorded on Microfilm Roll No. 77, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing trucks as shown in communication just above, in accordance with Document No. 486805, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, with City Manager's stamp of approval, presenting Resolution authorizing bids for 2 3-1/2 Cu. Ft. capacity Concrete Mixers for the Public Works Department, as per specifications on file in the office of City Clerk bearing Document No. 486806, was presented.

RESOLUTION NO. 117107, recorded on Microfilm Roll No. 77, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Concrete Mixers, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, with City Manager's stamp of approval, presenting Resolution authorizing bids for 85-100 Penetration Paving Asphalt, Emulsified, and Liquid Asphalt for period of one year beginning April 1, 1954, as per specifications on file in the office of the City Clerk bearing Document No. 486807, was presented.

RESOLUTION NO. 117108, recorded on Microfilm Roll No. 77, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of Asphalt, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, with City Manager's stamp of approval, presenting Resolution authorizing bids for 8 Heavy Duty Paving Breakers; 10 Heavy Duty Clay Diggers; 2 Medium Weight Jack Hammers; and 2 Medium Weight Paving Breakers for Public Works Department, as per specifications on file in the office of the City Clerk bearing Document No. 486808, was presented.

RESOLUTION NO. 117109, recorded on Microfilm Roll No. 77, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 8 Heavy Duty Paving Breakers; 10 Heavy Duty Clay Diggers; 2 Medium Weight Jack Hammers; was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, with City Manager's stamp of approval, presenting Resolution authorizing bids for 1 2-to-3-ton Tandem Roller for the Public Works Department, as per specifications on file in the office of the City Clerk, bearing Document No. 486809, was presented.

RESOLUTION NO. 117110, recorded on Microfilm Roll No. 77, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing

one 2 to 3 ton Tandem Roller, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing City Manager's stamp of approval, advising that by Requisition the Superintendent of Sewage Treatment Plant has requested procurement of repair parts for drill machine at the Sewage Treatment Plant, as listed. It says parts are only available through the manufacturer, Combustion Engineering, Inc., Raymond Division, Chicago, Illinois. It recommends Purchasing Agent be authorized to purchase the parts, totalling approximately \$1,380.25 without advertising for bids. RESOLUTION NO. 117111, recorded on Microfilm Roll No. 77, authorizing and directing the Purchasing Agent to purchase in the open market, without advertising for bids, repair parts for drill machine at the Sewage Treatment Plant totalling approximately \$1,380.25 in value - as listed in detail in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117112, recorded on Microfilm Roll No. 77, 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 systems at the intersections of 30th Street and Lincoln Avenue, 30th Street at Wightman Street, 30th Street at Redwood Street, bearing Document No. 486804; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Councilman Schneider was excused

Communication from the Planning Commission, signed by Harry C. Haelsig, continued from the meeting of March 4, 1954, and then from the meeting of March 11, 1954, having to do with tentative plan for a trailer park located in portion of Pueblo Lot 1151 at the northerly termination of 35th Street and the extension of B Street, was presented again.

Councilman Dail said that property is barricaded by Wabash Freeway on the South, and on the north there is supposed to be access. He said that the property does not lend itself to a street.

Councilman Kerrigan said that the land is unsubdivided.

Councilman Dail said that it can't be used, and spoke of land having been in escrow. He said that 35th Street should be closed, in that it wouldn't go anywhere.

Councilman Kerrigan said that one can't get in there now, it is not a dedicated street, but the Council cannot guarantee that it will not become one.

Councilman Schneider returned to the meeting.

Councilman Kerrigan said that if the land there ^{is subdivided} would have to be a guarantee, but not otherwise since it is in acreage.

Various Councilmen entered into discussion with Glenn Rick, City Planning Director.

Councilman said it is unapproachable.

Councilmen Kerrigan told the Council that it can't do "this" legally.

Councilman Dail spoke about having the land in trailers without putting through the street.

Councilman Kerrigan asked if any action can be taken by the Council regarding there being no street.

Douglas D. Deaper, Deputy City Attorney, replied no.

Councilman Dail said "he" thought developers should submit plans; and that the Planning Department should be asked to say that they would not put in 35th Street.

Mr. Rick said that owners have a right to go to the Council.

A woman and a man, neither of whom identified himself, both of whom spoke to the Council at earlier considerations, were heard. They said that they had sold the property, and that it was in escrow.

The woman said that the Freeway (Wabash) had been in only a short time, and that there are 2 new houses on Broadway. She said the trailer plan was approved in the Department (Planning). She said it is O.K. without 35th Street.

Mr. Rick said that he thought not.

Councilman Dail contended that the Council can't resolve the question, and that the owners should file for zone variance.

Answering Councilman Kerrigan, the woman said that there would be 79 units

Councilman Dail spoke about the need for a service road along the freeway.

The man said that is the start of the property.

Councilman Dail said that the Council can't make a pre-commitment. If it is a trailer park probably should not require 35th Street, but if there are houses the answer would be "yes".

Councilman Wincote said that the owners would have to draw plans, and stated that would be logical.

Councilman Godfrey pointed out there is no objection.

The Mayor said that it is not possible for the Council to say that 35th Street is not to go through.

Mr. Rick said that it would be necessary to set up the property as a trailer part district, first.

The woman contended that it has been approved as a proposed trailer park district. Nobody will draw plans, since they do not know what the situation is, she maintained.

Councilman Kerrigan said that it is the same as other property, where the trailer park developers have to submit plans. Again he insisted that the Council can't take action regarding the future.

Again there was discussion between Councilman Godfrey, the individuals involved, joined in by Mr. Rick and other members of the Council. As none was addressed to the Chair it was not recorded.

Councilman Kerrigan said there is no plan.

Councilman Dail said that a trailer park could be put in without 35th Street.

Councilman Kerrigan and Dail both said "file a plan".

Councilman Dail said that the City has to determine a trailer park district.

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

Communication from the Planning Commission, signed by Harry C. Haelsig, stating that Final Map of Clairemont Plaza is in essential agreement with Tentative Map of South Clairemont Shops & Apartments, approved by Resolution 11405, and recommends approval subject to posting of adequate bond to insure installation of required improvements.

RESOLUTION NO. 117113, recorded on Microfilm Roll No. 77, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with South Center Properties, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Clairemont Plaza subdivision; directing the City Engineer to present an ordinance establish official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117114, recorded on Microfilm Roll No. 77, adopting Map of Clairemont Plaza, being subdivision of portions of Pueblo Lots 1194, 1195, and unnumbered lot bounded by Pueblo Lot 1194 and 1195, 1206 and 1207 known as "The Morrow Tract", etc.; accepting on behalf of the public Field Street and portions of Clairemont Drive and Burgener Boulevard and the unnamed easements shown for public purposes; declaring them to be a public street, portions of public streets and 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 map of Clairemont Plaza is approved, and accepted on behalf of the public said street, portions of streets and unnamed easements; directing the City Clerk to transmit the 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 P. Q. Burton, recommending rezoning portions of Lots 54 and 63 Ex-Mission Lands, near intersection of Logan Avenue and Euclid Avenue, was presented. It recommends R-1, C, and CP, for various sections.

RESOLUTION NO. 117115, recorded on Microfilm Roll No. 77, adopting recommendation of the Planning Commission for rezoning portions of Lots 54 and 63 Ex-Mission Lands at the SW and NW corners of Logan Avenue and Euclid Avenue; requesting the City Attorney to prepare and present the necessary ordinance, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on area proposed to be rezoned, consisting of 450 acres along the northwest side of Cabrillo Freeway, across from Montgomery Airport, was presented. It says the area was annexed to the City about a year ago and is now under an interim zoning ordinance similar to R-1B. It tells of meetings held after property owners were invited to appear, in an attempt to develop a community plan. The report said that R-1C Zone shown permits land to be divided into lots with minimum of 10,000 sq. ft. in an area and 60 feet of street frontage; the M-1A zone is generally under the over-run area from the existing runway and proposed runway on Montgomery Airport. The report states R-1 zone shown covers area on which the Planning Commission has already approved tentative subdivision maps with lot area meeting only the minimum requirements. The report states the Planning Department recognizes that the proposed zoning will not meet with universal approval from property owners and that it will be subject to change as development progresses.

The report was read to the Council by the Clerk.

Glenn A. Rick, City Planning Director, showed members of the Council a plat.

Mr. Denver, who did not give his first name or initials, said that he owns 3 1-acre lots. He identified property of others, also, and spoke of being in the area of 14,000 ft. outside the jet pattern.

Councilman Kerrigan said that the flight pattern is right across the property.

Mr. Denver said he is not kicking about M-1A

Mr. Rick said that Mr. Denver did not speak at the Planning Commission's hearing.

An unidentified woman said that property owners object to the zoning South of the flight pattern. She said it cannot be as proposed.

Councilman Kerrigan moved to refer the matter back to the Planning Commission.

Councilman Wincote said he wanted to be guided by the Planning Commission.

Mr. Rick said that he did not want to recommend over objections.

Another unidentified man spoke about the plan.

Mr. Denver said he wants to let the property loose.

Mr. Rick said that the City has the privilege of creating a more restrictive, but not a less restrictive zone.

E. C. (understood to be DeClue) said he had a Tentative Map approval, and that he wanted R-1 approval on a subdivision. It had not been finally zoned, he added. He spoke of the map approval, and having spent \$900.00 thereon.

The Mayor said he had no objection to the re-referral back to the Planning.

Mr. DeClue asked if it was safe to say the property is in R-1C.

Mr. Rick said that he can check.

Councilman Schneider seconded the motion.

Mayor Butler left the meeting, and Vice Mayor Charles C. Dail took over the duties of Chairman.

On motion of Councilman Kerrigan, seconded by Councilman Schneider the matter was referred back to the Planning Commission.

Communication from the Planning Commission, signed by P. Q. Burton, recommending denial of request for rezoning portions of Pueblo Lot 256 from R-4 to M-1A - in the vicinity of Morena Boulevard, Knoxville Street, Savannah Street, Naples Street and Weeks Avenue, etc. was presented. In addition to a lengthy report, it states that the Planning Commission voted 6-0 to recommend that the proposed rezoning, shown on the accompanying plat No. B-584 be denied.

RESOLUTION NO. 117116, recorded on Microfilm Roll No. 77, denying petition for rezoning portion of P.L. 256 from the prevailing R-4 Zone to M-1 Zone, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director and Secretary to the Harbor Commission, dated 12 March 1954 submitting a request in connection with a Harbor Department reserve and drawing account to permit continued operation, and development of port facilities, etc.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the communication - together with Budget Estimate - was referred to the City Auditor and to the City Manager.

Communication from the Personnel Director, submitting Ordinance establishing classification of Mission Bay Park Director - standard rate of pay No. 36, \$749 to \$909 per month - was presented.

RESOLUTION NO. 117117, recorded on Microfilm Roll No. 77, referring communication from Personnel Director, submitting ordinance creating position of Mission Bay Park Director and establishing schedule of compensation, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Mrs. Adair L. Ackerman, 4291 Hermosa Way, San Diego 3, dated March 10, opposing use of any part of Balboa Park or the Plaza for a Convention Hall, was presented.

On motion of Councilman Wincoate, seconded by Councilman Kerrigan, the communication was ordered filed.

Communication from E. Friederick, 2816 - 29th St., San Diego, dated 10 March 1954, referring to great expense in developing Shelter Island and the Cove for protection of boats and yachts, objecting to location of motor boat ramp there, etc., was presented.

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

Communication from Fred J. and Helen B. Knauer, Rt. 5, Box 333, Escondido, Calif., March 10, 1954, against proposed Freeway on San Diego Avenue in the vicinity of Pringle Street, was presented.

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

Communication from Mrs. E. M. Lane, 2211 Poinsettia Drive, San Diego 6, dated 10 March 1954, requesting that effort be made to prevent marring or destruction of historical areas when routing highway through Old Town and Presidio Hills Park, was presented.

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

Communication from H. W. Merkley, 3655 Fifth Avenue, San Diego 3, dated March 11, 1954, protesting drawing water from Lake Morena, on account of recreation at the lake, was presented.

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

RESOLUTION NO. 117118, recorded on Microfilm Roll No. 77, directing notice of filing of Assessment No. 2220 and of time and place of hearing, for paving and otherwise improving Alley Block 88 E. W. Morse's Subdivision, under Resolution of Intention No. 111679, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 117119, recorded on Microfilm Roll No. 77, accepting bid of Gilman Grading Co., a corporation, and awarding contract for paving and otherwise improving Alley Block 3 Normal Heights, under Resolution of Intention No. 116054, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The Engineer reported bid 16.1% below the estimate.

RESOLUTION OF AWARD NO. 117120, recorded on Microfilm Roll No. 77, 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 paving and otherwise improving Alley Block 50 Ocean Beach, under Resolution of Intention No. 116055, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The Engineer reported bid 20.4% below the estimate.

RESOLUTION OF AWARD NO. 117121, recorded on Microfilm Roll No. 77, accepting bid of M. H. Golden Construction Company, a corporation, and awarding contract for paving and otherwise improving Del Rey Street, under Resolution of Intention No. 116056, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The Engineer reported bid 29.3% below the estimate.

RESOLUTION OF AWARD NO. 117122, recorded on Microfilm No. 77, accepting bid of M. H. Golden Construction Company, a corporation, and awarding contract for installation of storm drains, connections and appurtenances and other improvements in Streamview Drive, 54th Street and Public Right of Way, within limits and as described in Resolution of Intention No. 115496, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The Engineer reported bid 27.1% below the estimate.

RESOLUTION ORDERING WORK NO. 117123, recorded on Microfilm Roll No. 77, for paving and otherwise improving Alley Block 67 Park Villas, Public Right of Way and Villa Terrace, under Resolution of Intention No. 116398, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 117124, recorded on Microfilm Roll No. 77, for paving and otherwise improving Arbor Drive, under Resolution of Intention No. 116399, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 117125, recorded on Microfilm Roll No. 77, for paving and otherwise improving Boundary Street, under Resolution of Intention No. 116400, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 117126, recorded on Microfilm Roll No. 77, for paving and otherwise improving 17th Street, under Resolution of Intention No. 116402, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 117127, recorded on Microfilm Roll No. 77, for closing Alley Block 375 Corrected Plat of Subdivision of Block 368, 369, 374, 375 and 376 Old San Diego, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 117128, recorded on Microfilm Roll No. 77, for paving and otherwise improving Alley Block 86 Point Loma Heights, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 117129, recorded on Microfilm Roll No. 77, for paving and otherwise improving Thorn Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 117130, recorded on Microfilm Roll No. 77, for paving and otherwise improving Wightman Street and Ogden Street, was on motion of Council-

man Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117131, recorded on Microfilm Roll No. 77, setting Tuesday, March 23, 1954, at 10:00 o'clock A.M., in the Council Chamber of the Civic Center as time and place for hearing protest of Bart G. & Karnig G. Baron against closing portion of Hawk Street under Resolution of Intention No. 116404; authorizing and directing City Clerk to give notice of hearing, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117132, recorded on Microfilm Roll No. 77, ascertaining and declaring wage scale for installation of improvements to ornamental light standards in Broadway, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117133, recorded on Microfilm Roll No. 77, approving diagram of property affected or benefited by paving and otherwise improving Alley Block 3 City Heights, under Resolution of Intention No. 113379 and to be assessed to pay the expenses; directing the Clerk of the City to certify fact and date thereof, and immediately deliver diagram certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117134, recorded on Microfilm Roll No. 77, approving diagram of property affected or benefited by paving and otherwise improving Alley Block 77 City Heights, under Resolution of Intention No. 113262 and to be assessed to pay the expenses, directing the Clerk of the City to certify fact and date thereof, and immediately deliver diagram certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117135, recorded on Microfilm Roll No. 77, approving diagram of property affected or benefited by paving and otherwise improving Alleys Block 43 W. P. Herbert's Subdivision and to be assessed to pay the expenses; directing the Clerk of the City to certify fact and date thereof, and immediately deliver diagram certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117136, recorded on Microfilm Roll No. 77, approving diagram of property affected or benefited by paving and otherwise improving Alley Block 11 North Shore Highlands, under Resolution of Intention No. 114358 and to be assessed to pay the expenses, directing the City Clerk to certify fact and date thereof, and immediately deliver diagram certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117137, recorded on Microfilm Roll No. 77, approving diagram of property affected or benefited by paving Alleys Blocks 5 and 24 Ocean Beach and to be assessed to pay expenses; directing the Clerk of the City to certify fact and date thereof, and immediately deliver diagram certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117138, recorded on Microfilm Roll No. 77, approving diagram of property affected or benefited by paving and otherwise improving Rose Street, Hobart Street, Stewart Street, Millar Street, Catoctin Drive, 63rd Street, Pembroke Drive, Public Rights of Way, under Resolution of Intention No. 111366 and to be assessed to pay expenses, directing Clerk of the City to certify fact and date thereof, and immediately deliver diagram so certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117139, recorded on Microfilm Roll No. 77, directing City Engineer to furnish Council with diagram of property affected and benefited by work and improvement of paving and otherwise improving Alley Block A First Addition to Ocean Front, under Resolution of Intention No. 114742 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117140, recorded on Microfilm Roll No. 77, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Gloria Street under Resolution of Intention No. 115145

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and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117141, recorded on Microfilm Roll No. 77, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving J Street and 43rd Street under Resolution No. 115146 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117142, recorded on Microfilm Roll No. 77, directing City Engineer to furnish diagram of property affected and benefited by paving and otherwise improving Rhode Island Street and Madison Avenue under Resolution of Intention No. 114361 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 117143, recorded on Microfilm Roll No. 77, closing portions of Murray Canyon Road, described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117144, recorded on Microfilm Roll No. 77, granting Carl A. Sjobring and Muriel E. Sjobring permission to pave and otherwise improve portion of Alley Block 1 College Park Unit No. 1 and portion of Lindo Paseo, under specifications filed in office of City Clerk as Document No. 485032, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117145, recorded on Microfilm Roll No. 77, ratifying lease executed with Louise E. Mitchell, James T. Mitchell, Eleanor M. Ray, and John Ray, for portion of Pueblo Lot 1803 known as Mission Beach Amusement Center, for constructing, maintaining, and operating premises as amusement center and for no other purposes - lease agreement filed in the office of the City Clerk as Document No. 485809 - was on Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

In connection with the next Resolution, Councilman Wincote told of having talked to the Traffic Engineer regarding the question, and said a poll should be made on Broadway.

The City Manager said James Reading, Traffic Engineer, is going to poll the merchants.

Councilman Schneider said it should go back to conference.

Councilman Godfrey and Councilman Dail said it should be back on the agenda for Tuesday.

(The foregoing, leading up to the Resolution, took place at the previous meeting).

RESOLUTION NO. 117146, recorded on Microfilm Roll No. 77, prohibiting parking of automobiles between 4:00 P.M. and 6:00 P.M., Sundays excepted, on both sides of Fifth Avenue between A and E Streets; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117147, recorded on Microfilm Roll No. 77, establishing parking time limit of 2 hours between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted:

Both sides of Hancock Street between easterly line of Clayton Street and westerly line of Washington Street;

Both sides of Clayton Street between northerly line of Hancock Street and southerly line of Moore Street;

establishing parking meter zone; directing City Manager to cause Parking Meters to be installed and Parking Meter Spaces to be designated; authorizing installation of necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117148, recorded on Microfilm Roll No. 77, rescinding former action of rejection for public street of land shown on Don Terrace Subdivision Map, as "Reserved for Future Street"; accepting on behalf of the public said land and dedicating same to public use and naming it "Acorn Street"; authorizing and directing City Clerk to record in office of County Recorder certified copy of Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117149, recorded on Microfilm Roll No. 77, authorizing and directing the Purchasing Agent to permit Palomar College to enter upon and remove, at its own cost and expense and without cost to the City, soil and dirt from Hodges Reservoir, in areas designated and approved by Director of Water Department, and upon express understanding soil and dirt removed will not be used for commercial purposes by the college, and that right given shall continue for period of time not in excess of 6 months from date of adoption of the Resolution, subject to the conditions set out in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117150, recorded on Microfilm Roll No. 77, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with Brown and Caldwell, co-partnership, for professional services consisting in part of problems concerned with operation and design of sewerage systems and sewage treatment and problems of water treatment and water distribution systems in accordance with terms and conditions set out in Document No. 486871 on file in office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117151, recorded on Microfilm Roll No. 77, authorizing City Manager to employ T. B. Penick & Sons to do all work described therein on Island Avenue, between 25th Street and 28th Street, at and for \$240.50, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Resolution says City has entered into contract with T. B. Penick & Sons for paving and otherwise improving portion of Island Avenue under 1911 Street Improvement proceedings; that Drawings 10399-L through 10401-L show work to be done by the City; that the contractor has offered to do the work for \$240.50 and City Manager has recommended offer be accepted and work done by the contractor.

RESOLUTION NO. 117152, recorded on Microfilm Roll No. 77, authorizing and empowering City Manager to settle unaccounted for personal property articles with Roy J. Hurd/- being missing inventory articles - under terms of lease agreement involving Mission and Roy E. Matheson Beach Amusement Center, heretofore terminated, for \$347.00 which sum shall be charged against prepaid rental fund on deposit with the City of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117153, recorded on Microfilm Roll No. 77, accepting and consenting to assignment filed in office of City Clerk as Document No. 486875, executed by Neil N. Russell and Rose M. Russell, Assignors, and Carol E. Dalton and Eddi A. Dalton, Assignees, which lease covers all of Block 13 Bayside; directing City Manager to evidence such consent and acceptance by signing assignment, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117154, recorded on Microfilm Roll No. 77, approving request A. F. Anderson, dated January 22, 1954, contained in Change Order No. 3, for extension of 5 days to and including March 15, 1954, heretofore filed with City Clerk as Document No. 484382, to complete contract for construction of alterations to Sewage Treatment Plant, contract contained in Document No. 480215; was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117155, recorded on Microfilm Roll No. 77, approving Change Order No. 17, dated January 9, 1954, heretofore filed with City Clerk as Document No. 486877, 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 set forth, amounting to increase in contract price of approximately \$1850.67, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117156, recorded on Microfilm Roll No. 77, approving request of Engineering Constructors, Inc., dated March 10, 1954, contained in Change Order No. I-A-4, for extension of 14 days to and including March 26, 1954, heretofore filed with City Clerk as Document No. 486879, in which to complete contract for construction of Sutherland-San Vicente Conduit, Section I, contract contained in Document No. 466147 on file in office of City Clerk; extending completion time to March 26, 1954, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117157, recorded on Microfilm Roll No. 77, approving request of Griffith Company, dated February 17, 1954, contained in Change Order No. 1, for extension of 60 days to and including April 19, 1954, heretofore filed with City Clerk as Docu-

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ment No. 486883, in which to complete contract for construction of drain in 40th and Thorn Streets, contract contained in Document No. 483834, on file in office of City Clerk; extending completion time to April 19, 1954, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117158, recorded on Microfilm Roll No. 77, approving Change Order No. 2, dated February 17, 1954, heretofore filed with City Clerk as Document No. 486885, issued in connection with contract between City of San Diego and R. E. Hazard Contracting Co. for improvement of Laurel Street, contract contained in Document No. 474953, on file in office of City Clerk; changes amounting to increase in contract price of \$110.00, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117159, recorded on Microfilm Roll No. 77, approving request of R. E. Hazard Contracting Company, dated February 2, 1954, contained in Change Order No. 3, for extension of 30 days to and including March 30, 1954, heretofore filed with City Clerk as Document No. 486887, in which to complete contract for improvement of Laurel Street, Harbor Drive to Pacific Highway, contract contained in Document No. 474953, on file in office of City Clerk; extending completion time under contract to March 30, 1954, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117160, recorded on Microfilm Roll No. 77, approving Change Order No. 1, dated March 4, 1954, heretofore filed with City Clerk as Document No. 486889, in connection with contract between The City and Lee J. Morgan for construction of Fire Station #26, 54th and Krenning Streets, contract contained in Document No. 485686 on file in office of City Clerk; changes amounting to increase in contract price of \$198.00, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117161, recorded on Microfilm Roll No. 77, authorizing and directing San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of following locations:

Winnett Street at Federal Boulevard;

Winnett Street, 497 feet south of Federal Boulevard;

Winnett Street, 496 feet north of Tooley Street;

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

RESOLUTION NO. 117162, recorded on Microfilm Roll No. 77, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portion of Lot 54 Ex Mission Lands of San Diego commonly known as Horton's Purchase - described therein - 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; authorizing the Property Supervisor to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds; rescinding Resolution No. 116811 adopted February 23, 1954, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117163, recorded on Microfilm Roll No. 77, authorizing and directing City Auditor and Comptroller to transfer \$13,342.00 from Unallocated Reserve for New Main Library Operations Account to Personal Services Account, Library Fund, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117164, recorded on Microfilm Roll No. 77, authorizing John McQuilken, R. A. Campbell, Orin K. Cope, R. C. Lindsay, Ray Geffee, and Philip T. Lawlor to attend National Conference of the Municipal Finance Officers' Association, in San Francisco, from May 23 to and including May 27, 1954; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117165, recorded on Microfilm Roll No. 77, allowing bill of San Diego City and County Visitors' Bureau, bearing date March 10, 1954, in sum of \$5,252.17 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund for fiscal year 1953-1954 for said sum, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117166, recorded on Microfilm Roll No. 77, authorizing and empowering the Mayor and City Clerk, for and on behalf of and as act and deed of The City of San Diego, a quitclaim deed quitclaiming to Herbert C. Kelly Lots 7 and 8 and Lots 21 and 22 Block 7 Spring Garden Tract; authorizing and directing City Clerk to deliver deed

to Property Supervisor with instructions that it be delivered to Grantee when he shall have received deed to easement required by The City of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Resolution says City is desirous of acquiring portion of Lots 17 to 20 Block 7 Spring Garden Tract for drainage channel purposes in connection with construction of Wabash Boulevard, that Herbert C. Kelly, owner of said land is willing to deed to the City in exchange for quitclaim deed from City, quitclaiming Lots 7 and 8 and Lots 21 and 22 Block 7 Spring Garden Tract; value of property to be granted to City is \$550.00, that land owned by the City is \$550.00, and that City Manager has recommended the exchange.

RESOLUTION NO. 117167, recorded on Microfilm Roll No. 77, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of and as the act and deed of The City of San Diego, a quitclaim deed quitclaiming to the San Diego Unified School District portion of the South Half of the Northeast Quarter of Section 34 Township 16 South, Range 2 West San Bernardino Meridian, in Rancho Mission of San Diego; authorizing and directing the City Clerk to deliver deed to Property Supervisor with instructions to deliver said deed to San Diego Unified School District when he shall have received \$22,500.00, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Resolution states the City is owner of the property located southerly of Redwood Village and easterly of Juanita Street containing about 11-1/3 acres; that San Diego Unified School District, a public agency, is desirous of purchasing the land for school purposes; that value as disclosed by last report of the Auditor and Comptroller is \$22,500.00; that the school district has offered to pay the sum for deed conveying the property; that no action sale or sealed bidding is required for sale of real property to a public agency under requirements of Section 22.0907 of San Diego Municipal Code.

RESOLUTION NO. 117168, recorded on Microfilm Roll No. 77, authorizing and empowering Mayor and City Clerk, for and on behalf of and as act and deed of City of San Diego, quitclaim deed quitclaiming to Western Mutual Corporation portion of Lots 28 and 29 Block 10 Tres Lomas; authorizing and directing City Clerk to deliver quitclaim deed to Property Supervisor with instructions same be deposited in escrow opened for purpose of effecting exchange, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Resolution states The City is desirous of acquiring the land, that Western Mutual Corporation is willing to deed it to the City in exchange for quitclaim from City of portions Lots 28 and 29 Block 10 Tres Lomas and payment by the City of \$1,000.00; that value of property to be granted to the City as determined by appraisal made by qualified appraiser is \$1,500.00, and that City property value is \$500.00 as determined by last report of the City Auditor and Comptroller; and that City Manager has recommended the exchange and payment by the City of \$1,000.00.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, reading of the next ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 6007 (New Series), recorded on Microfilm Roll No. 77, approving annexation to The City of San Diego of territory in the County of San Diego, State of California, designated "Rolando Tract", was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Ordinance states that on November 19, 1953, petition was filed with the Council asking that Rolando Tract in County of San Diego be annexed to, incorporated in and made part of The City of San Diego, in accordance with Annexation Act of 1931 as amended. It recites that petition contained names of not less than one-fourth of qualified electors residing within the territory described, as shown by registration of voters of the County of San Diego in which the territory is situated. Also, it recites that before circulating petition proponents published notice of intention so to do, which notice contained names of proponents intending to circulate such petition and specific boundaries of territory proposed to be annexed, notice accompanied by printed statement not exceeding 500 words, of reasons for proposed petition. The Ordinance states that within 10 days after publication of notice proponents filed copy of the notice, accompanying statement, and affidavit of publication with the City Clerk, and within 15 days after filing notice the Council adopted Resolution acknowledging receipt thereof, and approved circulation of petition; and 21 days after publication of notice and statement the petition was circulated among voters within area proposed to be annexed; and Planning Commission filed with the Council report showing that design and general layout of area, construction of buildings and public improvements comply with and are not inferior to standard of design of subdivisions, building construction requirements or public improvements required by the ordinances, regulations and laws of the City of San Diego, and the Council consented to the annexation. It states that pursuant to terms and provisions of Annexation Act of 1913 as amended, the Council at a regular meeting held on 10th day of December, 1953, adopted Resolution of Intention No. 115757 to call special election submitting to the electors question of whether such territory shall be annexed to, incorporated in and made part of The City of San Diego, and that property shall after such annexation be subject to taxation equally with property within The City of San Diego to pay bonded indebtedness of City outstanding at date of annexation, which resolution provided for hearing to be held January 14, 1954 10:00 o'clock A.M. in Council Chamber, for purpose of hearing objections to proposed annexation and election. The Ordinance recites that the City Clerk caused copy of said Resolution to be published once a week for two successive weeks prior to hearing in The San Diego Union, newspaper of general circulation published and circulated in the territory proposed to be annexed, upon the 24th and 31st days of December, 1953. It says,

also, that at the hearing the Council found that protest was not made by owners of a majority of separate parcels of property within the territory against the election. In addition, it states, that on the 21st day of January, 1954, the Council adopted Ordinance No. 5944 (New Series) entitled "An Ordinance of The City of San Diego, California, calling and providing for and giving notice of a Special Election to be held in territory known as 'Rolando Tract,' in the County of San Diego, State of California, on Tuesday, March 2nd, 1954, for the purpose of submitting to the electors residing therein the question whether the territory in said Rolando Tract shall be annexed to, incorporated in and made a part of The City of San Diego, and that the property therein shall, after such annexation, be subject to taxation equally with the property within The City of San Diego to pay the bonded indebtedness of said City outstanding at the date of such annexation," wherein and whereby a special election was called to be held in said territory on the 2nd day of March, 1954, for the purpose of submitting to the qualified electors in the territory a proposition to annex to, incorporate in and make a part of the City of San Diego territory described in the petition. The Ordinance says, also, that the Council caused notice to be given of the election by publishing it in The La Mesa Scout, at least once a week for 4 weeks prior to the election, that a Special Election was held in the territory on the 2nd day of March, 1954. Then it goes on to describe the territory in detail. The Ordinance says that total amount of bonded indebtedness of The City of San Diego outstanding at date of first publication of the ordinance and notice of election is \$33,771,200.00; improvement or improvements for which indebtedness was incurred or authorized, and amount or amounts of indebtedness already incurred, outstanding at date of first publication of the ordinance and notice of election, in general terms, are:

For water development and distribution, \$23,100,700.00

For harbor development and improvement, and airports \$ 503,500.00

For general municipal improvements, including park development and improvement, road, extension of City's sewer system, Mission Bay development and improvement, construction of new main Library Building, and construction of storm drains, catch-basins and appurtenances, \$10,167,000.00

and the maximum rate of interest payable on said indebtedness is 60%.

The Ordinance recites that Precinct Boards appointed in Ordinance No. 5944 (New Series) made return of election to the City Clerk, and the City Clerk, at time and place provided by law and order of the Council, canvassed returns of the Special Election, and certified result of canvass to the Council. It says that canvass ascertained and determined that a majority of all votes cast in such outside territory on the question of annexation was in favor of annexation, whereupon the Council adopted Resolution declaring result of the Special Election. It directs the City Clerk to file certified copy of the Ordinance, giving date of passage, in the office of the Secretary of State of the State of California; and from and after date of filing said document in the office of the Secretary of State the annexation so proposed to be annexed and described shall be deemed to be and shall be complete, and thenceforth annexed territory shall be, to all intents and purposes a part of The City of San Diego, and such annexed territory shall be taxed to pay bonded indebtedness of the City outstanding at date of annexation, as specified in the notice of election. Also, the Ordinance directs the City Clerk to file in the office of the Recorder of the County of San Diego an affidavit stating all requirements of the laws pertaining to the proceedings for annexation of the territory have been complied with, which affidavit shall be accompanied by certified copy of boundary description set forth in proceedings and also by a map delineating such boundary, as required by Sections 34080 and 34091 of the Government Code of the State of California; and directs him to file on or before the first day of February, 1955, with the County Assessor whose assessment roll is used for the tax levy, and with the State Board of Equalization, a statement of change of boundaries of The City of San Diego, setting forth legal description of the City changed boundaries, together with map or plat indicating boundaries, as required by Sections 54900, 54902 and 54903 of the Government Code. The City Clerk is further directed to cause the ordinance to be published once in the official newspaper of the City: The San Diego Union.

ORDINANCE NO. 6008 (New Series), recorded on Microfilm Roll No. 77, creating position of Airport Attendant in the Classified Service of The City of San Diego, and establishing Schedule of Compensation in accordance with Ordinance No. 5623 (New Series) providing uniform compensation, 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. Absent--Councilmen None. Nays--Councilmen None.

Prior to its final passage 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 day of final passage a written or printed copy.

Proposed Ordinance approving annexation to The City of San Diego of portions of the Tidelands of San Diego Bay, in the County of San Diego, State of California, known and designated as "San Diego Harbor Tidelands", which had been introduced on February 9, 1954, continued on February 16 1954 to February 23 1954, continued to March 2 1954, continued to March 9, 1954, continued to this meeting, was continued again on motion of Councilman Schneider, seconded by Councilman Burgener one week - to March 23, 1954.

6008 N.S.
Proposed Ord cont.

On motion of Councilman Godfrey, seconded by Councilman Burgener, the next Ordinance was introduced.

On motion of Councilman Godfrey, seconded by Councilman Burgener, the reading of said ordinance 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 passage a written or printed copy.

ORDINANCE NO. 6009 (New Series), recorded on Microfilm Roll No. 77, appropriating \$10,000.00 from the Capital Outlay Fund for providing additional funds to pay City's share of cost of construction of storm sewers under cooperative agreements with property owners - in addition to funds heretofore appropriated by Ordinance No. 4948 (New Series), was on motion of Councilman Godfrey, 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 next Ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of said ordinance 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 passage a written or printed copy.

ORDINANCE NO. 6010 (New Series), recorded on Microfilm Roll No. 77, appropriating \$1,500.00 from Capital Outlay Fund, for providing funds for modifications at the Sewage Treatment Plant, 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 Godfrey, seconded by Councilman Burgener, the next Ordinance was introduced.

On motion of Councilman Godfrey, seconded by Councilman Burgener, the reading of said ordinance 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 passage a written or printed copy.

ORDINANCE NO. 6011 (New Series), recorded on Microfilm Roll No. 77, appropriating \$1,500.00 from Unappropriated Balance Fund, for providing funds for installation of heaters at Linda Vista Community Center, was on motion of Councilman Godfrey, 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 Kerrigan, the next Ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the reading of said ordinance 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 passage a written or printed copy.

ORDINANCE NO. 6012 (New Series), recorded on Microfilm Roll No. 77, appropriating \$300.00 from Unappropriated Balance Fund, for providing funds to pay certain costs in connection with Change of Grade proceedings on California Street, Bean Street and Kurtz Street, was on motion of Councilman Burgener, 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 Burgener, seconded by Councilman Godfrey, the next Ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of said ordinance 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 passage a written or printed copy.

ORDINANCE NO. 6013 (New Series), recorded on Microfilm Roll No. 77, establishing grade of Alley Block 3 Ocean Front, between westerly line of Cass Street and easterly line of Bayard Street, 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 Burgener, seconded by Councilman Godfrey, the next Ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of said ordinance 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 passage a written or printed copy.

ORDINANCE NO. 6014 (New Series), recorded on Microfilm Roll No. 77, estab-

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lishing grade of Alley Block 4 Ocean Front, between westerly line of Bayard Street and easterly line of Mission Boulevard, 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.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the next Ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of said ordinance 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 passage a written or printed copy.

ORDINANCE NO. 6015 (New Series), recorded on Microfilm Roll No. 77, establishing grade of Alley Block 95 Ocean Bay Beach, between northwesterly line of Bacon Street and southeasterly line of Abbott Street, 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.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the next Ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of said ordinance 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 passage a written or printed copy.

ORDINANCE NO. 6016 (New Series), recorded on Microfilm Roll No. 77, establishing grade of Clove Street, between northeasterly line of Macaulay Street and southeasterly prolongation of southwesterly line of Oliphant Street, 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.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the next Ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of said ordinance 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 passage a written or printed copy.

ORDINANCE NO. 6017 (New Series), recorded on Microfilm Roll No. 77, establishing grade of 53rd Street, between northerly line of Imperial Avenue and northerly line of Santa Margarita Street, 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.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the next Ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of said ordinance 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 passage a written or printed copy.

ORDINANCE NO. 6018 (New Series), recorded on Microfilm Roll No. 77, establishing grade of Newell Street, between southeasterly line of Olive Street and northeasterly line of Plum Street, 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.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the next Ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of said ordinance 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 passage a written or printed copy.

ORDINANCE NO. 6019 (New Series), recorded on Microfilm Roll No. 77, establishing grade of Pennsylvania Avenue, between easterly line of Curlew Street and westerly prolongation of south line of Block 4 Idyllwild, 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.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the next Ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the read-

ing of said Ordinance 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 passage a written or printed copy.

ORDINANCE NO. 6020 (New Series), recorded on Microfilm Roll No. 77, establishing grade of San Jacinto Drive, between northwesterly line of Imperial Avenue and the northerly line of Churchward Street, 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.

On motion of Councilman Wincote, seconded by Councilman Burgener, Ordinance naming the east 15.00 feet of the Alley in Block 2, shown on Map of Idyllwild, Brant Street, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The City Manager requested, and was granted, unanimous consent to present the next three items not listed on the agenda - all of which he explained briefly:

RESOLUTION NO. 117169, recorded on Microfilm Roll No. 77, authorizing A. George Fish, Safety Officer, to attend President Eisenhower's Industrial Safety Conference, to be held in Washington, D.C., May 3 through May 6, 1954; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117170, recorded on Microfilm Roll No. 77, authorizing J. F. DuPaul, City Attorney, to attend conference of City Attorneys' Section of League of California Cities, to be held on May 12, 13, 14, 1954, at Mariposa and in Yosemite Valley; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117171, recorded on Microfilm Roll No. 77, authorizing and directing City Manager to employ the law firm of O'Melveny & Myers, Los Angeles, California, for purpose of passing upon proposed bond issue of The City of San Diego, to be submitted at statewide general primary election to be held June 8, 1954, upon terms and conditions and for consideration to be paid by the City: The firm shall draft or check all proceedings necessary for authorization and issuance of the bonds, proof all notices, bond forms and ballot measures, examine certified copies of all proceedings taken, render opinion or opinions upon validity of proceedings and upon bonds authorized, if any, and furnish such other services as the City Attorney shall require; and City Manager is authorized to agree to pay for such services the following amounts: One-tenth of 1% of principal amount of first \$5,000,000 of the bond issue, and one-twentieth of 1% of the additional \$11,000,00 amount of the bond issue, in the event the bonds carry. If the bonds are voted, one-half of the fee shall be payable following canvass of vote, and balance upon sale of bonds; if bonds are sold in units from time to time additional amount shall be pro rated as bonds are sold; in event bonds are not voted at the election, the fee for all services in the matter would be \$750.00, payable following canvass of the vote. The Resolution states the fee does not include disbursements for telephone, telegraph, etc., if any are made; charges to be paid by The City of San Diego. The Resolution was adopted, on motion of Councilman Schneider, seconded by Councilman Kerrigan.

There being no further business to come before the Council at this time, Vice Mayor Dail declared the meeting adjourned, at the hour of 1:49 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

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6020 N.S.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, March 18, 1954

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

The Regular Meeting was called to order by Mayor Butler at the hour of 10:07 o'clock A.M.

The Mayor welcomed to the meeting a large group of pupils from the Student Council Class of the Lincoln Jr-Sr High School. At the Mayor's request all, including Mr. Harold I. Palash, their accompanying teacher, arose to receive applause.

In opening his comments to the group, the Mayor explained that members of the Council had been at Linda Vista 7:30 A.M. today, to look at situation to be considered in this meeting. He said that much of the meeting is considered in Conference, prior to the Regular Meeting, and that silence during the vote denotes assent. He invited questions by the group members from the City's staff and Councilmen. He asked them to the Mayor's Office when the visitors left the meeting.

Petition of Perry Black, owner and manager of A.B.C. Cab Company of Ocean Beach, dated March 15, 1954, requesting that authorization be granted to change its rates, was presented.

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

Petition of Perry Black, Owner & Manager of A.B.C. Cab Company of Ocean Beach, dated March 15, 1954, submitting application for the granting of 2 additional cabs, due to increase of business, was presented. The communication states that the request is not for cabs to be used during periods licensed cabs are laid up for repairs, but for additional full-time use. It says, also, that if request is granted, it will give the company a "fleet" rating relative to insurance premiums, and taxicab purchases.

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

A majority of the members of the Council signed undertaking for street lighting, with San Diego Gas & Electric Company in Kensington Manor Lighting District No. 1.

The next matter, which had been referred to the City Manager previously, was presented again.

RESOLUTION NO. 117172, recorded on Microfilm Roll No. 77, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego Office of Civil Defense with communication equipment, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file in the office of the City Clerk bearing Document No. 486365, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117173, recorded on Microfilm Roll No. 77, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for resurfacing of: (1) Fay, Pearl to Prospect; Frontier, Enterprise to Rosecrans; Prospect, La Jolla Blvd. to Girard; Prospect, Girard to End So. of Torrey Pines Rd.; Silverado, Ivanhoe to Exchange Pl.; Talbot, Rosecrans to LeRoy; W. Pt. Loma, Seaside to Midway; W. Pt. Loma, Seaside to Voltaire, bearing Document No. 486985; 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 Schneider, seconded by Councilman Dail, adopted.

The next 4 matters, being communications from the Planning Commission, having to do with suspending sections of the Municipal Code re tentative map of Linda Vista Unit No. 5, and approving the map subject to 11 conditions; also suspending sections of the Municipal Code re tentative map of Linda Vista Unit No. 7, and approving the map subject to 12 conditions, were considered again after having been continued to this meeting from March 16, 1954.

Councilman Schneider said that Drescher and Comstock Streets were compromise recommendations. He advocated adoption of Resolution with the compromise, and

117172 - 117173

Petitions

Visitors

Linda Vista Units Nos. 5 and 7

added that Drescher might be changed.

Councilman Dail declared that the Government does work for the property owners, and spoke of accepting the street as turned over.

Councilman Schneider stated that the Council did not look at Drescher during its field trip to Linda Vista this morning. He moved to adopt the Resolution, including Drescher with a possible compromise on Comstock.

Harry C. Haelsig, Asst. Planning Director, said that it had been recommended that Drescher be 4 feet wider.

Councilman Schneider withdrew his motion.

Councilman Godfrey pointed out that Councilman Schneider is trying to expedite, and added that now is the time to act. He commented that the Council has heard both sides of the story. He wondered who would negotiate. He agreed that all have worked in a cooperative manner on the matter. It is now a policy, he declared, and said that it is up to the policy decision now.

The Mayor said that it would come back to the Council if this is adopted.

Douglas Deaper, Deputy City Attorney, said that the Council could amend, if it desired.

Councilman Wincote said that if the City doesn't want Comstock 40 feet wide, now is the time to decide. He spoke of the desire as of today, with no further compromise.

Councilman Godfrey also spoke of having not looked at Drescher. He said if there is good reason, he prefers to change today.

Councilman Schneider said that Drescher is not a main road, highly traveled. It would cause effect both ways, if the City is too liberal or too arbitrary.

Councilman Godfrey expressed the belief that various departments and individuals are not unreasonable. If points are to be made against, he started to say, but was interrupted.

Councilman Wincote spoke in favor of discussion on the problem before the vote.

Mr. Haelsig, answering the Mayor, said that Drescher Street Northerly, is for a portion in R-4. It connects with area developed with apartments and duplexes, he said. He spoke from a map. A portion of the street is steep, he said. To get into apartment house area, he started to say, but did not finish the statement. He said that the primary 36 feet is for apartment houses in R-4. He spoke for 36 feet.

Faye Hartman, Special Field Representative, asked J. F. Shellaby, Civil Engineer, to point out the area on maps he had posted on the Council Chamber wall.

Mr. Shellaby pointed out on a map for the Council, regarding reducing depth of Linda Vista Road lots. He told of other undeveloped, and R-4 and R-2 properties. He spoke of widening for apartments, and for providing alley. He said Kelley Street is only dedicated. He pointed out right of way given. He said that some would not be a fair width.

There was discussion between Councilman Wincote and Mr. Shellaby regarding travel on Drescher.

Mr. Shellaby said that there be elimination on account of dedication.

Discussion between Councilman Wincote and Mr. Haelsig took place over the steep Tate Street.

Mr. Shellaby said that there is a bad point at Linda Vista and Drescher, and that Kelly is to be widened below Drescher. He said that the U.S. cannot spend funds on a City-dedicated street.

Mr. Haelsig said the recommendation was for 36 feet on Kelly, and that there was concession relative to the 32 feet. Buildings are not adjacent, but there is parking on Sunday mornings for church.

Mr. Shellaby referred to old ports on Drescher Street widths. He said that it had been decided on what is to be paved, and the drains.

Councilman Schneider spoke about Linda Vista Unit No. 5 conditions being the 32 feet, and that otherwise the Resolutions be adopted for the 4 resolutions, on the 2 subdivisions.

Mr. Haelsig, answering Councilman Wincote, said that Drescher is not important now. It leaves 100 feet on other now, answering Councilman Wincote (presumably meaning lot depths).

Mr. Shellaby said that there can be access at certain points.

Mr. Haelsig said that there can be additional buildings in the rear of the property - with another access.

Councilman Kerrigan spoke about variances, in the event permission was granted, and taking precedence where building up is done under a new zone.

Councilman Wincote seconded the motion.

The Mayor asked Mr. Shellaby about front yard problems.

Mr. Shellaby said that on Drescher as 36 feet, he could not answer.

There was a conference over an aerial map with Mr. Shellaby, which was not filed.

Councilman Kerrigan said it "would be worse, instead of better."

Mr. Shellaby showed on a map plan for lots and streets.

The Mayor explained to the students about negotiations which have been had with the Federal Government on Linda Vista, for the sale of homes and relative to getting out of the housing business.

At the request of the Council, the Clerk read paragraph 1 of Resolution approving Tentative Map of Linda Vista Unit No. 5.

RESOLUTION NO. 117174, recorded on Microfilm Roll No. 77, suspending Sections 102.12-6, 102.18, 102.16-6, 102.07-5, 102.11-2, 102.11-1, 102.11-3, 102.17-c, 102.05 of the San Diego Municipal Code in connection with Tentative subdivision map of Linda Vista Unit No. 5, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117175, recorded on Microfilm Roll No. 77, approving the Tentative Map of Linda Vista Unit No. 5, subject to the various conditions (changing Drescher Street width from 36 ft. to 32 ft.), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Mayor Butler. Absent--Councilman Burgener.

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RESOLUTION NO. 117176, recorded on Microfilm Roll No. 77, suspending Sections 102.07-5, 102.11-2, 102.11-1, 102.11-3, 102.12-2, 102.12-8, 102.18, 102.16-6, 102.17-c of the San Diego Municipal Code insofar as they relate to subdivision map of Linda Vista Unit No. 7, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117177, recorded on Microfilm Roll No. 77, approving Tentative Subdivision Map of Linda Vista Unit No. 7, subject to conditions set forth therein, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Personnel Director, dated March 12, 1954, submitting proposal for change in Civil Service Rule II Section 2, to change requirement to the end of the probationary period - in connection with the "move-in" requirement, was presented. It says that adoption of the amendment will result in fairer treatment to new employees, reduction in staff and Commission time processing numerous requests for waivers, and addition of enforcement factors which are now lacking under present rules.

RESOLUTION NO. 117178, recorded on Microfilm Roll No. 77, 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 hearing to be held by the Council upon question of adopting said amendment, and cause a copy of proposed amendment to be posted in 3 public places at least 10 days prior to date of hearing, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Accompanying the communication, and the Resolution, was an ordinance approving and adopting the proposed amendment.

Communication from Lions Club of San Diego, 1250 Sixth Avenue, signed by Willis H. Fletcher, Vice Chairman, Board of Trustees, Welfare Foundation, dated March 15, 1954, was presented. It states that the Club will again sponsor the Clyde Beatty Circus in San Diego, Friday, Saturday, Sunday, April 23, 24, 25, 1954. It asks that the License Department be advised and that the license be available upon payment of the usual fee.

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

Communication from Mission Beach Women's Club, 840 Santa Clara Place, San Diego 8, dated March 16, 1954, signed by Mrs. Martin Griffith, President, and Mrs. Bert Beldon, Corres. Secy., was presented. It calls attention to dangerous condition of the sea wall caused by ocean waves. It says that if an unusual high tidal wave should occur it would probably break through the wall, endangering lives and property along Ocean Front Walk and Strandway. It also asks cement benches to be placed at intervals for rest, and "viewing the most beautiful ocean and sunset in the world".

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

Communication from Musicians' Association of San Diego, Calif., Local 325 American Federation of Musicians, signed by Edward B. Wheeler, President - dated March 15, 1954 - was presented. It requests gratis rental of Balboa Park Bowl for free admission Band Concert planned for May 16, open and publicized to the entire population of the City and County of San Diego, was presented. It lists the various favoring circumstances.

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

Communication from The Phillips-Ramsey Company, Advertising and Public Relations, 604 First National Building, San Diego 1, California, dated March 12, 1954, signed by C. C. Ramsey, was presented. It attached copy of report entitled "San Diego's Economy and Tourist Industry", prepared by the said Company in belief that tourist industry is a key factor in future development of this area, and the hope that it may inspire community leaders to set up a comprehensive tourist promotion program.

RESOLUTION NO. 117179, recorded on Microfilm Roll No. 77, referring the Communication, together with report, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication, in form of petition with no addresses shown, and not dated, requesting that there be better bus service, particularly during late evening hours, was presented.

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

Communication from Mrs. Fred A. Rogers, 4534 - 60th Street, dated March 11, 1954, requesting reconsideration of her claim in the amount of \$61.49, denied by the Council, was presented. It was read by the Clerk at the request of the Council.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, it was referred to the City Attorney.

Communication from San Diego Chamber of Commerce, San Diego 1, signed by Arnold Klaus, Assistant Manager, dated March 15, 1954, requesting that the Mayor and Council refrain from taking any steps which would lead to modification of the Major Street Plan through Switzer Canyon until such time as the City develops information regarding comparative cost of earth fill with cost of fill which could contain structures that would provide for an underpassing highway when it comes feasible to carry the provision of the Major Street Plan, was presented.

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

Communication from Eunice Simmons, 3528 Ocean View Blvd., San Diego 13, dated March 12, 1954, regarding the obstructions in alley between 35th and Pardee in Long and Hichooks Addition, referring to notice of assessment received, and requesting the clearing, was presented.

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

Communication from San Diego City Schools, signed by Frances J. Clare, Principal, Torrey Pines School, dated March 11, 1954, was presented. It asks that when the budget is considered, a way will be found to provide funds for another Book Mobile for the Public Library. It states that at the present time lack of service is felt. Also, the communication states that school children and adults are far from neighborhood libraries and are unable to use a library as often as they would like.

Councilman Schneider moved to refer the communication to Budget Conference. There was no second.

On motion of Councilman Kerrigan, seconded by Councilman Dail, it was referred to the City Manager and Library Commission.

Communication from Roy A. Lippincott, A.I.A., Architect-Town Planner, 622 South Westmoreland Avenue, Los Angeles 5, dated March 16, 1954, relative to property on Kearney Mesa affected by the Zoning Ordinance, was presented. It stated that it was desired that certain points be emphasized. It enclosed copy of letter addressed to the Secretary of the Navy. Among the other things stated, it says that the Navy has made no attempt to show that the considerable concentration of personnel, expensive factory buildings and equipment, crowded parking lots would be any safer under their flight pattern than domestic buildings with their relatively scattered population. Also, it says that as mentioned so frequently at the hearing the property owners grievance is with the Navy which has acknowledged that their operations are dangerous to the lands over which it is trespassing. Also, it says that so far the City Council is not a party to the case but when it passes the proposed ordinance it becomes one and will make the property owners case just that much more difficult.

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

Communication from San Diego Municipal Employees' Association, Inc., 202 Broadway Pier, San Diego 1, dated March 16, 1954, was presented. The communication, signed by Mary E. Harvey, Executive Secretary, in addition to other things requests that in re-drafting the retirement ordinance, a provision be made to permit employees who did not the retirement system to join it now, with requirement that they make up their back contributions. It asks favorable action on the requests, and approval of revision as proposed by "Plan B".

RESOLUTION NO. 117180, recorded on Microfilm Roll No. 77, referring communication from San Diego Municipal Employees' Association, Inc., Document No. 486966, favoring use of "Plan B" in connection with Retirement System for City Employees, etc., to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from San Diego County and Municipal Employees Local Number 127 dated March 11, 1954, signed by Otto W. Hahn, Business Representative, submitting requests for salary adjustments in 1954-1955 budget, was presented.

RESOLUTION NO. 117181, recorded on Microfilm Roll No. 77, referring the matter to Salary Conference, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117182, recorded on Microfilm Roll No. 77, authorizing the

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Communications

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City Manager to employ Gilman Grading Company to replace 9 feet of 6-inch standard curb and 33 square feet of sidewalk at termination of Alley Block 2 Alhambra Park, in 52nd Street, as shown on Drawing 10513-L, at and for price of \$49.35, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Resolution states that Gilman Grading Company has entered into contract for grading, paving, etc., Alleys Blocks 7 and 2 Alhambra Park, that Drawing shows curb and sidewalk to be replaced by The City, that the contractor has offered to do the work at and for \$49.35 and the City Manager has recommended that offer be accepted and work done by the contractor.

RESOLUTION NO. 117183, recorded on Microfilm Roll No. 77, authorizing the City Manager to employ Griffith Company to do all the replacement work in connection with improvement of 40th Street, between Redwood Street and northerly line of Dwight Street, and Thorn Street between 40th Street and Central Avenue, cost not to exceed \$378.37, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Resolution states the City has awarded contract go Griffith Company for paving, etc., portions of 40th Street, and Thorn Street, under 1911 Street Improvement Act proceeding; that replacement work is to be done in connection with improvement, that Griffith Company has offered to do the work at and for \$378.37 and City Manager has recommended that offer be accepted and work be done by the contractor.

RESOLUTION NO. 117184, recorded on Microfilm Roll No. 77, approving Change Order No. 13, dated January 12, 1954, heretofore filed with City Clerk as Document No. 486969, issued in connection with contract between the City and Daley Corporation for construction of Wabash Boulevard, Section "B", contract contained in Document No. 470651; changes amounting to increase in contract price of approximately \$1444.77, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117185, recorded on Microfilm Roll No. 77, authorizing City Manager to execute agreement with Lomita Homes, Inc., Cardiff Homes, Inc., and Sweetwater Homes, Inc., California corporations, providing for leasing (with option to purchase) a Water System serving Lomita Village Subdivisions at rental of \$20,075.00 payable during February, 1955 and like sums during February in 1956 and 1957, with option to purchase System, until October 6, 1957, for \$100,377.06, less any rental paid, in accordance with form of agreement filed in office of the City Clerk, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Resolution states that by Resolution No. 116836 the Council directed the City Clerk to comply with section 99 of the Charter by publishing Notice of Intention to Approve the Agreement.

RESOLUTION NO. 117186, recorded on Microfilm Roll No. 77, adopting recommendation of City Engineer and City Manager as to allocation of costs of Soledad Terrace Outfall Sewer and plat filed with City Clerk; normal cost to be paid by developer of portions of Lot 24 Soledad Terrace as provided in sections 102.30 to 102.33 inclusive of San Diego Municipal Code is determined to be 50% of actual cost, and Excess Cost to be borne by City subject to later recoupment is determined to be 50% of actual cost; provided, that the 50% shall not exceed \$7,500.00; Excess Cost to be paid by the City shall be recoverable pursuant to sections 102.31 and 64.05 of San Diego Municipal Code by imposition of charge upon land benefited by connection to sewer at rate of \$150.00 per family unit to be served thereby consistent with plat and recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117187, recorded on Microfilm Roll No. 77, granting Aileen F. Mundy, 1586 Ebers Street permission to use existing 4" cast iron soil line for new plumbing proposed to be installed in building on rear of petitioner's property at 1586 Ebers Street; location and development is such that other plumbing installation would be impractical; subject to approval of Chief Plumbing Inspector and City Manager, and upon conditions set forth, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117188, recorded on Microfilm Roll No. 77, appointing to Psychology Commission, created under provisions of Section 33.2103 of San Diego Municipal Code Dr. S. J. McClendon (M.D.) to serve for one year; Margaret C. Sand, Ph.D. to serve for 2 years; Wallace V. Lockwood, Ph.D. to serve for 3 years; Arnold M. Small, Ph.D. to serve for 4 years, Hilding B. Carlson, Ph.D. to serve for 5 years, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117189, recorded on Microfilm Roll No. 77, appointing to Social Work Commission, pursuant to Section 33.2122 of San Diego Municipal Code Mrs. Gene McFall to serve 1 year; Reverend Harold Robinson to serve 2 years; James Coble to serve 3 years; Miss Cecelia Brennan to serve 5 years, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117190, recorded on Microfilm Roll No. 77, approving claim of California Cold Storage and Distributing Co. dba San Diego Ice & Cold Storage Co., on file in Office of City Clerk under Document No. 485015 in amount of \$40.34; directing City Auditor and Comptroller to draw warrant in favor of said Co. in said amount, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117191, recorded on Microfilm Roll No. 77, approving claim of Clinton Foods Inc. on file in office of City Clerk under Document No. 485476 in amount of \$15.58, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117192, recorded on Microfilm Roll No. 77, approving claim of Aden Irby filed in office of City Clerk under Document No. 485016 in amount of \$82.40; directing City Auditor and Comptroller to draw warrant in favor of Aden Irby in said amount in full payment of the claim, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117193, recorded on Microfilm Roll 77, authorizing City Attorney to settle claim of Walter W. Boes, on file in Office of City Clerk under Document No. 482550, claiming the sum of \$495.04, for \$137.54; directing City Auditor and Comptroller to draw warrant in favor of Walter W. Boes in amount of \$137.54 in full settlement of the claim, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117194, recorded on Microfilm Roll No. 77, denying claim of Mrs. Joseph Barnes on file in office of City Clerk under Document No. 485955, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117195, recorded on Microfilm Roll No. 77, denying claim of Mrs. M. L. Bourda on file in office of City Clerk under Document No. 485954, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117196, recorded on Microfilm Roll No. 77, denying claim of Mrs. J. D. Crouch on file in office of the City Clerk under Document No. 485056, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117197, recorded on Microfilm Roll No. 77, denying claim of Mary Alice Grosvenor on file in the office of the City Clerk under Document No. 485483, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117198, recorded on Microfilm Roll No. 77, denying claim of Resolute Insurance Company on file in the office of the City Clerk under Document No. 485962, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117199, recorded on Microfilm Roll No. 77, accepting quitclaim deed executed on the 16th day of March, 1954, by Sweetwater Homes, Inc., a corporation, 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 Lomita Village Unit No. 3, being all Block E, portion of Block D, together with all of Jacumba Street, portions of Bonsall and San Vicente Streets, all of Guatay Street, in Narragansett Heights; authorizing and directing the City Clerk to file said deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Schneider, seconded by Councilman Winco te, adopted.

RESOLUTION NO. 117200, recorded on Microfilm Roll No. 77, accepting subordination agreement executed by William C. Brown and Lela M. Brown, beneficiaries, and Security Title Insurance Company, trustees, bearing date March 3, 1954, subordinating

all right, title and interest in and to portion of Vista Street closed, now known as Saranac Street, to right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117201, recorded on Microfilm Roll No. 77, accepting subordination agreement, executed by Union Title Insurance and Trust Company, beneficiaries, and Union Title Insurance and Trust Company, trustees, bearing date February 24, 1954, subordinating all right, title and interest in and to portion of Lot 10 The Highlands, to right of way and easement for sewer purposes heretofore conveyed to City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117202, recorded on Microfilm Roll No. 77, accepting subordination agreement, executed by Union Title Insurance and Trust Company, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date February 24, 1954, subordinating right, title and interest in and to portion of Lot 10 The Highlands, to right of way and easement for water main purposes heretofore conveyed to City of San Diego; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117203, recorded on Microfilm Roll No. 77, accepting deed of O. F. Nichols, bearing date February 11, 1954, conveying portion of Lots 7, 8, 9 Block 25 Lexington Park; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117204, recorded on Microfilm Roll No. 77, accepting deed of Homer B. Chandler, Jr. and Anne Chandler, Homer B. Chandler and Margaret Faye Chandler, bearing date March 8, 1954, conveying easement and right of way for street purposes in portion Alley closed July 5, 1927, by Resolution No. 42187; setting aside and dedicating same to public use as and for public street, naming same La Jolla Hermosa Avenue and Via Del Norte; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117205, recorded on Microfilm Roll No. 77, accepting deed of John S. Ernsting and Lou B. Ernsting, bearing date March 8, 1954, conveying easement and right of way for street purposes in portion Lot 3 Block 18 La Jolla Hermosa; setting aside and dedicating same to public use as and for public street, naming it La Jolla Hermosa Avenue; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117206, recorded on Microfilm Roll No. 77, accepting deed of Alexander W. Forsyth and Mary Esther Forsyth, bearing date March 4, 1954, conveying easement and right of way for street purposes in portion of Lot 7 Block 18 La Jolla Hermosa; setting aside and dedicating land to public use as and for public street, naming same La Jolla Hermosa Avenue; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117207, recorded on Microfilm Roll No. 77, accepting deed of R. E. Hazard and Muriel B. Hazard, bearing date January 18, 1954, conveying easement and right of way for sewer purposes in portion of Lots 1 and 3 Partition of Pueblo Lot 219; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117208, recorded on Microfilm Roll No. 77, accepting deed of Joseph Michel and Madeleine E. Michel, Harry W. Ogilvie and Lucille M. Ogilvie, bearing date February 25, 1954, conveying easement and right of way for sewer purposes in portion of Easterly one-half of Reservoir Drive Closed; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117209, recorded on Microfilm Roll No. 77, accepting deed of San Diego Unified School District of San Diego, bearing date February 23, 1954, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 211; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117210, recorded on Microfilm Roll No. 77, accepting deed of Pete Springer, bearing date January 13, 1954, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 220; authorizing and directing City Clerk to file deed for record in Office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117211, recorded on Microfilm Roll No. 77, accepting deed of Bernardo Jaime and Maria G. Jamie, bearing date March 11, 1954, conveying easement and right of way for storm drain purposes in portion Lot 2 Block 1 Emerson Heights; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117212, recorded on Microfilm Roll No. 77, accepting deed of Norman A. Lytle and Edna M. Lytle, bearing date March 5, 1954, conveying easement and right of way for storm drain in portion Lot B La Mesa Colony; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117213, recorded on Microfilm Roll No. 77, accepting deed of Republic Development Co., bearing date January 7, 1954, conveying easement and right of way for storm drain purposes in portion Lots 59 and 66 Beacon Hill; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117214, recorded on Microfilm Roll No. 77, accepting deed of Mission Investment Corporation, bearing date March 10, 1954, conveying easement and right of way for water main purposes in portion of Lots 20 and 24 and of 61st Street, vacated, Waterville Heights; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117215, recorded on Microfilm Roll No. 77, accepting deed of Joseph D. Morrison and Anna M. Morrison, bearing date January 8, 1954, conveying easement and right of way for water main purposes in portion Lot "A" La Mesa Colony; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Ordinance incorporating portions of Lots 72 and 78 Rancho Mission of San Diego into M-1A Zone (Zoning and Re-zoning in Kearny Mesa area), was presented.

Councilman Wincote said that there were people here on the subject.

The Mayor pointed out that the hearing had been closed.

Col. Wilson asked that the Roy A. Lippincott letter (referred to on page 415 of these Minutes) be read. The letter, mentioned as stated, was read to the Council by the Clerk at this time.

Councilman Kerrigan moved to dispense with the reading of the ordinance, and adopt it.

Councilman Godfrey said that all felt that damage was done by the flight pattern, not by the zoning. He said that the City Attorney has advised that the Council has an obligation to protect the people.

Councilman Wincote differed with Councilman Godfrey; said that a majority, not all, felt that damage. He stated that there are differences of opinion.

Councilman Godfrey seconded the motion.

Councilman Godfrey stated that there may be a correction of the damage.

Mayor Butler said that Representative Wilson is "going into it".

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage written or printed copy.

ORDINANCE NO. 6021 (New Series), recorded on Microfilm Roll No. 77, incorp-

orating portions of Lots 72 and 78 Rancho Mission of San Diego, into M-1A Zone as defined by Section 101.0412.1 of the San Diego Municipal Code and repealing Ordinance No. 5252 (New Series), approved July 1, 1952, Ordinance No. 5331 (New Series), approved September 25, 1952, Ordinance No. 5582 (New Series), approved May 12, 1953, Ordinance No. 5775 (New Series), approved September 3, 1953, Ordinance No. 5793 (New Series), approved September 22, 1953, and Ordinance No. 5890 (New Series), approved December 15, 1953, insofar as the same conflict, was on motion of Councilman Kerrigan, 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.

Ordinance appropriating \$227,000 from Harbor Department Capital Trust Fund for purpose of providing funds for Capital Improvements on Tidelands, was presented. The Mayor asked to hear from Carl Reupsch, Harbor Department Business Manager.

Mr. Reupsch said that the Department has the funds to do the work, and that much has been approved by the Council. He reviewed the improvements to be made.

Councilman Godfrey spoke of the work being related to the request of the Harbor Department (referred to the City Manager and the City Attorney by the Council on March 16).

Mr. Reupsch said that only the shed moving would be affected by that.

There was discussion between Councilman Dail and Mr. Reupsch over granting approval. If the Council does not approve the \$300,000.00 request, the shed would not be moved, Mr. Reupsch said.

The Mayor said he felt the matter was a little premature.

Councilman Godfrey said that if it is on the assumption of what is going to be done by the Council, he felt it was getting the cart before the horse.

The Mayor stated that the Council has a letter from John Bate, Port Director, regarding the full program.

Councilman Godfrey stated that the Council has to know about the whole picture.

Councilman Godfrey moved to continue the proposed ordinance one week, which motion was seconded by Councilman Schneider.

Councilman Wincote referred to having "not been done yet".

John McQuilken, City Auditor, said he can have report for Tuesday.

(The Clerk had sent the Port Director's request, referred by the Council to Mgr. & Auditor to the City Manager).

On motion of Councilman Dail, seconded by Councilman Wincote, the proposed Ordinance was continued to the meeting of Tuesday, March 23, 1954.

E. W. Blom, Assistant City Manager, requested, and was granted unanimous consent to present the next matter, not listed on the agenda:

RESOLUTION NO. 117216, recorded on Microfilm Roll No. 77, authorizing Lieut. Ralph B. Lukehart, Commanding the Juvenile Division, Police Department of The City of San Diego, to attend the Fifth Annual Conference of the California Juvenile Officers' Association, to be held in Sacramento, California, March 24 through March 26, 1954; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The Mayor introduced Howard Gardner, Associate Director, League of California Cities. Mr. Gardner was to speak at the San Diego County Division, League of California Cities meeting in Oceanside on Friday, March 19. The agenda listed subject for his talk "The 1954 Special Session of the Legislature and the Problems it will NOT Solve for Cities".

At the hour of 11:03 o'clock A.M. Mayor Butler declared the meeting adjourned, there being no further business to come before the Council at this time. He announced that the Council would go into conference immediately regarding the City Employees retirement.

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 23rd, 1954.

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

In opening the meeting, the Mayor presented Reverend Leland Cook, Pastor of the Central Christian Church. The Council convened at the hour of 10:06 o'clock A.M. Reverend Leland Cook delivered the invocation.

The minutes of the Council meetings of Tuesday, March 16th, 1954, and of Thursday, March 18th, 1954, were presented to the Council.

On motion of Councilman Schneider, seconded by Councilman Burgener, the minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 116718, for paving and otherwise improving of the Alleys in Blocks 199 and 220, Pacific Beach, within the limits and as described in said Resolution, the Clerk reported no written protests.

The Mayor inquired if any interested affected property owners were present to be heard.

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

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, the proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 116719, for paving and otherwise improving of Congress Street, between Trias Street and the southeasterly termination of said Congress Street; and Hortensia Street, between San Diego Avenue and Linwood Street, within the limits and as described in said Resolution, the Clerk reported no written protests.

The Mayor inquired if any interested affected property owners were present to be heard.

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

Thereupon, on motion of Councilman Schneider, seconded by Councilman Godfrey, the proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 116720, for paving and otherwise improving of Wells Street, between Bernice Drive and Tennyson Street, within the limits and as described in said Resolution, the Clerk reported that two written protests had been received from Mr. and Mrs. E. A. Field and from Chester S. Grimkowski and Margaret B. Grimkowski; which were presented to the Council.

Asked for a report, the City Engineer stated that there was a 2.4% area protest.

The Mayor inquired if any interested affected property owners were present to be heard.

No one appeared to speak, and no additional written protests were presented.

RESOLUTION NO. 117217, recorded on Microfilm Roll No. 77, overruling and denying the protest of Mr. and Mrs. E. A. Field, filed under Document No. 486828; and the protest of Chester S. Grimkowski and Margaret B. Grimkowski, filed under Document No. 487214; against the proposed improvement of Wells Street, between the northeasterly line of Bernice Drive and the northeasterly line of Tennyson Street, under Resolution of Intention No. 116720; overruling and denying all other protests; was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Burgener, the proceedings were referred to the City Attorney for Resolution Ordering Work.

At this time Councilman Dail entered and took his place on the Council.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 116721, for paving and otherwise improving of Wunderlin Avenue, between 60th Street and 63rd Street; and a portion of 60th Street, within the limits and as described in said Resolution, the Clerk reported no written protests.

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

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

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, the proceedings were referred to the City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2214, made to cover the cost and expenses of paving and otherwise improving the Alley in Block 69, Park Villas, Public Rights of Way in Lots 25 and 26, Block 69, Park Villas, under Resolution of Intention No. 111566, the Clerk reported no written protests had been received.

The Mayor inquired if any interested affected property owners wished to be heard.

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

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RESOLUTION NO. 117218, recorded on Microfilm Roll No. 77, confirming and approving the Street Superintendent's Assessment No. 2214, made to cover the cost and expenses of paving and otherwise improving the Alley in Block 69, Park Villas; Public Rights of Way in Lots 25 and 26, Block 69, Park Villas, under Resolution of Intention No. 111566; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2215, made to cover the costs of paving and otherwise improving the Alley in Block 55, City Heights, under Resolution of Intention No. 112503, the Clerk reported that a written appeal had been received from Robert C. Winsor, which was presented to the Council.

The City Engineer reported a 4.2% appeal, based on damages to his driveway by the paving contractor.

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

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

RESOLUTION NO. 117219, recorded on Microfilm Roll No. 77, overruling and denying the appeal of Robert C. Winsor, filed under Document No. 487194, from the Street Superintendent's Assessment No. 2215, made to cover the costs and expenses of the work of paving and otherwise improving the Alley in Block 55, City Heights, under Resolution of Intention No. 112503; overruling and denying all other appeals, written or verbal; 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 the warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2216, made to cover the cost and expenses of paving and otherwise improving the Alley in Block 58, H. M. Higgins Addition, under Resolution of Intention No. 112022, the Clerk reported that no written appeals had been received.

The Mayor inquired if any interested affected property owners wished to be heard.

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

RESOLUTION NO. 117220, recorded on Microfilm Roll No. 77, confirming and approving the Street Superintendent's Assessment No. 2216, made to cover the cost and expenses of paving and otherwise improving the Alley in Block 58, H.M. Higgins' Addition, under Resolution of Intention No. 112022; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Dail, 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. 2217 made to cover the cost and expenses of paving and otherwise improving of Roslyn Lane, between Ivanhoe Avenue and Prospect Street, and a portion of Ivanhoe Avenue, under Resolution of Intention No. 113265, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners wished to be heard.

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

RESOLUTION NO. 117221, recorded on Microfilm Roll No. 77, confirming and approving the Street Superintendent's Assessment No. 2217, made to cover the cost and expenses of the paving and otherwise improving of Roslyn Lane, between Ivanhoe Avenue and Prospect Street; and a portion of Ivanhoe Avenue; under Resolution of Intention No. 113265; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 116788 of Preliminary Determination for paving and otherwise improving the North & South and the East & West Alleys in Block 66, Resubdivision of Blocks 39 and 56, Normal Heights, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners wished to be heard.

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

RESOLUTION NO. 117222, recorded on Microfilm Roll No. 77, determining that the proposed paving and otherwise improving of the North & South and the East & West Alleys in Block 66, Resubdivision of Blocks 39 and 56, Normal Heights, within the limits and as described in Resolution No. 116788 of Preliminary Determination is feasible and that the lands to be assessed 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 Investigation, Limitation and Majority Protest Act of 1931 shall not apply; was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 116789 of Preliminary Determination for paving and otherwise improving of Quimby Street, between Locust Street and Evergreen Street, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners wished to be heard.

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

RESOLUTION NO. 117223, recorded on Microfilm Roll No. 77, determining that the proposed paving and otherwise improving of the portion of Quimby Street, between Locust Street and Evergreen Street, within the limits and as described in Resolution No. 116789 of Preliminary Determination is feasible and that the lands to be assessed 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 Investigation, Limitation and Majority Protest Act of 1931 shall not apply; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 116790 of Preliminary Determination for paving and otherwise improving Wunderlin Avenue, between 65th Street and Madera Street, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners wished to be heard.

Mr. David E. Price, living on Wunderlin Avenue, address Box 205, San Diego 16, protested orally. He stated the need for paving was due to the installation of a City Playground in the vicinity.

Councilman Dail said the paving must have been petitioned for by the property owners. Mr. Price said that no petition by property owners was filed.

The Mayor checked the file and reported that a letter from the Encanto Community Methodist Church started the proceedings.

The City Engineer stated that the work was estimated to cost \$10.50 per front foot.

Mr. Price said that a storm drain is needed; and asked what can be done in this regard.

The City Engineer stated that if the street were paved the drainage water would run on the surface of the street to a culvert outfall.

A motion was made by Councilman Godfrey, seconded by Councilman Schneider, to continue the hearing for two weeks, one week at a time.

Thereupon, RESOLUTION NO. 117224, recorded on Microfilm Roll No. 77, continuing the hearing on the proposed improvement of Wunderlin Avenue, between 65th Street and Madera Street, as provided in Resolution of Preliminary Determination No. 116790, until the hour of 10:00 o'clock A.M., of Tuesday, March 30, 1954, 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 the continued hearing on Resolution No. 116625 of Preliminary Determination for the installation of sewer mains and appurtenances in Klauber Avenue, Pierino Drive, Zeller Street, Plover Street, Hilger Street, Gibson Street, Tarbox Street, Madera Street and Public Rights of Way, the Clerk presented the complete file, including papers in support of the proposed improvement, and protests filed subsequent to the original hearing on March 9th, 1954.

The Mayor inquired if any interested affected property owners wished to be heard.

Mr. James P. Slater of the Health Department answered questions by Councilman Dail as to the need for sewers in the affected area. Very few, if any, future septic tank and cesspool permits will be issued in the district, according to this discussion.

Councilman Dail stated that most of the protestants lived on Plover Street or owned property there. He suggested reducing the area to be served by new sewer mains to exclude this street, and eliminate property of most of the protestants.

Mrs. Ellen L. Davis, 1615 Plover Street, entered an oral protest to the proposed installation.

Several Councilmen discussed the matter of forming a smaller district.

A protest representing 28.8% of the property owners is now on file, according to the City Engineer.

Mr. Severin, the circulator of the petition for sewers, spoke as to the necessity for the work.

Messrs Thomas Herring and W. A. Fraser, residents of Plover Street, objected to the cost of new installations, as they now have cesspools and septic tanks.

Mr. Raymond D. Gant, 1873 Klauber Avenue, stated he owned 800 feet of frontage on proposed sewer main; and it was estimated that it might take \$50.00 per month for ten years to pay off sewer bonds on this large parcel of ground.

Mr. W. C. Bowen, a resident of Klauber Avenue, said he was opposed to the new work.

Mr. L. F. Whitney and his wife both expressed their views. Mr. Whitney stated that about 71% of the property owners were in favor of the work.

The Councilmen checked maps of the proposed sewer lines with City Engineer A. K. Fogg. Further discussion followed.

Mr. W. J. Harding spoke in favor of the sewer installation; stating he had paid \$5500.00 for his property, improved with avocado trees, and would like to build a house when the sewer facilities were available.

An elderly gentleman spoke in opposition, but declined to give his name or address.

Final discussion indicated that sooner or later sewers would have to be installed in the district; and that lack of sewer mains was holding up progress and further development, including new construction of residences.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the hearing was closed.

Thereupon, RESOLUTION NO. 117225, recorded on Microfilm Roll No. 77, overruling and denying the protest of property owners, filed under Document No. 486829, against the proposed improvement of Klauber Avenue, Pierino Drive, Zeller Street, Hilger Street, Gibson Street, Tarbox Street, Madera Street and Public Rights of Way,

as provided in Resolution of Preliminary Determination No. 116625; and overruling and denying all other protests; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117226, recorded on Microfilm Roll No. 77, determining that the proposed improvement of installing sewer mains and appurtenances in Klauber Avenue, Pierino Drive, Zeller Street, Plover Street, Hilger Street, Gibson Street, Tarbox Street, Madera Street and Public Rights of Way, within the limits and as described in Resolution No. 116625 of Preliminary Determination is feasible, and that the lands to be assessed 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 Investigation, Limitation and Majority Protest Act of 1931 shall not apply; 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 the protest of Bart G. Baron and Karnig G. Baron against the closing of Hawk Street, between Walnut Avenue and Brooks Avenue, under Resolution of Intention No. 116404, all papers in connection with the matter were presented.

The Mayor inquired if any interested affected property owners wished to be heard.

A written protest was read, signed by owners of property on the east side of this street.

Mr. Bart G. Baron spoke in opposition to the proposed closing.

Maps of the area were examined by the Councilmen.

Bart G. Baron claimed he had received no notice in connection with this proposed closing. An affidavit in the file showed that a notice had been mailed him at 3534 Reynard Way.

Petitioner Carmelita Varni Wallihan spoke in favor of the closing, and stated that she and her husband wished to build a house on the closed property.

Thereupon, RESOLUTION NO. 117227, recorded on Microfilm Roll No. 77, continuing the hearing on the protest of Bart G. Baron and Karnig G. Baron against the closing of Hawk Street, between Walnut Avenue and Brooks Avenue, under Resolution of Intention No. 116404, until the hour of 10:00 o'clock A.M. of Tuesday, March 30, 1954; referring the matter of said closing of Hawk Street, between Walnut Avenue and Brooks Avenue, to the City Manager for a report; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Petition of property owners for the annexation of a portion of Lot 67 of Rancho Mission of San Diego, as fully described in said Petition, identified as "La Mesa Colony No. 5", was presented.

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

Communication from the Purchasing Agent, with the City Manager's stamp of approval, reporting on seven bids received for removal of limestone sludge from sludge drying bed at Alvarado Filtration Plant, was presented.

RESOLUTION NO. 117228, recorded on Microfilm Roll No. 77, accepting the bid of Einer Brothers, Inc., for Removal of Limestone Sludge from the Water Department sludge drying bed at Alvarado Filtration Plant, for the sum of \$2,984.50; awarding the contract; and authorizing the City Manager to execute said contract; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, with the City Manager's stamp of approval, reporting on ten bids received for the construction of College Heights Branch Library, was presented.

RESOLUTION NO. 117229, recorded on Microfilm Roll No. 77, accepting the bid of Teyssier & Teyssier for Construction of College Heights Branch Library for the City of San Diego, for the sum of \$57,277.00; awarding the contract; and authorizing the City Manager to execute said contract; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, with the City Manager's stamp of approval, reporting on two bids received for furnishing one (1) Model XL-B Bolt Thread Cutting Machine with 3 h.p. motor and fourteen (14) sets of High Speed Steel Tangent Chasers, was presented.

RESOLUTION NO. 117230, recorded on Microfilm Roll No. 77, accepting the bid of Hill Acme Company, Acme Machinery Division, to furnish the City of San Diego with one (1) Model XL-B Bolt Thread Cutting Machine with 3 h.p. Motor and fourteen (14) sets of High Speed Steel Tangent Chasers at a total price of \$3,255.20 f.o.b. San Diego, terms net, plus State Sales Tax; awarding the contract; and authorizing the City Manager to execute said contract; was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, with the City Manager's stamp of approval, recommending the purchase from Western Metal Supply Company of Mueller tapping machine repair parts, without advertising for bids, was presented.

RESOLUTION NO. 117231, recorded on Microfilm Roll No. 77, authorizing and directing the Purchasing Agent to purchase in the open market, without advertising for bids, required repair parts for Mueller tapping machine, from Western Metal Supply Company, the sole distributor for Mueller tapping machines in San Diego, as listed in said Resolution, for prices totaling \$2,560.39, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117232, recorded on Microfilm Roll No. 77, approving plans, specifications, wage scale, etc., and authorizing the Purchasing Agent to publish notice inviting bids for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the repair of piling on the South Side of Broadway Pier, in accordance with specifications contained in Document No. 487166, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission recommending the re-approval of the tentative map of Allied Gardens Unit No. 3, subject to certain conditions, was presented.

RESOLUTION NO. 117233, recorded on Microfilm Roll No. 77, reapproving the tentative map of Allied Gardens Unit No. 3 (approved by Resolutions 110885 and 110886, March 5, 1953); subject to the conditions and suspension of sections of the San Diego Municipal Code set forth in the above-numbered resolutions; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from the City Planning Commission recommending approval of the final map of Astor Heights was presented.

RESOLUTION NO. 117234, recorded on Microfilm Roll No. 77, adopting the final map of Astor Heights and accepting portion of a public street and the unnamed easements shown thereon, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from the City Planning Commission recommending the re-approval of the tentative map of Belleview Heights, Unit No. 7, subject to certain conditions, was presented.

RESOLUTION NO. 117235, recorded on Microfilm Roll No. 77, reapproving the tentative subdivision map of Belleview Heights Unit No. 7 (approved by Resolutions 105739 and 105740, of March 6th, 1952, and reapproved by Resolution 110770, on February 6th, 1953; subject to the conditions and suspension of sections of the Municipal Code listed in the above-numbered resolutions, except that condition No. 6 of Resolution No. 105740, be amended to read as shown in said Resolution No. 117235, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the City Planning Commission recommending the re-approval of the tentative map of Collwood Terrace Unit No. 3, was presented.

RESOLUTION NO. 117236, recorded on Microfilm Roll No. 77, reapproving the tentative map of Collwood Terrace Unit No. 3 (approved by Resolutions 110767 and 110768, of February 26th, 1953); subject to the conditions and suspension of sections of the San Diego Municipal Code set forth in the above-numbered resolutions; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Planning Commission recommending suspension of sections of the San Diego Municipal Code in connection with the revised tentative map of Rancho Cabrillo Unit No. 2, was presented.

RESOLUTION NO. 117237, recorded on Microfilm Roll No. 77, suspending Sections 102.07-5, 102.12-6, 102.12-8, 102.18 and 102.17-c of the San Diego Municipal Code, insofar as they relate to the tentative and final maps of Rancho Cabrillo Unit No. 2, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Planning Commission recommending approval of the revised tentative map of Rancho Cabrillo Unit No. 2, subject to certain conditions, was presented.

RESOLUTION NO. 117238, recorded on Microfilm Roll No. 77, approving the revised tentative subdivision map of Rancho Cabrillo Unit No. 2, a 150-lot subdivision located on Kearny Mesa, subject to ten conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Copy of communication from the State Public Utilities Commission to Mrs. L. H. Robinson, relative to request that night, Sunday and holiday bus service be provided to the Clairemont district, was presented, and on motion of Councilman Kerrigan, seconded by Councilman Schneider, ordered filed.

Communication from James K. Eyre protesting against any further increases in bus fares was presented, and on motion of Councilman Kerrigan, seconded by Councilman Schneider, referred to the Mayor.

Communication from Admiral Sales Co., Inc. relative to the inadequate storm drainage condition existing at the intersection of Front and Ash Streets was presented, and on motion of Councilman Kerrigan, seconded by Councilman Dail, referred to the City Manager.

Communication from the California Motel Association relative to the lack of adequate tourist promotion in San Diego County, and making certain suggestions in this connection, was presented.

RESOLUTION NO. 117239, recorded on Microfilm Roll No. 77, referring to Council Conference the communication from California Motel Association, San Diego Chapter, on the importance of the tourist industry in San Diego County, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from Mrs. Lena Kendall offering to sell the City of San Diego certain property fronting on Crown Point Drive; and making suggestions relative to improving Crown Point Drive, etc., was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, referred to the City Manager.

Communication from Preferred Theatres Corporation, requesting an open hearing before the City Council relative to the proposal to condemn the block south of Horton Plaza in connection with proposed Automobile Parking at the Plaza, was presented.

RESOLUTION NO. 117240, recorded on Microfilm Roll No. 77, referring to Council Conference the communication from Preferred Theatres Corporation on the proposal to condemn the block south of Horton Plaza, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The Mayor stated he would write a letter to this Corporation relative to an open hearing before the City Council on the subject referred to in said communication.

Communication from the San Diego Harbor Association favoring a \$300,000.00 reserve and drawing account for use of the Harbor Department was presented, and on motion of Councilman Wincote, seconded by Councilman Schneider, ordered filed.

Communication from San Diego County Traffic Safety Council requesting a City appropriation of \$5000.00 for traffic safety work was presented.

RESOLUTION NO. 117241, recorded on Microfilm Roll No. 77, referring to the City Manager for Budget Conference a communication from San Diego County Traffic Safety Council, by Fred H. Rohr, President, making a request for continued financial support in the amount of \$5,000.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117242, recorded on Microfilm Roll No. 77, directing notice of filing of Assessment No. 2221, and of the time and place of hearing thereon, for paving and otherwise improving the Alley in Block 9, La Jolla Park, and the Alley between Blocks 9 and 21, La Jolla Park, under Resolution of Intention No. 112882, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117243, recorded on Microfilm Roll No. 77, approving the plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving of the Alley in Block L, Altadena, between the southerly line of Thorn Street and a line parallel to and distant 170.00 feet southerly; and approving Plat No. 2578, showing the exterior boundaries of the district to be included in the assessment for said work and improvement; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117244, recorded on Microfilm Roll No. 77, accepting the offer of the Pacific Union Metal Co., filed under Document No. 486700, agreeing to furnish Union Metal Design 41091-Y50 octafute Monotube pendent type extensions to any and all contractors desiring to bid on the installation of an ornamental lighting system in Broadway, between the easterly line of Pacific Highway and the westerly line of Eighth Avenue, at the prices named in said offer and license agreement, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117245, recorded on Microfilm Roll No. 77, accepting the offer of the Econolite Corporation, filed under Document No. 486701, agreeing to furnish General Electric Form 109 Mercury Vapor Luminaires and General Electric 400 Watt 6.6 ampere Type ILH Series Ballasts to any and all contractors desiring to bid on the installation of an ornamental lighting system in Broadway, between the easterly line of Pacific Highway and the westerly line of Eighth Avenue, at the prices named in said offer and license agreement; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117246, recorded on Microfilm Roll No. 77, accepting the offer of the Pacific Union Metal Co., filed under Document No. 486935, agreeing to furnish Marbelite reinforced concrete lighting standards, Design No. 52-A6, and Westinghouse Type AK-10 luminaires complete, Style #1565515, to any and all contractors desiring to bid on the installation of a street lighting system in Diamond Street, between the westerly line of Mission Boulevard and the easterly line of Cass Street; and Cass Street, between the southerly line of Diamond Street and a line parallel to and distant 10 feet southerly therefrom, at the prices named in said offer and license agreement, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 117247, recorded on Microfilm Roll No. 77, for paving and otherwise improving the Alley in Block 45, Normal Heights, under Resolution of Intention No. 116493, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 117248, recorded on Microfilm Roll No. 77, for paving and otherwise improving of Haines Street, between Garnet Street and Felspar Street, under Resolution of Intention No. 116401, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 117249, recorded on Microfilm Roll No. 77, for paving and otherwise improving of Logan Avenue, between 39th and 40th Streets, and Florence Street, between 38th and 39th Streets, under Resolution of Intention No. 116621, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 117250, recorded on Microfilm Roll No. 77, for paving and otherwise improving of 35th Street, Webster Avenue, Pardee Street, 36th Street and Pardee Place, under Resolution of Intention No. 116494, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 117251, recorded on Microfilm Roll No. 77, for the furnishing of electric current for College Park Lighting District No. 1, for a period of one year ending May 31, 1955, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 117252, recorded on Microfilm Roll No. 77, for the furnishing of electric current for Collwood Lighting District No. 1, for a period of one year ending May 31, 1955, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117253, recorded on Microfilm Roll No. 77, appointing time for hearing protests, and directing notice of said hearing, for San Diego Lighting District No. 1, for furnishing of electric current for a period of one year ending June 14, 1955, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 117254, recorded on Microfilm Roll No. 77, for the removal of certain existing ornamental lighting standard shafts, transformers and luminaires from Broadway, between the easterly line of Pacific Highway and the westerly line of Eighth Avenue; and for the installation of conversion standards, connections, ballasts and luminaires, complete, therein; and for the painting of the existing bases for the conversion standards; was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 117255, recorded on Microfilm Roll No. 77, for the installation of street light standards, equipment, connections and appurtenances, pull boxes, conduit and cables, and lighting service at a certain service pole in portions of Diamond Street, between Mission Boulevard and Cass Street, and appurtenant work; also similar work on a portion of Cass Street; was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 117256, recorded on Microfilm Roll No. 77, for closing portions of Templeton Street, between Shenandoah Drive and Chesterton Drive; and the Alley in Block 4, Chesterton Extension; was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 117257, recorded on Microfilm Roll No. 77, for changing the grade of Bean Street, between Kurtz Street and California Street; Kurtz Street, from a line 20.00 feet southeasterly from Bean Street to Emory Street; and California Street, between Chalmers Street and Hancock Street; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117258, recorded on Microfilm Roll No. 77, approving the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of the Alley in Block 22, Ocean Beach, between the southeasterly line of Ebers Street and the northwesterly line of Froude Street, as contained in Document No. 486944; also, approving Plat No. 2577, showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said Alley; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117259, recorded on Microfilm Roll No. 77, for paving the Alley in Block L, Altadena, between the southerly line of Thorn Street and a line parallel to and distant 170.00 feet southerly from said southerly line, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117260, recorded on Microfilm Roll No. 77, for paving the Alley in Block 22, Ocean Beach, between the southeasterly line of Ebers Street and the northwesterly line of Froude Street, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117261, recorded on Microfilm Roll No. 77, ascertaining and declaring the wage scale to be paid in connection with the work of paving and otherwise improving of Commercial Street, between 29th Street and 30th Street, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117262, recorded on Microfilm Roll No. 77, ascertaining and declaring the wage scale to be paid in connection with the work of paving Jamacha Road, between 69th Street and Hermosillo Manor's northwesterly line; and Flicker Street,

between the northerly line of Jamacha Road and the northerly line of Lisbon Street; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117263, recorded on Microfilm Roll No. 77, ascertaining and declaring the wage scale to be paid in connection with the work of paving Mohawk Street, between 71st Street and 73rd Street; 71st Street, between Saranac Street and El Cajon Boulevard; and 72nd Street, between Saranac Street and Amherst Street; was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117264, recorded on Microfilm Roll No. 77, ascertaining and declaring the wage scale to be paid in connection with the installation of sewer mains and appurtenances in Maple Street, Laurel Street, 44th Street, certain Alleys in Swan's Addition, 45th Street, Highland Avenue, Public Rights of Way in Swan's Addition; the Alley in Block B, Swan's Second Addition; Olive Street and Fairmount Avenue; within the limits and as particularly described in said Resolution; was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117265, recorded on Microfilm Roll No. 77, approving the diagram of the property affected or benefited by the work of paving the Alley in Block 4, Eastgate, as described in Resolution of Intention No. 113132, and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117266, recorded on Microfilm Roll No. 77, approving the diagram of the property affected or benefited by the work of paving Cass Street, between Turquoise Street and Van Nuys Street, as described in Resolution of Intention No. 113134, and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117267, recorded on Microfilm Roll No. 77, approving the diagram of the property affected or benefited by the work of paving Diamond Street, between Haines Street and Lamont Street, as described in Resolution of Intention No. 109062, and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117268, recorded on Microfilm Roll No. 77, approving the diagram of the property affected or benefited by the work of paving E Street, between 30th and 31st Streets, as described in Resolution of Intention No. 113381, and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117269, recorded on Microfilm Roll No. 77, approving the diagram of the property affected or benefited by the work of paving Island Avenue, between 25th and 28th Streets, as described in Resolution of Intention No. 112505, and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117270, recorded on Microfilm Roll No. 77, approving the diagram of the property affected or benefited by the work of paving Jennings Street, Albion Street and Silvergate Avenue, as described in Resolution of Intention No. 111923, and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117271, recorded on Microfilm Roll No. 77, authorizing the Street Superintendent to grant Al E. Riley, Inc., a 30-day extension of time for the completion of the contract for the improvement of a portion of 51st Street and the Alley in Block 42, Tract 1368, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117272, recorded on Microfilm Roll No. 77, granting property owner permission to install a storm drain in Island Avenue and Front Street by Private Contract, in accordance with specifications filed under Document No. 486308, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117273, recorded on Microfilm Roll No. 77, granting the petition for paving and otherwise improving of the Alley in Block 255, Pacific Beach; directing the City Engineer to furnish a description of the assessment district, and a plat showing said assessment district, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117274, recorded on Microfilm Roll No. 77, granting the petition for the installation of sewers to serve La Jolla Country Club Heights Unit No. 2, and La Jolla Country Club Heights Estates, and portions of Pueblo Lot 1263; directing the City Engineer to furnish a plat showing the exterior boundaries of the district of lands to be assessed to pay the costs and expenses of the installation of sewers to serve the area mentioned; was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117275, recorded on Microfilm Roll No. 77, accepting the bid of L. B. Butterfield for the installation of the Redwood Village Pipeline, (Specification No. 72, Housing and Home Finance Agency Project Calif. 4-CF-18); awarding the contract at the unit prices set forth in the bid, amounting to a total estimated sum of \$36,414.75; was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117276, recorded on Microfilm Roll No. 77, accepting the bid of Rogers Construction Company, a co-partnership for the construction of a foundation for 2,000,000 gallon standpipe, under Schedule A of the specifications (Specification No. 54, Housing and Home Finance Agency Project Calif. 4-CF-18); awarding the contract at unit prices and lump sum price for a total estimated sum of \$15,249.95; also, accepting the bid of Southwest Welding & Mfg. Co., a corporation, for the construction of 2,000,000 gallon standpipe and cathodic protection, under Schedule A of the specifications; awarding the contract at lump sum prices amounting to a total estimated sum of \$99,213.00; said foundation, standpipe and cathodic protection work to be done in Redwood Village; was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117277, recorded on Microfilm Roll No. 77, naming the park bounded by the Pacific Ocean and Coast Boulevard in The City of San Diego and identified as "La Jolla Park" and "Block 58" in the Subdivision of La Jolla Park, according to Map 352 thereof filed in the office of the Recorder of San Diego County, "Ellen Scripps Cove Park", was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117278, recorded on Microfilm Roll No. 77, requesting that the Route now posted as "U. S. 80" between Cabrillo Freeway and the easterly City limits be designated by the Division of Highways as "U. S. 80 Business Route"; and agreeing to place and maintain at City expense the necessary business route markers in accordance with State signing practice; in consistence with the letter of E. E. Wallace, District Engineer, California Division of Highways, dated March 8, 1954, and the plat thereto attached, filed as Document No. 487170; was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117279, recorded on Microfilm Roll No. 77, stating that the members of this legislative body are of the opinion that the best interests of The City of San Diego and its inhabitants will be subserved by the issuance by the Public Utilities Commission of the State of California to the San Diego Transit System of certificates of public convenience and necessity to consolidate portions of Routes "4" and "G" and to discontinue and abandon a portion of Route "G", in the City of San Diego, as proposed in the application of the San Diego Transit System to the Public Utilities Commission of the State of California, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117280, recorded on Microfilm Roll No. 77, providing that pursuant and subject all of the terms, conditions and provisions of Division 5, Part 1, Chapter 7, Sections 4010 to 4035 of the California Health and Safety Code and all amendments thereto, relating to domestic water supplies, application by this City shall be made to the State Board of Public Health for a permit to continue to supply water to the inhabitants of The City of San Diego and vicinity from existing sources, and in addition from Sutherland Reservoir; and that the City Manager is authorized and directed to cause the necessary data to be prepared, and investigations to be made, and in the name of the City of San Diego to sign and file the application with the State Board of Public Health, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117281, recorded on Microfilm Roll No. 77, authorizing and empowering the City Manager to do all the work in connection with the installation of heaters in the Linda Vista Community Center, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117282, recorded on Microfilm Roll No. 77, authorizing the City Manager to make application to the County Board of Supervisors for an option to purchase certain tax-deeded lands in Reiner's Sub. of P. L. 1103; in Record of Survey Map 1235; in Arnold & Choate's Addition, in City Heights, in La Jolla Heights; in Louis' Addition; in Marilou Park; in Montclair; in Morena Subdivision; in Paradise Hills Unit No. 2; and in Subdivision of Pueblo Lot 1122; was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117283, recorded on Microfilm Roll No. 77, directing the Property Supervisor to file a petition with the County Board of Supervisors, requesting that all taxes, penalties and other expenses, and all deeds against City-owned portions of Lots 41 and 42 in Block One of Hunter's Addition, according to Map No. 252, be cancelled; directing said Property Supervisor to take whatever steps he may deem necessary to secure the cancellation of said taxes, penalties and deeds; was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117284, recorded on Microfilm Roll No. 77, giving notice of the proposed annexation to The City of San Diego of a portion of Lots 67, Rancho Mission

of San Diego, in the County of San Diego, State of California, to be known and designated as "Steinbaum Tract", was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

A proposed Resolution granting permission to the A B C Cab Company to modify its taxicab meter rates in accordance with the petition on file in the office of the City Clerk as Document No. 486954, dated March 17th, 1954, was presented, and on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

A little later in the meeting this action was reconsidered, and the proposed Resolution referred to the City Manager, on motion of Councilman Kerrigan, seconded by Councilman Schneider.

RESOLUTION NO. 117285, recorded on Microfilm Roll 77, authorizing and empowering the City Manager to execute, for and on behalf of the City, a lease agreement with Alma Stalmer of portion of Lot 1, Block 8 and portion of Lot 1, Block 7, of Hillcrest, according to Map thereof No. 1069, as set forth in form of lease filed as Document No. 487282, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117286, recorded on Microfilm Roll No. 77, approving the request of Squires-Belt Material Company, contained in Change Order No. 1, for an extension of time of four days, to and including February 26, 1954, heretofore filed with the City Clerk as Document No. 487178, in which to complete the contract for the furnishing and delivering of propeller Type Meters for the Catalina Street Pumping Plant, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117287, recorded on Microfilm Roll No. 77, granting the Mariner Girl Scouts of Southern California a license to use Tierra del Fuego Island as a camp site for their Jamboree from April 30, to May 2, 1954, inclusive to the end that section 62.20.11 of the Municipal Code will be inapplicable; also granting permission to this organization to use, without charge, the Mission Beach Plunge on Saturday morning, May 1, 1954, between the hours of 8:00 a.m. and 12:00 noon, for the conducting of swimming tests and related activities in connection with the Jamboree; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117288, recorded on Microfilm Roll No. 77, granting permission to Harry J. Carvalho to install a 4-inch cast iron sewer line between the property line and the sidewalk, parallel to the easterly line of Lot 24, Block 42, Ocean Beach Subdivision, to point of intersection with public sewer; subject to certain conditions; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117289, recorded on Microfilm Roll No. 77, authorizing the City Manager to attend a meeting of Senator Collier's Interim Committee on Highways, to be held in Sacramento, California, March 25th and 26th, 1954; authorizing all necessary expenses in connection with said trip; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117290, recorded on Microfilm Roll No. 77, vacating an easement for a right of way for water mains and appurtenances thereto, through, over, under, upon, along and across a portion of Lot 21 of Block 35 of Lexington Park, as fully described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117291, recorded on Microfilm Roll No. 77, authorizing the Mayor and the City Clerk to execute a grant deed granting to Big Sister League, Inc., as trustee, to establish, maintain and conduct on said property for charitable purposes a home for women and women with children who are in need of temporary shelter, help and rehabilitation, Lot A, Block 220, Horton's Addition, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117292, recorded on Microfilm Roll No. 77, accepting the Quitclaim Deed executed on the 5th day of March, 1954, by Donald F. Morrison and Margaret E. Morrison, husband and wife, quitclaiming to The City of San Diego all water mains and appurtenant structures located in public streets and rights of way, either within or without the subdivision named "Euclid View", according to Map No. 2950; authorizing and directing the City Clerk to file said deed, together with a certified copy of this Resolution for record in the office of the County Recorder; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117293, recorded on Microfilm Roll No. 77, accepting the Quitclaim Deed executed on the 8th day of March, 1954, by Emmet A. Ries and Neva M. Ries, husband and wife, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located in public streets and rights of way, either within or without the subdivision named "Don Terrace Unit No. 1" according to Map No. 2908; authorizing and directing the City Clerk to file said deed together with a certified copy of this Resolution for record in the office of the said County Recorder; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117294, recorded on Microfilm Roll No. 77, accepting the Quitclaim Deed executed on the 8th day of March, 1954, by Emmet A. Ries and Neva M. Ries, husband and wife, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located in public streets and rights of way, either within or without, the subdivision named "Don Terrace Unit No. 2", according to Map No. 3005; authorizing and directing the City Clerk to file said deed together with a certified copy of this Resolution for record in the office of the County Recorder; was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

A proposed Ordinance approving the Annexation to The City of San Diego of certain portions of the Tidelands of San Diego Bay, in the County of San Diego, State of California, known and designated as "San Diego Harbor Tidelands", which had been introduced at the meeting of February 9th, 1954, and continued as an item of business from week to week since that time, was again presented.

On motion of Councilman Dail, seconded by Councilman Schneider, consideration of this proposed Ordinance was again continued until the hour of 10:00 o'clock A.M., on Tuesday, March 30th, 1954.

ORDINANCE NO. 6022, (New Series), naming the east 15.00 feet of the Alley in Block 2, shown on the Map of Idyllwild, BRANT STREET, 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. Absent---Councilmen None. Nays--Councilmen None.

The reading was dispensed with by vote of not less than 4 members of the Council

A proposed Ordinance appropriating the sum of \$227,000.00 from Harbor Department Capital Trust Fund for the purpose of providing funds for capital improvements on Tidelands in The City of San Diego, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, consideration of this proposed Ordinance was continued for one week.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the next Ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the reading of said ordinance in full 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 passage a written or printed copy.

ORDINANCE NO. 6023 (New Series), recorded on Microfilm Roll No. 77, appropriating the sum of \$22,500.00 from the 1953 Storm Drain Bond Fund (716) of the City of San Diego, for the purpose of providing funds to pay the City's half of the cost of installing a storm drain in the 47th Street area, pursuant to Resolution No. 116385, was on motion of Councilman Burgener, 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 Burgener, seconded by Councilman Kerrigan, the next Ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the reading of said ordinance in full 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 passage a written or printed copy.

ORDINANCE NO. 6024 (New Series), recorded on Microfilm Roll No. 77, appropriating the sum of \$4,800.00 out of the Unappropriated Balance Fund of The City of San Diego, for the purpose of providing funds for the installation of fire rings and trash barrels in the Mission Bay area, 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. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the next Ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the reading of said ordinance in full 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 passage a written or printed copy.

ORDINANCE NO. 6025, (New Series), recorded on Microfilm Roll No. 77, appropriating the sum of \$1,613.00 from the Unappropriated Balance Fund of the City of San Diego, and transferring the same to Contractual Services Account, City Attorney's Fund (10.03) of the City, 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.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the next Ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the reading of said ordinance in full 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 passage a written or printed copy.

ORDINANCE NO. 6026, (New Series), recorded on Microfilm Roll No. 77, establishing the grade of the Alley in Block 56, Ocean Beach, according to Map No. 279, between the southeasterly line of Cable Street and the northwesterly line of Sunset Cliffs Boulevard, 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.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the next Ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the reading of said ordinance in full 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 passage a written or printed copy.

ORDINANCE NO. 6027 (New Series), recorded on Microfilm Roll No. 77, establishing the grade of the Alley in Block 78, Point Loma Heights, according to Map No. 1106, between the southeasterly line of Guizot Street and the northwesterly line of Santa Barbara Street, 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.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the next Ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the reading of said ordinance in full 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 passage a written or printed copy.

ORDINANCE NO. 6028, (New Series), recorded on Microfilm Roll No. 77, establishing the grade of Godsall Lane, between the south line of Pennsylvania Avenue and a line parallel to and distant 225.00 feet south from said south line, 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.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the next Ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the reading of said ordinance in full 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 passage a written or printed copy.

ORDINANCE NO. 6029 (New Series), recorded on Microfilm Roll No. 77, establishing the grade of Santa Margarita Street, (1) Between the northerly line of Churchward Street and the northeasterly line of San Jacinto Drive, and (2) between a line which bears S 37° 42' E from the most southerly corner of Lot M, Block 14, Las Alturas No. 4, according to Map No. 2052, and the southerly prolongation of the easterly line of Lot O, Block 4, Las Alturas No. 2, according to Map No. 1866, 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.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, Ordinance naming the northerly and southerly alley lying westerly of and contiguous to Lots 1 to 5, inclusive, Block 2, College Park, Unit No. 1, MONTEZUMA PLACE, 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 Wincote, Ordinance dedicating certain portions of Lots 1 to 5, inclusive, Block 2, College Park, Unit No. 1, for street purposes and naming the same Montezuma Place, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--None.

On motion of Councilman Schneider, seconded by Councilman Burgener, Ordinance dedicating a portion of Lot 1, Block 26, Lexington Park, for street purposes and naming the same SYCAMORE DRIVE, was introduced by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--None.

By unanimous consent, at request of the City Manager, on motion of Councilman Kerrigan, seconded by Councilman Wincote, Ordinance creating the position of Mission Bay Park Director in the Classified Service of The City of San Diego, and establishing a schedule of compensation therefor, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

By unanimous consent, at request of Mayor Butler, RESOLUTION NO. 117295, recorded on Microfilm Roll No. 77, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, reading as follows:

"RESOLUTION NO. 117295

WHEREAS, the Grihalva basketball team on Saturday, March 20, 1954, at Denver, Colorado, greatly honored themselves and amateur spirit in the finals of the National AAU basketball tournament; and

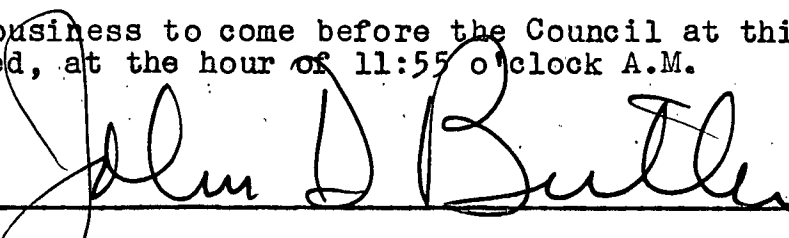
WHEREAS, the basketball team by brilliant individual play and team work was runner-up in the final or championship game and placed four members of the team on the honor squad thereby dominating the all-tourney selection by experts; and

WHEREAS, the splendid performance by the Grihalva basketball team brought favorable publicity throughout the country to their home City of San Diego; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

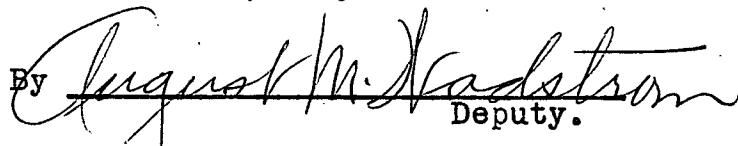
That this Council for itself, and the citizens of The City of San Diego congratulate the members of the Grihalva basketball team for their ability, sportsmanship and endeavor in placing as runner-up in the 47th Annual AAU basketball tournament on March 20, 1954."

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned, at the hour of 11:55 o'clock A.M.



Mayor of The City of San Diego, California.

ATTEST:
FRED W. SICK, City Clerk

By 

Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, March 25th, 1954.

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

The Regular Meeting was called to order by Mayor Butler at the hour of 10:06 o'clock A.M.

Petition of Gilbert E. Fritz for detachment of uninhabited territory described as "All of the South Half of the Northwest Quarter of Lot 65 of Horton's Purchase of Ex-Mission Lands, according to Map thereof No. 283", being adjacent to the City of National City, was presented, and on motion of Councilman Kerrigan, seconded by Councilman Schneider, referred to the City Attorney for preparation of a Resolution.

RESOLUTION NO. 117296, recorded on Microfilm Roll No. 77, authorizing and directing the Purchasing Agent to advertise the sale of, and to sell, load packer equipment, No. 7531, belonging to the Harbor Department of the City, which is no longer desirable for use or retention by the City, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Assistant Planning Director relative to the tentative map of Linda Vista Unit No. 3, was presented.

RESOLUTION NO. 117297, recorded on Microfilm Roll No. 77, amending Item No. 4 of Resolution No. 116691, dated February 16th, 1954, approving the tentative map of Linda Vista Unit No. 3, relative to street paving, and other improvements, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Assistant Planning Director relative to the tentative map of Linda Vista Unit No. 6, was presented.

RESOLUTION NO. 117298, recorded on Microfilm Roll No. 77, amending Item No. 4 of Resolution No. 116693, dated February 16th, 1954, approving the tentative map of Linda Vista Unit No. 6, relative to street paving and other improvements, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The City Manager's approval of the application of Ann Hicks for a Cabaret License at 3225 Midway Drive, at the establishment known as The Lost Frontier; together with approvals from the interested City Departments; was presented.

RESOLUTION NO. 117299, recorded on Microfilm Roll No. 77, granting the application of Ann Hicks for a Class "C" license to conduct public dance at Lost Frontier, 3225 Midway Drive, on premises where intoxicating liquor is sold; subject to compliance with existing ordinances and regulations; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer recommending amending proceedings for paving the Alley in Block 95, Ocean Beach; bearing the stamp of approval of the City Manager; was presented.

RESOLUTION NO. 117300, recorded on Microfilm Roll No. 77, adopting the recommendation of the City Engineer filed under Document No. 487251; and authorizing said City Engineer to amend the proceedings for the improvement of the Alley in Block 95, Ocean Bay Beach, to include sewer laterals as required; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from Mr. Archer Baum relative to purchase of City-owned property at the corner of Baltic and Ashford Streets for use of the First Brethren Church, was presented and on motion of Councilman Kerrigan, seconded by Councilman Dail, referred to the City Manager.

Communication from the Big Sister League, Inc. thanking the Council for deeding this organization a ground area and a building at 1769 Front Street, was presented and on motion of Councilman Schneider, seconded by Councilman Burgener, ordered filed.

Copy of letter from the City of Avondale Estates to the Police Department, Department of Public Safety, relative to magazine article "I'll Give You a Ticket Every Time", which appeared in the March 20th, 1954, issue of The Saturday Evening Post, was read and on motion of Councilman Schneider, seconded by Councilman Kerrigan, referred to the City Manager.

Communication of Mrs. G. A. Fellman objecting to the maintaining of temporary housing units in Southeast San Diego was presented and on motion of Councilman Kerrigan, seconded by Councilman Wincote, referred to the City Manager.

Communication from John C. Holman Jr. M. D. and Harry A. Cumming, M.D., suggesting the use of parking meters on the east side of Sixth Avenue from Date Street north was presented and on motion of Councilman Schneider, seconded by Councilman Burgener, referred to the City Manager.

Copy of letter from J. Ralph Hughes et al. to the San Diego Gas & Electric Company relative to change in the supporting structure of power poles on the Northwest corner of 30th Street and Meade Avenue; objecting to heavy wire used, etc.; was presented and on motion of Councilman Schneider, seconded by Councilman Dail, referred to the City Manager.

Communication from Mrs. Pearl Humphrey objecting to further increase in bus fares; suggesting improvements in the existing service, including cleaning the buses inside; was presented and on motion of Councilman Schneider, seconded by Councilman Burgener, referred to the Mayor.

Communication from the San Diego Chamber of Commerce relative to proposed development at Old San Diego, and the establishing of an area to be known as the "Birthplace of California" Shrine; and other changes, was presented and on motion of Councilman Burgener, seconded by Councilman Wincote, referred to the City Planning Commission.

Communication from the San Diego Junior Chamber of Commerce requesting \$4800.00 City appropriation in the next budget, including \$3250.00 for a Tournament of Roses Entry; \$1300.00 for Harbor Days; and \$250.00 for the Miss San Diego Pageant; was presented.

RESOLUTION NO. 117301, recorded on Microfilm Roll No. 77, referring to the City Manager for Budget Conference the communication from San Diego Junior Chamber of Commerce, filed under Document No. 487245, requesting funds in the coming City Budget in the amount of \$4800.00, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117302, recorded on Microfilm Roll No. 77, headed, "A Resolution of The Council of The City of San Diego, California, determining that the public interest and necessity demand the acquisition and construction of a certain Municipal Improvement, and making findings relating thereto," was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Said Resolution declared the necessity for construction of works and facilities for the transmission, treatment and clarification of sewage and the disposal of sewage effluent by ocean outfall, including the acquisition and construction of trunk sewers, sewage treatment plant and outfall sewer and appurtenances and appurtenant work, and including the acquisition of lands, rights of way and easements and the acquisition and construction of structures, tunnels, pipes, conduits, equipment, machinery and apparatus necessary or convenient therefor.

Said Resolution stated that the estimated cost of said municipal improvement is the sum of \$16,000,000.00; that the cost will be too great to be paid out of the ordinary annual income and revenue of the City.

Said Resolution stated that the City Council intends to submit to the qualified voters of the City at a special election a proposition for the issuance of \$16,000,000.00 of bonds of said City to pay the cost of said municipal improvement.

RESOLUTION NO. 117303, recorded on Microfilm Roll No. 77, headed, "A Resolution of the Council of The City of San Diego, California, requesting the Board of Supervisors (Of San Diego County) to grant permission for the consolidation of Special City Bond Election to be held June 8, 1954, with Statewide Primary Election on the same date, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Said Resolution specified that the exact form of the question or proposition to be voted upon at said bond election as it shall appear on the ballot is as follows:

"The City of San Diego Sewer Bond Proposition: Shall The City of San Diego incur a bonded indebtedness in the principal sum of \$16,000,000.00 for the purpose of the acquisition and construction by said City of a certain municipal improvement, to-wit: works and facilities for the transmission, treatment and clarification of sewage and the disposal of sewage effluent by ocean outfall, including the acquisition and construction of trunk sewers, sewage treatment plant and outfall sewer and appurtenances and appurtenant work, and including the acquisition of lands, rights of way and easements and the acquisition and construction of structures, tunnels, pipes, conduits, equipment, machinery and apparatus necessary or convenient therefor?"

RESOLUTION NO. 117304, recorded on Microfilm Roll No. 77, adopting Robert's Rules of Order, as revised in the 75th Anniversary Edition, as the rules of order and procedure of the City Council, except insofar as said rules may hereafter be modified, abrogated or supplemented by other rules duly adopted and evidenced by resolution of the City Council; authorizing the purchase of nine copies of said 75th Anniversary Edition of said Robert's Rules of Order; and rescinding Resolution No. 65179, adopted November 24, 1936; was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117305, recorded on Microfilm Roll No. 77, authorizing and empowering the City Manager to do all the work in connection with the making of connections and the sterilization of existing mains necessary due to replacement of small water main replacements, Group 12, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117306, recorded on Microfilm Roll No. 77, authorizing the City Manager to execute an agreement with Carlos J. Tavares and wife Marjorie Claire Tavares, and Louis C. Burgener and wife Patricia W. Burgener, relative to the construction of and delivery to the City of San Diego of a water storage standpipe of at least 1,000,000 gallons capacity upon Lot 552 of Clairemont Manor Unit No. 4; the City of San Diego to pay \$39,000.00 for acquiring said water storage standpipe; was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117307, recorded on Microfilm Roll No. 77, approving Change Order No. 1, filed as Document No. 487129, issued in connection with the contract between The City of San Diego and Bob Griffin Roofing Co. for the Reroofing of Hangar No. 2, Lindbergh Field Municipal Airport, and which said contract is contained in Document No. 485953; the changes therein set forth amounting to an increase in the contract price of \$75.00; was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117308, recorded on Microfilm Roll No. 77, approving Change Order No. 7, filed as Document No. 487297, issued in connection with the contract between The City of San Diego and The Shea Company for the construction of Black Canyon Tunnel (Sutherland-San Vicente Conduit), and which said contract is contained in Document No. 457158; the changes therein set forth amounting to an increase in the contract price of \$28.38; was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117309, recorded on Microfilm Roll No. 77, accepting the subordination agreement, executed by Letha R. Leachman, beneficiary, and The First National Trust and Savings Bank of San Diego, trustees, bearing date March 15, 1954, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 21 and 22, Victory Manor, in The City of San Diego, County of San Diego, State of California, according to Map thereof No. 2276, on the conditions therein expressed; 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 a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117310, recorded on Microfilm Roll No. 77, accepting the subordination agreement executed by William C. Monks and Jessie J. Monks, beneficiaries, and Pacific Coast Title Insurance Company, trustees, bearing date March 11, 1954, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 20 and 21, Victory Manor, in The City of San Diego, County of San Diego, State of California, according to Map thereof No. 2276, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego through, along and across a portion of said property above described, on the conditions therein expressed; authorizing and directing the City Clerk to file the said agreement for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117311, recorded on Microfilm Roll No. 77, accepting the subordination agreement, executed by J. R. Shotwell and Bonnie Jane Shotwell, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date March 16, 1954, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 67, Ex-Mission Lands of San Diego, (Horton's Purchase), in The City of San Diego, County of San Diego, State of California, according to Map thereof No. 283, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego, through, along and across a portion of said property above described; authorizing and directing the City Clerk to file the said agreement for record in the office of the Recorder of San Diego County, together with a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117312, recorded on Microfilm Roll No. 77, accepting the deed of James L. Flora and Eugenia Flora, executed in favor of The City of San Diego, bearing date March 15, 1954, conveying to said City of San Diego an easement and right of way for street purposes through, along and across a portion of Lot 67, Ex-Mission Lands of San Diego (Hortons Purchase), in The City of San Diego, according to Map thereof No. 283, on the conditions therein expressed; setting aside and dedicating the land therein conveyed to the public use as and for a public street, and naming the same Boston Avenue; 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 a certified copy of this Resolution; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117313, recorded on Microfilm Roll No. 77, accepting the deed of Laura Cheney, and Don O. Shively, executed in favor of The City of San Diego, bearing date March 16, 1954, conveying to said City an easement and right of way for street purposes through, along and across a portion of Alley (closed) lying adjacent

to the Northeasterly line of Lot 2, Block 18, La Jolla Hermosa, in The City of San Diego, according to Map thereof No. 1810, on the conditions therein expressed; setting aside and dedicating to the public use as and for a public street the land therein conveyed; and naming the same La Jolla Hermosa Avenue; 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 a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117314, recorded on Microfilm Roll No. 77, accepting the deed of M. Moore, Jr. and Margaret Moore, executed in favor of The City of San Diego, bearing date March 11, 1954, conveying to the City an easement and right of way for street purposes through, along and across a portion of Alley (closed by Resolution No. 42187, dated 7/25/27), lying adjacent to the Moore property, in the City of San Diego, according to Map thereof No. 1810, on the conditions therein expressed; setting aside and dedicating to the public use as and for a public street the land designated as Parcel 1, and naming the same La Jolla Hermosa Avenue; setting aside and dedicating to the public use as and for a public street the land designated as Parcel 2, and naming the same Via Del Norte; authorizing and directing the City Clerk to file the said deed for record in the office of the Recorder of San Diego County; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117315, recorded on Microfilm Roll No. 77, accepting the deed of W. E. Goodwin and Elsie M. Goodwin, executed in favor of The City of San Diego, bearing date January 30, 1954, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lots 20 and 21, Victory Manor, in the City of San Diego, according to Map thereof No. 2276, on the conditions therein expressed; 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 a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117316, recorded on Microfilm Roll No. 77, accepting the deed of James A. Hirtler and Virginia R. Hirtler, executed in favor of The City of San Diego, bearing date January 30, 1954, conveying to the City an easement and right of way for sewer purposes through, along and across a portion of Lots 21 and 22, Victory Manor, in The City of San Diego, according to Map thereof No. 2276, on the conditions therein expressed; 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 a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117317, recorded on Microfilm Roll No. 77, accepting the deed of Sunland Home Foundation, Incorporated, executed in favor of The City of San Diego, bearing date March 19, 1954, conveying to said City an easement and right of way for sewer purposes through, along and across a portion of Lot 18, Lemon Villa, in the City of San Diego, according to Map thereof No. 734, on the conditions therein expressed; 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 a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117318, recorded on Microfilm Roll No. 77, accepting the deed of Bassett Creek Holding Company, executed in favor of The City of San Diego, bearing date March 1, 1954, conveying to the City an easement and right of way for storm drain purposes through, along and across a portion of Lot 7, Ex-Mission Lands of San Diego (Horton's Purchase), in The City of San Diego, according to Map thereof No. 283, on the conditions therein expressed; 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 a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117319, recorded on Microfilm Roll No. 77, accepting the deed of Earl W. Hunt, Elmer Hunt and Myrtle L. Hunt, executed in favor of The City of San Diego, conveying to the City an easement and right of way for storm drain purposes through, along and across a portion of Lots 23, 24 and 25, Beacon Hill, in The City of San Diego, according to Map thereof No. 1302, on the conditions therein expressed; 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 a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117320, recorded on Microfilm Roll No. 77, accepting the deed of Clifford M. Potts and Velma Potts, executed in favor of The City of San Diego, bearing date March 19, 1954, conveying to said City an easement and right of way for storm drain purposes through, along and across a portion of Block 3, Logan Avenue Addition, in the City of San Diego, County of San Diego, according to Map thereof No. 1116, on the conditions therein expressed; 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 a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117321, recorded on Microfilm Roll No. 77, accepting the deed of Western Mutual Corporation, executed in favor of The City of San Diego,

bearing date March 15, 1954, conveying to the City an easement and right of way for storm drain purposes through, along and across a portion of Lot 1, Block 1, Emerson Heights, in The City of San Diego, according to Map thereof No. 1851, on the conditions therein expressed; 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 a certified copy of this resolution; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Schneider, seconded by Councilman Dail, Ordinance amending the San Diego Municipal Code by amending Section 101.0401 thereof, relating to establishment of Zones within the City of San Diego, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

On motion of Councilman Dail, seconded by Councilman Wincote, Ordinance amending the San Diego Municipal Code by amending Sections 102.01, 102.02, 102.03, 102.12 and 102.16 thereof, and by adding thereto new Sections Numbered 102.02.1, 102.02.2 and 102.02.3, all Regulating Subdivisions, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail and Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

On motion of Councilman Schneider, seconded by Councilman Dail, Ordinance amending the San Diego Municipal Code by amending Section 102.18 and by adding thereto three new sections to be known as and numbered 102.18.1, 102.18.2 and 102.18.3 relating to final Subdivision Maps, was introduced by the following vote, to-wit: Yeas---Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail and Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

After the introduction of the above ordinances Glenn Rick of the City Planning Department, briefly explained some of the features contained in said ordinances.

By unanimous consent, at the request of the Mayor, on motion of Councilman Schneider, seconded by Councilman Wincote, the next Ordinance was introduced.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of said ordinance in full 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 passage a written or printed copy.

ORDINANCE NO. 6030 (New Series), recorded on Microfilm Roll No. 77, appropriating the sum of \$227,000.00 from Harbor Department Capital Trust Fund for the purpose of providing funds for Capital Improvements on Tidelands in The City of San Diego, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail and Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

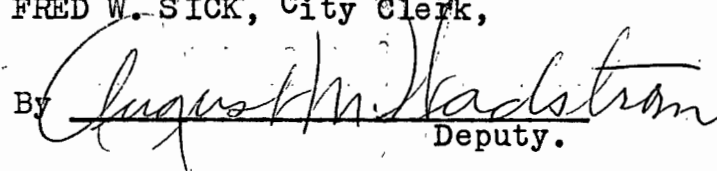
By unanimous consent, at the request of Councilman Kerrigan, a communication from the East San Diego Chamber of Commerce, signed by William C. Berry, Secretary, relative to a recent break in the City-owned water main located in the Alley between Van Dyke Avenue and 43rd Street, and just south of University Avenue, was presented.

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

There being no further business to come before the Council at this time, on motion of Councilman Dail, seconded by Councilman Burgener, the meeting adjourned at the hour of 10:15 o'clock A.M.


Mayor of The City of San Diego, California.

ATTEST:
FRED W. SICK, City Clerk,

By 
Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, March 30,
1954

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 10:04 o'clock A.M.

Mayor Butler presented Lester E. Bond D.D., Minister, Kensington Community Church. Dr. Bond gave the invocation.

The Minutes of the Regular Council Meetings of Tuesday, March 23, 1954, and of Thursday, March 25, 1954, were presented to the Council.
On motion of Councilman Schneider, seconded by Councilman Burgener, they were approved, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for construction of sanitary outfall sewer in the Muirlands (northerly section) in portions of West Muirlands Drive, El Camino Del Canon, Muirlands Drive and El Camino Del Teatro - Specification No. 391, (W.O. 21152) - the Clerk reported 3 bids had been received, and presented them to the Council.

On motion made and seconded, they were publicly opened and declared.

The bids were as follows:

Cameron Bros. Construction Company, accompanied by bond written by Glens Falls Indemnity Company in the sum of 10% of amount bid, given Document No. 487586;

Walter H. Barber and H. R. Breeden, as joint venturers, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of 10% of amount of accompanying bid, given Document No. 487587;

L. B. Butterfield, accompanied by bond written by Maryland Casualty Company of Baltimore in the sum of 10% of amount of bid, given Document No. 487588.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Alley Block 25 Ocean Beach, under Resolution of Intention No. 116281, the Clerk reported 5 bids had been received, and presented them to the Council.

On motion made and seconded, they were publicly opened and declared.

The 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 of New York in the sum of \$600.00, given Document No. 487589;

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, given Document No. 487590;

Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$1,000.00, given Document No. 487591;

John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$600.00, given Document No. 487592;

Gilman Grading Company, accompanied by bond written by The Phoenix Insurance Company in the sum of \$500.00, given Document No. 487593.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Alley Block 76 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions of Acre Lots 16, 37, 45, 46, and Blocks 150 and 151 Pacific Beach, the Clerk reported 5 bids had been received, and presented them to the Council.

On motion made and seconded, they were publicly opened and declared.

They were as follows:

V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$500.00, given Document No. 487594;

William M. Penick and Lloyd T. Penick, copartners doing business under firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$500.00, given Document No. 487595;

John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$500.00, given Document No. 487596;

Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$1,000.00, given Document No. 487597;

Gilman Grading Company, accompanied by bond written by The Phoenix Insurance Company in the sum of \$500.00, given Document No. 487598.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Alley Block 176 University Heights, the City Clerk reported 5 bids had been received, and presented them to the Council.

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

They were as follows:

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, given Document No. 487599;

William M. Penick and Lloyd T. Penick, copartners doing business under firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$700.00, given Document No. 487600;

Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$1,000.00, given Document No. 487601;

John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$700.00, given Document No. 487602;

Gilman Grading Company, accompanied by bond written by The Phoenix Insurance Company in the sum of \$550.00, given Document No. 487603.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 116896 of Preliminary Determination for installation of sidewalks and appurtenances in Missouri Street, under said Resolution, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners were present to be heard.

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

RESOLUTION NO. 117322, recorded on Microfilm Roll No. 77, determining that improvement of Missouri Street, under Resolution No. 116896 of Preliminary Determination is feasible, and that lands to be assessed will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing - continued from March 23, 1954 - on Resolution No. 116790 of Preliminary Determination,

RESOLUTION NO. 117323, recorded on Microfilm Roll No. 77, continuing hearing on Resolution No. 116790 of Preliminary Determination for paving and otherwise improving Wunderlin Avenue, under said Resolution, to the hour of 10:00 o'clock A.M., Tuesday, April 6, 1954, 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 continued hearing on protest against closing portion of Hawk Street, the City Manager stated that the Council is familiar with the situation. He showed a sketch of the street and the deep canyon adjoining it. He explained regarding the affected Barron property. He told the Council about a drainage structure, from a plat not seen by the Clerk. He explained to the Council who would get which portion of closed street. He referred to there being no basic public interest on the proposed closing. Beyond a specified point it is a private matter between the 2 owners, he stated.

Mayor Butler asked if the Council can close the street, if there is no public interest.

Before Douglas D. Deaper, Deputy City Attorney, of whom the question was asked, the City Manager showed the Council the Barron property.

Bart G. Barron declared that he can't get in to his property, if the street were closed.

The City Manager stated that the Barron property is broken up on account of the terrain. It would be expensive to provide access, he added.

Mr. Deaper, answering Councilman Godfrey, replied to Councilman Godfrey regarding there being no power to close, if there is no public interest therefor.

The Mayor referred to a question of judgment involved. He said that it

could be in the public interest to close it, in order to make property usable and to put it on the tax roll.

Councilman Wincote showed the Council on a map an existing "pink" house. He said he thinks the property owners cannot use anything, referring to the street sought to be closed.

Councilman Schneider pointed out that the City can't close the street, even if there is a trade involved.

Discussion took place between Councilman Wincote and Mr. Baron regarding use of the Baron property and access thereto.

Mr. Baron spoke of what he proposed to do in order to provide access. He said that dirt is going to be pushed in to provide level property. After some discussion with Councilman Wincote on that point, he wondered what interest the cost would be to the Councilman inasmuch as Mr. Baron proposed to pay for it. He spoke of having the plans. He asked what right the Council has to prohibit the use of the property.

Councilman Godfrey said that before proceeding it is the assumption that the street can't be closed, so he wondered why the discussion. He said, however, that this street has the same ingredients as many that have been closed.

Mr. Deaper emphasized that the City can't make any trade. He referred to a statement having been made relative to no public interest. Next, he read from an unidentified ruling regarding power to close.

Councilman Dail referred back to the Radio Road proposal for closing, some years previously.

Councilman Wincote told Mr. Baron that he thinks Mr. Baron will not go in from the top side.

Mr. Baron insisted that the proposed closing is for a selfish interest.

Councilman Wincote declared that if any side is to be closed, it would be west side.

Mrs. Wallihan told the Council that she wants the closing to provide a fire break from the canyon - for her house and for others.

Councilman Dail said that if it is the fire angle involved, the property owners should clean the canyon.

Mr. Wallihan was heard. He told of the lengthy owning of the property, and the landscaping on Hawk Street by use of ice plant to save from canyon fire. To build a street is impracticable, according to the speaker. He said that it has in effect been closed ever since he owned the property. Mr. Wallihan let it be known that he does not want the closing for personal gain, but for protection. Nine months of the year the canyon is a tinder box, he declared.

The Mayor, after having talked with the City Manager, announced that the City Manager had told him that the City will give permission to landscape the area.

Mr. Wallihan maintained that the area is an eyesore, and that he has to clean it up. Answering Councilman Wincote, he referred to being on the south side of Brooks Street.

Councilman Schneider mentioned that Mr. Baron had no objection to the closing of a portion.

Discussion between Councilman Wincote and Mr. Baron took place again.

Councilmen Kerrigan declared that if the Council closes the street, the City could have an action in court.

Councilman Wincote would like to drive the entire Council out to the site and look at it from various angles, he said.

Councilman Godfrey spoke of there being 3 interested points of view.

Mrs. Wallihan spoke of building a house, and that if the street is closed, it would give more property to utilize.

Councilman Godfrey carried on a discussion with Mrs. Wallihan. He advised leaving the situation as is, and that an application be made to the City Manager for permission to landscape.

Councilman Godfrey moved to deny the closing, which motion was seconded by Councilman Schneider.

Before the roll was called, Councilman Godfrey discussed the matter of width with Mrs. Wallihan, if the street were improved.

Councilman Schneider took the position that Mr. Baron should be protected.

Mr. Baron, answering Councilman Wincote, said that that it would be within a year that he develops. Mr. Baron insisted that Councilman Wincote should protect the neighborhood, rather than provide for the benefit of an individual.

The roll was called on the motion, resulting in adoption of

RESOLUTION NO. 117324, recorded on Microfilm Roll No. 77, denying petition for closing the westerly half (40 feet) of Hawk Street, between the northerly line of Walnut Avenue and the southerly line of Brooks Avenue, contained in Document No. 478796.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on ordinance incorporating portion of Pueblo Lot 1202 into R-1 Zone, and repealing Ordinance No. 5193 (New Series) - the Ordinance was introduced on March 11, 1954, and this hearing set - the Clerk reported that no written protests had been received.

At the request of the Mayor, Harry C. Haelsig, Asst. City Planning Director, explained the area to the Council.

The Mayor asked if any interested affected property owners were present to be heard. No one appeared to be heard, and no written protests were presented.

ORDINANCE NO. 6031 (New Series), recorded on Microfilm Roll No. 77, incorporating portion of Pueblo Lot 1202 into R-1 Zone, as defined by Section 101.0405 of The San Diego Municipal Code and repealing Ordinance No. 5193 (New Series), insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Reading of the ordinance in full prior to final passage was dispensed with on motion of Councilman Schneider, seconded by Councilman Kerrigan, by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

Communication from the Purchasing Agent, with Assistant to the City Manager's stamp of approval, reporting on bids received February 5, 1954, for furnishing Map Cases for use in new library, from 6 bidders, was presented. It recommends award to Engineer's Service, low bidder, for Item 1 and 2.

RESOLUTION NO. 117325, recorded on Microfilm Roll No. 77, accepting bid of Engineers' Service Company for furnishing Item 1, 3 Map File Assemblies 50 x 38" @ \$313.24 each; Item 2, 4 Map File Assemblies 43 x 32" @ \$252.00 each, terms net, plus State Sales Tax; awarding contract, authorizing and instructing the City Manager to enter into and execute contract pursuant to specifications on file in the office of the Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, with Assistant to the City Manager's stamp of approval, reporting on bids received from 6 bidders for furnishing Record Playing and Sound Equipment for the new San Diego Public Library. It recommends award to Breier Sound Center of San Diego (bid included installation).

RESOLUTION NO. 117326, recorded on Microfilm Roll No. 77, accepting bid of Breier Sound Center for furnishing Record Playing and Sound Equipment for the new San Diego Public Library for \$1,428.87 including State Sales Tax; awarding contract, authorizing and instructing the City Manager to enter into and execute contract pursuant to specifications on file in the office of the Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, with Assistant to the City Manager's stamp of approval, reporting on bids received March 12, 1954, from 4 bidders, for furnishing 1 20" Standard Duty Shaper, was presented. It recommends award to Tornquist Machinery Company, low net bidder.

RESOLUTION NO. 117327, recorded on Microfilm Roll No. 77, accepting bid of Tornquist Machinery Co. for furnishing 1 Smith & Mills 20" Standard Duty Shaper - Universal Table Type, @ \$7,433.75 less trade-in of City owned Stockbridge 18" Shaper @ \$800.00 - net price \$6,633.75 terms net plus State Sales Tax; awarding contract, authorizing and instructing 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, with Assistant to the City Manager's stamp of approval, reporting on bids for furnishing 13 to 18 Radio Transmitter-Receivers on October 14, 1953. In addition to a detailed report, it recommends rejection. It states new specifications have been prepared under which General Electric Company may legally bid, and it is believed that Motorola, Inc., would also submit its bid in response to another bid call. The report says that proposed specifications at this time call for purchase of 13 Radio Transmitter-Receivers during the present fiscal year, with option on part of supplier to furnish not to exceed 13 additional during the following 6 months and after beginning of the new fiscal year.

Asked by members of the Council about the matter, the City Manager said that it is quite complicated. He told about bids, which didn't meet specifications. He said that minor technicality is reason for rejection.

RESOLUTION NO. 117328, recorded on Microfilm Roll No. 77, rejecting all bids received for furnishing 13 to 18 Transmitter-Receivers, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, with Assistant to the City Manager's stamp of approval, presenting resolution to authorize bids for 3 Combination Pumping Engines, Hose Carriers and Water Tanks for Civil Defense, was presented.

At Councilman Godfrey's request, the City Manager explained the proposal. Councilman Kerrigan said that it had all been discussed in Conference, some time ago.

Councilman Godfrey observed that to review the whole Civil Defense picture would be a good idea.

The City Manager said that these are commitments of months ago. He said it was state-approved equipment.

Councilman Godfrey wondered if there was a dead line. Again, he said it would be a good idea to review the whole approach to Civil Defense. He said it might go to Conference.

The City Manager advised the Council of a conference to be held in Los Angeles soon on civil defense - to which he said all were invited.

Councilman Godfrey moved to refer the matter to conference, to include a broad review.

The City Manager said that Civil Defense equipment is to be held for reserve, but that it can be pulled out for a 3-alarm fire. He spoke of using old equipment for reserve, but that this can be used.

Councilman Godfrey re-iterated that it would be a good idea to review the whole situation.

Answering the City Manager, Orin Cope, Assistant to the City Manager, said that the deadline is June 30.

The City Manager said the Purchasing Agent could advertise, and the Council then consider in conference. Then he asked why not hold it until Thursday.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the matter was continued until the meeting of Thursday, April 1.

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Civil Defense matter cont to 4/1/54

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Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, presenting Resolution to authorize advertising for bids for 13 to 26 Radio Transmitter-Receivers for Electrical Division of Public Works Department, was presented.

RESOLUTION NO. 117329, recorded on Microfilm Roll No. 77, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 13 to 26 Radio Transmitter-Receivers in accordance with Document No. 487442, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, presenting Resolution to authorize advertising for bids for 1 Tractor Bulldozer for Sanitation Division of Public Works Department, was presented.

RESOLUTION NO. 117330, recorded on Microfilm Roll No. 77, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 Tractor Bulldozer in accordance with Document No. 487441, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117331, recorded on Microfilm Roll No. 77, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and expense necessary or incidental for preparation of exterior surfaces and application of two coats of paint to the Buildings of the Central Police Station at Market Street and Pacific Highway, bearing Document No. 487440; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code insofar as they relate to Tentative and final maps of Hazelwood Heights Unit No. 2, was presented.

RESOLUTION NO. 117332, recorded on Microfilm Roll No. 77, suspending Sections 102.09 1 & 2, 102.18-8, 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code in connection with Tentative Map of Hazelwood Heights Unit No. 2, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Hazelwood Heights Unit No. 2 - similar to Tentative Map approved under name Don Diego Manor several years ago, except that it omits portion of property included in that map. It is a 109-lot subdivision located westerly of 52nd Street on prolongation of Crane and Redwood Streets. Approval is subject to 10 conditions, in the recommendation.

RESOLUTION NO. 117333, recorded on Microfilm Roll No. 77, approving Tentative Map of O. D. Arnold's Hazelwood Heights Unit No. 2, subject to conditions contained therein, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by P. Q. Burton, forwarding petition for rezoning from R-1 to C and CP zones of portion of 46-acre parcel bounded by Clairemont Drive and Clairemont Mesa Boulevard, set aside from the beginning of Clairemont Development as major shopping center, was presented. It recommends change in order to avoid as much as possible, traffic interference by cars going in and out of service station. The communication suggests forwarding to City Attorney's office for drafting of proper ordinance prior to setting for public hearing.

RESOLUTION NO. 117334, recorded on Microfilm Roll No. 77, requesting the City Attorney to prepare and present ordinance for rezoning portion of Pueblo Lot 1237 at Clairemont Drive and Clairemont Mesa Boulevard, in accordance with Document No. 478465, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on petition for rezoning Soledad Terrace, portion of Pueblo Lot 1785 and one block in Nettleship-Tye Tract No. 2 from R-1 to R-1B and R-1C, was presented. It identifies the district as lying above Loring Street on hills above Pacific Beach, and says that about 69% of property owners have signed the petition and that no protests have been received. The communication suggests forwarding to the City Attorney's office for drafting ordinance prior to setting for public hearing.

RESOLUTION NO. 117335, recorded on Microfilm Roll No. 77, requesting the City Attorney to prepare and present ordinance for rezoning from R-1 to R-1B and R-1C portion of Pueblo Lot 1785 and one block in Nettleship-Tye Tract No. 2, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting petition for rezoning from R-1 to R-4 property on both sides of Granada Street between Dwight Street and Myrtle Avenue, was presented. It states, among other things, that the area is not suitable for R-4 because lots are too small. It recommends change to R-2.

RESOLUTION NO. 117336, recorded on Microfilm Roll No. 77, requesting the

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City Attorney to prepare and present ordinance for rezoning portion Blocks 27 and 28 West End Addition, in accordance with recommendation of City Planning Commission in Document No. 487467, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by P. J. Burton, stating that the Commission had considered interim zone ordinance for "Rolando Tract", area recently annexed to the City, annexion to probably become effective about April 16, 1954, was presented. It presents map showing the zoning proposed, in which restrictions are similar to the City's R-1, R-2, R-4 and C zones. The communication recommends that ordinance be adopted as an emergency measure until a more thorough study can be made and hearings held on a final zoning pattern, and suggests forwarding to City Attorney's office for drafting of a proper ordinance.

RESOLUTION NO. 117337, recorded on Microfilm Roll No. 77, requesting the City Attorney to prepare and present ordinance creating and establishing interim zoning in recently-annexed area designated "Rolando Tract" in accordance with recommendation in Document No. 487379, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Board of Architectural Review, signed by P. C. Kelley, secretary, recommending that resolution approving rules as required by Section 101.0703 of the San Diego Municipal Code - to be used by the staff and the Board of Architectural Review in considering structures submitted for approval, in addition to rules and standards adopted by the Council in Resolution 116880, March 2, 1954 - was presented.

RESOLUTION NO. 117338, recorded on Microfilm Roll No. 77, approving rules adopted by the Board of Architectural Review at the meeting of March 9, 1954, and amended at the meeting of March 22, 1954, as part of the requirements of Section 101.0703 of the Municipal Code - set out in detail in the Resolution - was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Board of Architectural Review, signed by P. C. Kelley, secretary, recommending that resolution approving standards as required by Section 101.0703 of the San Diego Municipal Code - to be used by the staff and the Board of Architectural Review in considering exterior materials to be used on structures submitted for approval, in addition to rules and standards adopted by the Council in Resolution 116880, March 2, 1954 - was presented.

RESOLUTION NO. 117339, recorded on Microfilm Roll No. 77, approving standards adopted by the Board of Architectural Review at the meeting of March 9, 1954, to be used by the staff and the Board of Architectural Review in considering structures submitted for approval, as part of requirements of Section 101.0703 of the Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the City Manager recommending that Resolution be adopted of Intention to call special election for annexation of all Lot 31 and portion of Lot 35 known as La Mesa Colony 5, subject to granting sufficient easements in order to widen existing 67th Street right of way from 40 feet to 50 feet, was presented.

RESOLUTION NO. 117340, recorded on Microfilm Roll No. 77, of intention to call special election within territory to be known and designated as "La Mesa Colony Tract No. 5", in the County of San Diego, State of California, for submitting to electors residing therein the question whether the territory shall be annexed to and incorporated within the City of San Diego, and property therein shall after such annexation, be subject to taxation equally with property within The City of San Diego to pay the bonded indebtedness of the City outstanding at the date of such annexation, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from City Engineer, recommending that proceedings under Resolution No. 113516 for installation of sewers in Blocks 9 and 10 Drucker's Subdivision, to include portions of Blocks 11, 14 and 15 Drucker's Subdivision, was presented.

RESOLUTION NO. 117341, recorded on Microfilm Roll No. 77, adopting recommendation of City Engineer filed in the office of the City Clerk March 25, 1954, under Document No. 487290; authorizing the City Engineer to amend proceedings for improvement of Alleys in Blocks 9 and 10 Drucker's Subdivision, to include portions of Blocks 11, 14 and 15 Drucker's Subdivision, in accordance with the recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Petition of Normal Heights citizens protesting closing and removal of the Normal Heights Library, and giving reasons for the position, was presented.

RESOLUTION NO. 117342, recorded on Microfilm Roll No. 77, referring petition protesting closing and removal of Normal Heights Library to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Cabrillo Theatre Co., signed by Gus C. Metzger, lessees and operators of the Theatre located on the Plaza in downtown San Diego, expressing the opinion that the proposal before the Council to condemn the block in which the business is located (relative to Plaza parking, underground), was presented. It gives the various reasons for the view.

The communication was filed.

Joseph C. Gahan appeared, and asked to be heard.

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The filing action was reconsidered
 Mr. Gahan was heard in opposition to condemnation.
 The Mayor said that the matter was premature, and that it is not up for a public hearing.

Councilman Godfrey told Mr. Gahan that the Council does not contemplate condemnation.

Mr. Gahan said that, appearing for friends who had asked him to do so, he was going on record as opposing such an idea.

Councilman Dail pointed out that there has never been a definitely stated policy, and that there is need to set out one.

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

Communication from Fintzelberg & Steinmetz, agents and property agents for the Cabrillo Theatre Building, signed by Theo. Fintzelberg, dated March 25, 1954, was presented. It protests, on behalf of the present six owners who are heirs of the original Pignot-Loupy ownership of over 60 years, proposal to condemn the block south of Horton Plaza (relative to underground Plaza parking), was presented.

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

Communication from R.R. Smith, Captain, U.S. Navy, retired, 6165 Mary Lane Drive, San Diego 15, dated March 25, 1954, was presented. It objects to being billed one year in advance for furnishing of current for street lighting. The communication also takes exception to: "if you do not pay this bill one month ahead of the time you commence receiving the benefit of this current (April 30, 1954) we will SELL your home 17 days before you commence using this current ! (May 13, 1954)"

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

Communication from Robert O. Peterson, 1105 12th Avenue, San Diego 2, dated March 24, 1954, attaching detailed report on the tourist industry in the San Diego area, being an exhaustive study and analysis of the existing tourist promotion efforts, was presented. It requests immediate consideration, since the City contributes tax funds to tourist promotion activities. The communication states that after it has been considered, he will be happy to appear to amplify any points the City wishes to discuss.

RESOLUTION NO. 117343, recorded on Microfilm Roll No. 77, referring communication from Robert O. Peterson re tourist industry in San Diego to Budget Conference, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The Propeller Club of the United States, Room 2 "B" St. Pier, San Diego 1, dated March 24, 1954, signed by V. E. Mattson, president, and James C. Potts, Secretary-Treasurer, was presented. It states that at the March meeting the writers were instructed to forward strong recommendation that the Harbor Commission be granted use of a \$300,000. reserve and drawing account to be used for improvement and development of the port facilities, was presented.

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

Communication from San Diego Municipal Employees' Association, Inc., 202 Broadway Pier, San Diego 1, California, signed by Mary E. Harvey, Executive Secretary, dated March 24, 1953, submitting copy of March 19 sent to the Civil Service Commission, which was considered at the Commission meeting of March 23. It presents preliminary requests on salaries for the fiscal year 1954-55 and for changes in compensation policies which are governed by Civil Service Rules. (The letter to the Commission requests, among other things, a general 5% salary increase).

RESOLUTION NO. 117344, recorded on Microfilm Roll No. 77, referring communication from San Diego Municipal Employees' Association, Inc. submitting copy of letter of March 19 to the Civil Service Commission, to the Salary Conference, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117345, recorded on Microfilm Roll No. 77, directing notice of filing of the Street Superintendent's Assessment No. 2223 and time and place of hearing thereof for paving and otherwise improving Alleys Blocks 15 and 42 Ocean Beach, under Resolution of Intention No. 112504, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117346, recorded on Microfilm Roll No. 77, directing notice of filing of the Street Superintendent's Assessment No. 2222 and time and place of hearing

thereof for paving and otherwise improving Alley Block 54 Ocean Beach, under Resolution of Intention No. 114059, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117347, recorded on Microfilm Roll No. 77, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 46 Ocean Beach, and Sunset Cliffs Boulevard under Document No. 487296; approving Plat No. 2539 showing exterior boundaries of district to be included in assessment for work and improvement; directing the City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117348, recorded on Microfilm Roll No. 77, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block I Montecello under Document No. 487294; approving Plat No. 2547 showing exterior boundaries of district to be included in assessment for work and improvement; directing the City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117349, recorded on Microfilm Roll No. 77, approving plans, typical cross-sections, profiles and specifications for storm drain in 47th Street under Document No. 487292; approving Plat No. 2561 showing exterior boundaries of district to be included in assessment for work and improvement; directing the City Clerk upon passage of Resolution of Intention to file plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 117350, recorded on Microfilm Roll No. 77, for paving Alleys in Blocks 199 and 220 Pacific Beach, under Resolution of Intention No. 116718, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 117351, recorded on Microfilm Roll No. 77, for paving and otherwise improving Congress Street and Hortensia Street, under Resolution of Intention No. 116719, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 117352, recorded on Microfilm Roll No. 77, for paving and otherwise improving Wells Street, under Resolution of Intention No. 116720, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 117353, recorded on Microfilm Roll No. 77, for paving and otherwise improving Wunderlin Avenue and 60th Street, under Resolution of Intention No. 116721, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 117354, recorded on Microfilm Roll No. 77, for closing portion of Bangor Street, described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117355, recorded on Microfilm Roll No. 77, directing notice inviting sealed proposals for furnishing electric current for lighting ornamental street lights located in College Park Lighting District No. 1, for one year from and including June 1, 1954, in strict accordance with plans and specifications contained in Engineer's Report and Assessment for College Park Lighting District No. 1 filed February 5, 1954 in office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117356, recorded on Microfilm Roll No. 77, directing notice inviting sealed proposals for furnishing electric current for lighting ornamental street lights in Collwood Lighting District No. 1, for one year from and including June 1, 1954, in strict accordance with plans and specifications contained in Engineer's Report and Assessment for Collwood Lighting District No. 1 filed February 5, 1954 in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 117357, recorded on Microfilm Roll No. 77,

for paving and otherwise improving Commercial Street, within limits and as described in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 117358, recorded on Microfilm Roll No. 77, for paving and otherwise improving Jamacha Road and Flicker Street, within limits and as described in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 117359, recorded on Microfilm Roll No. 77, for paving and otherwise improving Mohawk Street, 71st Street and 72nd Street, within limits and as described in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117360, recorded on Microfilm Roll No. 77, appointing time and place for hearing protests and directing notice of hearing for furnishing electric current for lighting ornamental street lights located in San Diego Lighting District No. 2, for a period of one year from and including July 1, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117361, recorded on Microfilm Roll No. 77, for paving and otherwise improving Alley Block I Montecello, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117362, recorded on Microfilm Roll No. 77, for paving and otherwise improving Alley Block 46 Ocean Beach, and Sunset Cliffs Boulevard, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117363, recorded on Microfilm Roll No. 77, for storm drains in 47th Street, within limits and as described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117364, recorded on Microfilm Roll No. 77, ascertaining and declaring wage scale for paving and otherwise improving Alleys Block 66 Resubdivision of Blocks 39 and 56 Normal Heights, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117365, recorded on Microfilm Roll No. 77, ascertaining and declaring wage scale for sewers in Klauber Avenue, Pierino Drive, Zeller Street, Plover Street, Hilger Street, Gibson Street, Tarbox Street, Madera Street, and Public Rights of Way, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117366, recorded on Microfilm Roll No. 77, ascertaining and declaring wage scale for paving and otherwise improving Quimby Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117367, recorded on Microfilm Roll No. 77, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 22 City Heights, described in Resolution of Intention No. 113261, and to be assessed to pay expenses thereof; directing City Clerk to certify fact and date thereof, and immediately deliver diagram certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117368, recorded on Microfilm Roll No. 77, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block A First Addition to Ocean Front, described in Resolution of Intention No. 114742, and to be assessed to pay expenses thereof; directing City Clerk to certify fact and date thereof, and immediately deliver diagram certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117369, recorded on Microfilm Roll No. 77, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 63 University Heights, and Meade Avenue, described in Resolution of Intention No. 114359, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117370, recorded on Microfilm Roll No. 77, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving 62nd Street, and Fergus Street, described in Resolution of Intention No. 112883, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117371, recorded on Microfilm Roll No. 77, approving diagram of property affected or benefited by work of improvement to be done on paving Z Street, described in Resolution of Intention No. 113754, and to be assessed to pay expenses thereof; directing City Clerk at same time of approval to certify fact and date thereof, and immediately deliver diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Harbor Department, signed by John Bate, Port Director, requesting adoption of Resolution authorizing demolition and salvaging of material of Shed No. 3, B Street Pier - Harbor Job Series 18,000 Fund 511 - by appropriate City forces, was presented. (total is \$10,760.00).

RESOLUTION NO. 117372, recorded on Microfilm Roll No. 77, authorizing and empowering the Port Director to do all the work in connection with demolition and salvaging of material of Shed No. 3, B Street Pier, by appropriate City forces in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117373, recorded on Microfilm Roll No. 77, authorizing the City Manager to accept on behalf of The City of San Diego work in La Jolla Shores Terrace Subdivision - Agreement Document No. 469935 - and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117374, recorded on Microfilm Roll No. 77, authorizing the City Manager to accept on behalf of The City of San Diego work in Lomita Village Unit No. 3 Subdivision - Agreement Document No. 460967 - and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117375, recorded on Microfilm Roll No. 77, that from and after date of the Resolution none of waters of The City of San Diego obtained from Colorado River, or to which said City is entitled, shall be sold to or delivered to any of the other member agencies of the San Diego County Water Authority except under and pursuant to agreement made with such member agency seeking such water that it will reimburse The City of San Diego as a service charge to the extent of \$10.00 per acre foot for each acre foot of water sold and delivered by either the County Water Authority to said agency or by said City pursuant to terms of said agreement, over and above the actual cost of the water fixed by the Board of Directors of the San Diego County Water Authority, namely, \$12.00 per acre foot, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted. (There was discussion later - page 451 of these Minutes).

RESOLUTION NO. 117376, recorded on Microfilm Roll No. 77, prohibiting parking of automobiles between 4:00 P.M. and 6:00 P.M., Sundays excepted, on:
Both sides of Broadway, between Seventh Avenue and Twelfth Avenue;
Both sides of Fifth Avenue, between A Street and E Street;
authorizing and directing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117377, recorded on Microfilm Roll No. 77, accepting bid of S. J. Renz for purchase of portion of City-owned Lot 3 Block 393 Old San Diego, described in the Resolution - reserving to The City the right of access in and to Morena Boulevard - for the price of \$7000.00 bid at public auction sale, was on motion of Council-

man Schneider, seconded by Councilman Burgener, adopted.

The Resolution says that Rexford C. Starling requested property be put up for sale, and accompanied request by deposit of \$100.00 to cover all costs pertaining to sale of the property, as required by Section 22.0902 of the San Diego Municipal Code; that prior to date fixed for sale C. O. Heffner, Empire Mortgage & Loan Company, and A & P Realty Company, Licensed Real Estate Brokers, registered with the Property Supervisor their names and addresses and names and addresses of clients willing and able to make bona fide bid at least equal to minimum amount which the Council fixed, and at the time of registration deposited certified checks in an amount equal to 5% of minimum price fixed by the Council; that auction sale held in the office of the Property Supervisor at 10 o'clock A.M., March 1954, the client of C. O. Heffner, licensed real estate broker: S. J. Renz, submitted highest bid in sum of \$7,000.00, which exceeds minimum amount fixed for sale, and the City Manager has recommended acceptance. (Mayor and City Clerk were authorized to execute deed).

RESOLUTION NO. 117378, recorded on Microfilm Roll No. 77, accepting bid of Fred R. Howard and Exzilda M. Howard for purchase of City-owned Lot 3 except East 60 feet, Block 14 F. T. Scripps' Addition - for price of \$200.00 bid at public auction sale, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The Resolution says that Fred R. Howard and Exzilda M. Howard submitted the only bid, which is the minimum amount the Council fixed for sale of the property. (Mayor and City Clerk were authorized to execute deed).

RESOLUTION NO. 117379, recorded on Microfilm Roll No. 77, authorizing the City Manager to employ Cox Bros. Construction Co. to install 206.3 feet of 6-inch V. C. sewer and one manhole, in connection with improvement work on Florida Street, between Franklin Avenue and Ocean View Boulevard, as shown on Drawing No. 10821-L, cost of work not to exceed \$990.13, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The Resolution says that The City of San Diego has entered into contract with Cox Bros. Construction Co. for paving, etc., Gloria Street between Franklin Avenue and Ocean View Boulevard under 1911 Street Improvement Act proceeding, and that Drawing No. 10821-L shows work to be constructed by The City, that the contractor has offered to do the work for said sum and the City Manager has recommended offer be accepted and work be done by the contractor.

RESOLUTION NO. 117380, recorded on Microfilm Roll No. 77, authorizing and empowering the City Manager to do all work in connection with installation of 380 feet of 6-inch water main and one fire hydrant on Banks Street, from Sherman Street to Alley south of Sherman Street, by appropriate forces, was on motion of Councilman Schneider, seconded by Councilman Schneider, seconded by Councilman Wincote, adopted.

The Resolution says that Water Department, Division of Distribution, has recommended installation of main and hydrant; the City Manager has submitted estimates for the work, and has indicated the same can be done by City forces more economically than if let by contract.

RESOLUTION NO. 117381, recorded on Microfilm Roll No. 77, approving Change Order No. 18, dated March 15, 1954, heretofore filed with the City Clerk as Document No. 487547, 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; changes amounting to increase in contract price of \$166.50, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117382, recorded on Microfilm Roll No. 77, approving request of Bent Construction Company and Daley Corporation, dated March 23, 1954, contained in Change Order No. 19, for extension of 60 days to and including June 7, 1954, filed with the City Clerk as Document No. 487549, in which to complete contract for construction of Sutherland Dam, contract contained in Document No. 452841 on file in the office of the City Clerk; extending completion time to June 7, 1954, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117383, recorded on Microfilm Roll No. 77, approving Change Order No. 2, dated February 26, 1954, heretofore filed with the City Clerk as Document No. 487551, issued in connection with contract between City of San Diego and L. B. Butterfield, for installation of Muirlands Sewer, contract contained in Document No. 483398; changes amounting to increase in contract price of approximately \$1157.50, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted. (entire cost of addition is to be borne by Mr. James Copley; for benefit of Copley property)

RESOLUTION NO. 117384, recorded on Microfilm Roll No. 77, approving Change Order No. 3, dated March 5, 1954, heretofore filed with the City Clerk as Document No. 487553, issued in connection with contract between the City of San Diego and L. B. Butter-

field for installation of Muirlands Sewer, contract contained in Document No. 483398; changes amounting to decrease in contract price of approximately \$624.80, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117385, recorded on Microfilm Roll No. 77, approving request of W. A. Robertson & Company, dated March 17, 1954, contained in Change Order No. 3, for extension of 30 days to and including April 16, 1954, heretofore filed with City Clerk as Document No. 487555, in which to complete contract for installation of Small Water Main Replacements, Group No. VII (Specification No. 45), contract contained in Document No. 469157 on file in the office of the City Clerk; extending completion time to April 16, 1954, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117386, recorded on Microfilm Roll No. 77, approving Change Order No. 2, dated March 1, 1954, heretofore filed with City Clerk as Document No. 487557, issued in connection with contract between City of San Diego and Pacific Electric Company for installation of traffic signals and safety lights on Rosecrans Street, contained in Document No. 478835 on file in office of City Clerk; changes amounting to increase in contract price of \$74.57, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117387, recorded on Microfilm Roll No. 77, authorizing and empowering City Manager to execute for and on behalf of the City lease agreement with H. A. Oliver of South Parking Lot of Civic Center for period of 7 months beginning on 1st day of March, 1954, more particular description of property and terms and conditions to be set forth in form of lease filed in office of City Clerk under Document No. 487628, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117388, recorded on Microfilm Roll No. 77, authorizing and directing San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of following locations:

California Street south of Bandini Street;
Scott Street at Harbor Drive;
Scott Street at Ingelow Street;
Scott Street at Jarvis Street;
Jarvis Street at dead end east of Scott Street,

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

RESOLUTION NO. 117389, recorded on Microfilm Roll No. 77, granting W. H. Rabshal, 4518 Brighton Street, San Diego 7, to install 40-foot driveway on southerly side of Oliphant Street, between points 32 and 72 feet west of westerly line of Rosecrans Street, adjacent to northerly line of Lot 8 Block 123 Roseville Addition; driveway to meet City requirements for access to service stations, driveway widths to be measured at top of full-height curb, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117390, recorded on Microfilm Roll No. 77, authorizing City Attorney to accept \$50.00 in full settlement of City's claim No. 34023 in amount of \$98.25 for burial of Benjamin F. Taylor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117391, recorded on Microfilm Roll No. 77, authorizing Leo B. Calland, Park and Recreation Director, to attend the conference of California Association for Health, Physical Education and Recreation, to be held in San Jose, California, April 10, 11, 12, 1954; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117392, recorded on Microfilm Roll No. 77, authorizing P. G. Langworthy, Captain, in the Fire Department, to attend California Section Meeting of International Municipal Signal Association, to be held at Riverside, California, April 9 and 10, 1954; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117393, recorded on Microfilm Roll No. 77, accepting Quitclaim Deed executed on 15th day of March, 1954, by Cardiff Homes, Inc., a corporation, quitclaiming to The City of San Diego, all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places,

either within or without, subdivision named Lomita Village Unit No. 6, being subdivision of portion of Blocks C and K and portion of Potrero Street, all in Narragansett Heights; authorizing and directing the City Clerk to file said deed, together with certified copy of the Resolution for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117394, recorded on Microfilm Roll No. 77, accepting quitclaim deed executed on the 16th day of March, 1954, by Cardiff Homes, Inc., a corporation, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named Lomita Village Unit No. 5, being subdivision of Block B and portions of Block C and D Narragansett Heights; authorizing and directing the City Clerk to file deed, together with certified copy of the Resolution for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Proposed Ordinance - introduced February 9, 1954 - and continued from the meetings of February 16, 23, March 2, 9, 16, 23, 1954, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, it was continued to the meeting of Tuesday, April 6, 1954.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the next Ordinance 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 day of final passage a written or printed copy.

ORDINANCE NO. 6032 (New Series), recorded on Microfilm Roll No. 77, naming northerly and southerly Alley lying westerly of and contiguous to Lots 1 to 5 inclusive, Block 2 College Park Unit No. 1, Montezuma Place, 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--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next Ordinance 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 day of final passage a written or printed copy.

ORDINANCE NO. 6033 (New Series), recorded on Microfilm Roll No. 77, dedicating portions of Lots 1 to 5 inclusive, Block 2 College Park Unit No. 1, for street purposes and naming same Montezuma 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. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of the next Ordinance 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 day of final passage a written or printed copy.

ORDINANCE NO. 6034 (New Series), dedicating portion of Lot 1 Block 26 Lexington Park, for street purposes and naming the same Sycamore Drive, 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 Burgener, seconded by Councilman Kerrigan, the reading of the next Ordinance prior to final passage was dispensed with by vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to day of final passage a written or printed copy.

ORDINANCE NO. 6035 (New Series), creating position of Mission Bay Park Director in Classified Service of the City of San Diego, and establishing schedule of compensation - Standard Rate Number 36 - was on motion of Councilman Burgener, 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.

Councilman Dail was excused.

The Council returned to the matter of sale of Colorado River^{Water}, shown on page 448 of these Minutes, at the request of Councilman Godfrey.

The City Manager said that it averages between \$35. and \$45. per acre foot

117394 -
Ord. continued
6032 N.S. - 6035 N.S.

based on various factors.

Councilman Wincote discussed with Councilman Godfrey the matter of cost and sale price.

Councilman Dail returned.

Discussion was carried on between Councilmen Kerrigan and Godfrey.

Councilman Godfrey said that he hopes that whoever gets the water appreciates both the low cost - and the loss involved.

There was no action.

On motion of Councilman Schneider, seconded by Councilman Dail, the next ordinance was introduced.

On motion of Councilman Schneider, seconded by Councilman Dail, the reading of the ordinance 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.

ORDINANCE NO. 6036 (New Series), recorded on Microfilm Roll No. 77, appropriating \$11,100.00 from Unappropriated Balance Fund, for providing funds for operation of Montgomery Field, was on motion of Councilman Schneider, seconded by Councilman Dail, 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 Schneider, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Dail, the reading of the ordinance 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.

ORDINANCE NO. 6037 (New Series), recorded on Microfilm Roll No. 77, authorizing and directing the City Auditor and Comptroller to pay \$350.00 out of money received as purchase price for portion of Lot 3 Block 393 Old San Diego, to C. O. Heffner, licensed real estate broker, as Real Estate Broker's Commissions for sale of the property, was on motion of Councilman Burgener, 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 next ordinance was introduced.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the ordinance 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.

ORDINANCE NO. 6038 (New Series), recorded on Microfilm Roll No. 77, establishing grade of Alley in Block 190 Pacific Beach, according to Map No. 854 between the easterly line of Bayard Street and westerly line of Cass Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted by the following vote: 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 next ordinance was introduced.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the ordinance 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.

ORDINANCE NO. 6039 (New Series), recorded on Microfilm Roll No. 77, establishing grade of Calle Aguadulce, between southerly line of Cumberland Street and northerly line of Roanoke Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted by the following vote: 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 following ordinance was introduced, and a hearing set for the hour of 10:00 o'clock, April 15, 1954:

Ordinance incorporating portions of Lots 54 and 63 Ex-Mission Lands into R-1 Zone, CP Zone and C Zone, defined by Section 101.0405, 101.0410, and 101.0411 and repealing Ordinance No. 5646 (New Series) adopted June 16, 1954, Ordinance No. 5945 (New Series) insofar as they conflict; by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

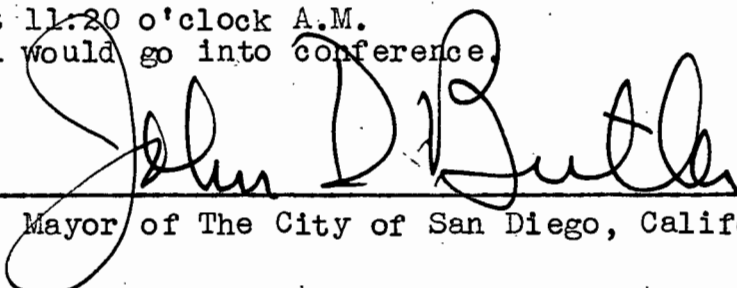
6036 N.S. - 6039 N.S.
Ord. introduced

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

RESOLUTION NO. 117395, recorded on Microfilm Roll No. 77, confirming appointment by the Mayor of Dr. Mary Fischel to serve on the Social Work Commission, pursuant to provisions of Section 33.2112 of the San Diego Municipal Code, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.
(Term of office is 4 years).

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned, at 11:20 o'clock A.M.
He announced that the Council would go into conference.

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
1, 1954

Present--Councilmen Burgener, 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 10:10 A.M.

Mayor Butler requested, and was granted, unanimous consent to present an unscheduled matter.

The Mayor requested Judge Shelley Higgins and Fred Fulkerson to present to Councilman Charles Wincote a birthday cake, honoring him on his birthday, and made a few congratulatory comments.

Councilman Wincote responded, in accepting the cake, with his thanks.

The Mayor asked unanimous consent for the next matter, also, which was not on the agenda.

Olif J. Roed, of the San Diego Police Department, was heard in connection with the Police and Fire Retirement System. He spoke of having seen in the press the matter of retirement, including consideration of State and Social Security participation. He said that it is not a matter of discrimination, as had been said. Mr. Roed stated that information had been given that the Council opposes the Social Security feature. He said that the Police and Firemen are now under a retirement plan, and not available for Social Security. He maintained that enabling legislation, proposed, is not advisable.

The Mayor advised Mr. Roed that the Council is looking toward improvement of the present system.

Mr. Roed said that later enabling legislation would be in order. He said the group he represents would oppose putting the matter on the ballot, and that he would oppose the proposition unless it is an improvement.

The Mayor said that if Congress permits, it would allow participation (in Social Security).

Councilman Kerrigan spoke of considering a different issue.

The Mayor did not agree with Councilman Kerrigan's thinking.

Councilman Godfrey entered into discussion with Mr. Roed, and stated that

117395 -
Birthday cake to Wincote
Police & Fire retirement
discussion

it would require 2/3 vote of those in the system. He stated that the personnel affected need not be suspicious of the Council's action.

At the request of Councilman Godfrey, Shelley Higgins discussed the Police and Fire retirement.

In Councilman Godfrey's opinion, the proposal could be advantageous, and that it would amount to an addition.

Mr. Roed said that one knows know the Social Security would be amended. He declared that he would prefer to wait until the legislation is passed.

Councilman Godfrey said that while the proposal would be more favorable, if it is not wanted - throw it out.

Councilman Wincote reminded other members of the Council that they did not get to it in Conference this morning. He pointed out that he would have no objection to a study by affected policemen and firemen. If included in "Plan B" there would be no salary limit, he declared.

Discussion with Judge Higgins was related by Councilman Godfrey. It might be to the advantage of policemen and firemen to go into the State Retirement System or Social Security, he said. He maintained that it was by an oversight that Police and Fire Department personnel were left out, on the previous election. All City employees would be covered, according to him.

Councilman Kerrigan told about not having discussed Police and Fire going into the City Employees' Assn. (retirement).

Mr. Roed said that the only change asked is removal of the \$400.00 ceiling, and inclusion of newer men who had come into the department since 1946. He said that he is proud of the Police Department, and that he does not want to give up the high standards. There is a lowering of morale, on account of the hacking away at fringe benefits, he added.

Councilmen Wincote and Godfrey pointed out that next Tuesday would be the last day for the ordinance.

Councilman Wincote said that he felt the policemen under the old system would acquire benefits by going into the City Employees' Retirement System.

Mr. Roed re-iterated that he felt the proposal is not necessary, and that it is not wanted on the ballot.

Councilman Godfrey urged leaving it off the ballot in June; then let it be studied, and put on in November if desired.

Councilman Kerrigan said that it was not discussed in conference.

The Mayor disagreed, and said that it has been discussed.

Councilman Wincote expressed the belief that the protestants don't understand the issue. Why not have the group go into conference with the Council, he asked.

Councilman Dail said that the proposal should be studied, and not acted upon today. The Council does not agree with the opponents, he said.

Councilman Schneider said that it does not have to be put on the ballot.

Councilman Godfrey informed the group that the pre-1946 policemen and firemen would be the affected individuals. Why argue for it, he asked, and added that it is no advantage to the City.

Douglas D. Deaper, Deputy City Attorney, referred to there being 4 classes of employees. He said that the present Section 148.1 (of the City Charter) was the enabling section for only one group. He said that the proposal is to improve all four; not just one.

Councilman Kerrigan moved to continue the matter until Tuesday.

Next, Ray W. Shukraft, of the Fire Department, was heard. He said that the bill, as written, goes into the Congress, excluding Police and Fire in Social Security.

Councilman Wincote said that the Council was just jumping the gun to make provisions available, if desired. It can be thrown out, if not desired, he said and added that there is need for the police and fire members to be informed.

Mr. Shukraft said that the proposal had first been announced in the papers, and that those affected were in the dark. Firemen want to know what is going on; they are told nothing; they get bits of information only piecemeal, he stated.

Councilman Schneider asked why resist.

Mr. Shokraft countered with a statement that benefits would be little, or nothing.

Councilman Wincote declared that when policemen and firemen retire, they go out and get other jobs. He said that they would have to vote on the matter of participation, and the making of arrangements, prior to legislation.

Mr. Shumaker said that from his own knowledge, some men are not able to go out for another job, upon retirement.

Councilman Dail suggested continuing with the docket before the Council - then continuing the discussion when items listed are completed.

Councilman Godfrey repeated that the City and the Council have nothing to sell. If they don't want it, leave it off the ballot, he urged.

Councilman Wincote agreed that the Social Security has to make revisions.

Councilman Roed asked for the setting aside of the proposal, for the present election.

Councilman Godfrey said that some people are suspicious. He started to say that if those who would benefit are left out.....

Councilman Godfrey moved to leave the matter off the ballot, which motion was seconded by Councilman Kerrigan.

The Mayor said that there was no skullduggery on account of not being informed of the Council's proposal to put the matter on the ballot. He spoke of there having been a procedural error, which the Council is trying to correct. He said that one department fighting another is bad.

The roll was called on the motion.

Police & Fire retirement discussion.

Mr. Roed told the Council that he thought there was no throat cutting. He thanked members for hearing from both groups.
(The matter is not go to on the ballot).

The Mayor left the meeting, and Vice Mayor Charles Dail took the chair.

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, making detailed report on bids received March 25, 1954, from 2 bidders for furnishing and spreading Penetration Paving Asphalt, Emulsified Asphalt, and Liquid Asphalt, for a period of one year beginning April 1, 1954, was presented.

RESOLUTION NO. 117396, recorded on Microfilm Roll No. 78, accepting bid of Butterfield-Nelson, Inc., for delivering and spreading 85-100 Penetration Paving Asphalt; furnishing Penetration Type Asphaltic Emulsion; delivering and spreading SC-2 and SC-4 Liquid Asphalt at prices shown on attached schedule, plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute contract on behalf of the City, pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117397, recorded on Microfilm Roll No. 78, accepting bid of Sim J. Harris Company for delivering and spreading liquid asphalt for period of one year beginning April 1, 1954, at prices in accordance with tabulation attached; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City contract, pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval - continued from March 30, 1954 - submitting Resolution authorizing bids for 3 Combination Pumping Engines, Hose Carriers and Water Tanks for Civil Defense, was presented again.

RESOLUTION NO. 117398, recorded on Microfilm Roll No. 78, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 3 Combination Pumping Engines, Hose Carriers and Water Tanks for Civil Defense, in accordance with Document No. 487443 on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with San Miguel Terrace, was presented.

RESOLUTION NO. 117399, recorded on Microfilm Roll No. 78, suspending Sections 102.07-6, 102.11-2, 102.11-1, 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code insofar as they relate to Tentative and Final Maps, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of San Miguel Terrace, subdivision of Lots 17 & 18 Carruthers Addition, into 16 lots fronting on extension of San Miguel Avenue and 42nd Street, was presented.

RESOLUTION NO. 117400, recorded on Microfilm Roll No. 78, approving Tentative Map of San Miguel Terrace, subject to 10 conditions, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by P. Q. Burton, recommending special setback on property - in connection with Interim Zone Ordinance for Rolando Tract (recently annexed), was presented. It recommends an emergency setback ordinance be adopted to require all structures to set back from University Avenue the same distance that they are now required to set back by County ordinance. The County ordinance now requires in Zone C-1 that all structures set back 25 feet from the center line of University.

RESOLUTION NO. 117401, recorded on Microfilm Roll No. 78, requesting the City Attorney to prepare and present the necessary ordinance for establishment of emergency setback ordinance to require all structures to set back from University Avenue the same distance as now required by County ordinance, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by P. Q. Burton, recommending granting petition for changing name of Millar Street, to 62nd Street - to avoid confusion with Miller Street in Mission Hills, was presented. It states that reports have been received from 5 of 6 departments concerned, in favor of the change, and that the Commission recommended by a 6-0 vote, the change.

RESOLUTION NO. 117402, recorded on Microfilm Roll No. 78, adopting recommendation of the Planning Commission for changing name of Millar Street north of El Cajon Boulevard, to 62nd Street; directing City Attorney to prepare and present necessary ordinance, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

4/1/54

Communication from Planning Commission, signed by Glenn A. Rick, stating that it will be necessary that the City Planning Department be granted an additional position of Intermediate Typist-Clerk, was presented. It states request has been made in budget for next fiscal year; that present payroll account is sufficient for remainder of fiscal year and there will be no need for additional funds.

RESOLUTION NO. 117403, recorded on Microfilm Roll No. 78, granting request of City Planning Department for additional position of Intermediate Typist-Clerk; requesting the City Attorney to prepare necessary papers for an additional employee, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending amendment to proceedings under Resolutions 111690 and 111292 for paving and otherwise improving portions of 53rd Street, San Jacinto Drive and Santa Margarita Street, to include gutters and concrete encasement as required, was presented.

RESOLUTION NO. 117404, recorded on Microfilm Roll No. 78, adopting recommendation of City Engineer filed under Document No. 487431; authorizing City Engineer to amend proceedings for improvement of 52nd Street, San Jacinto Drive and Santa Margarita Drive, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Dalton J. Baker, 2907 Highland Avenue, National City, California, dated March 26, 1954, requesting amendment to Resolution approving map for dividing Lot 36 Tres Loma into subdivision of 3 parcels, was presented.

It asks for deletion of requirement for sewer and water laterals and street grading, which had not been eliminated in accordance with previous request.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the communication was referred to the Planning Commission.

Communication from Mrs. Florence D. Bean, 452 Casselman St., Chula Vista, Calif., as a stockholder in Preferred Theatres Corporation, was presented. It protests condemnation of block south of the Plaza for parking purposes.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, it was ordered filed.

Communication from Lois L. Starck, 903 Hayes Ave., San Diego 3, dated March 25, 1954, registering protest against condemning block south of the Plaza, for parking area, was presented.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, it was ordered filed.

Communication from Industrial Recreation Council, Convair Recreation Association, signed by Pete Beyrer, president, dated March 29, 1954, was presented. It states that it is felt by all of the recreation people in Industry that the Municipal Golf Course in Balboa is inadequate for the great number of golfers who wish to play in San Diego. It mentions having heard of plans to build new courses, but that would be a long range planning, and that help is needed now.

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

Communication from Mrs. Lyda Lucus, 2203 Broadway, San Diego 2, Calif., March 29, 1954, complaining of infrequent bus service, transfer points, lack of courtesy, etc., was presented.

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

Communication from Ritz Miller, Los Angeles, Cal. (no street address), dated March 27, 1954, setting out several pages for reducing accidents on California highways; It says that the suggestions should reduce accidents at least 15%; and requests acknowledgement; was presented.

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

Communication from Helen M. (Mrs. Charles H.) Sherman, 4417 - 38th St., San Diego 16, dated March 24, 1954, relative to the claim of Hazel Crouch, denied, was presented. It, the conditions in an alley dug up by department of sewers, resulting in claim. relates

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, it was referred to the City Attorney.

Communication from G. T. McCoy, State Highway Engineer, Department of Public Works, State of California, dated March 19, 1954, transmitting relinquishment of

portion of State Highway, was presented. (It is Washington Street from Cabrillo Freeway to Normal Street; Normal Street from Washington Street to Park Boulevard, and crossing Park Boulevard, along El Cajon Boulevard from Park Boulevard to east City limits).

Asked when the matter becomes effective, the Clerk reported - from the communication - that it is with the filing of certified copy of that communication with the Highway Commission's action.

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

Communication Amalgamated Meat Cutters and Butcher Workmen of N.A., Local Union No. 229 American Federation of America, signed by Max J. Osslo, Secretary, dated March 13, 1954 - 227 E Street, San Diego 1 - was presented.

Vice Mayor Dail read the letter to the Council, which endorses proposed ordinance now up for consideration by the County relative to slaughtering, processing and preparation of food, etc.

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

RESOLUTION NO. 117405, recorded on Microfilm Roll No. 78, giving permission and consent to start proceedings to annex Rolando Tract No. 2 to the City of San Diego, was presented. It identifies property as being adjacent to City limits and within County of San Diego; owners are Elwood B. Ruttan, C. M. Haldeman, Mary H. Tibbetts and Lynn W. Brauner, Jr. Adoption was on motion of Councilman Schneider, seconded by Councilman Wincote.

Communication from Harbor Department, signed by John Bate, Port Director, dated 29 March 1954, was presented. It submits for approval form of amendment of Willard T. Evenson, Franklin F. Evenson, Clarence R. Evenson and Justin C. Evenson tideland lease. It states amendment deletes small parcel of land at intersection of Harbor Drive and 8th Street to permit better flow of traffic, and adds parcel approximately 10' x 25' on 7th Street to cover encroachment by building constructed by U.S. Navy. Communication advises area of encroachment is subject to deletion from lease upon 180 days' written notice.

RESOLUTION NO. 117406, recorded on Microfilm Roll No. 78, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 1, on file in the office of the City Clerk as Document No. 487660, between the City of San Diego as Lessor, and Willard T. Evenson and others as Lessees, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Harbor Department, signed by John Bate, Port Director, dated 29 March 1954, was presented. It submits for approval form of lease with Robert E. Larson covering approximately 6,000 square feet on south side of Byron Street between C. J. Hendry leasehold and Chris-Craft Sales Agency. Lease is for term of 5 years with 2 5-year options to renew at rental of 3% of gross receipts or \$50.00 per month, whichever is greater. Premises are to be used for erection and operation of small lunch room.

RESOLUTION NO. 117407, recorded on Microfilm Roll No. 78, ratifying, confirming and approving Lease, copy on file in office of City Clerk as Document No. 487663, between The City of San Diego as Lessor, and Robert E. Larson, as Lessee, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Harbor Department, signed by John Bate, Port Director, dated 29 March 1954, was presented. It submits for approval form of lease with State of California covering approximately 850 square feet of office space in Harbor Department Administration Building, occupied by State Department of Fish and Game. Lease is for 3 years commencing on 15th day of April 1954, rental established at \$135.00 per month. Lease is drawn on standard form used by State and is similar to other types of leases entered into with the State.

RESOLUTION NO. 117408, recorded on Microfilm Roll No. 78, ratifying, confirming and approving Lease, copy on file in office of City Clerk as Document No. 487666, between The City of San Diego as Lessor, and State of California, by and through Director of Finance, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117409, recorded on Microfilm Roll No. 78, authorizing and directing the City Manager, for and on behalf of The City of San Diego to execute contract with Soledad Realty and Development Company, a corporation, for installation and completion of unfinished improvements and setting of monuments required for San Rafael Unit No. 1 subdivision; directing the City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117410, recorded on Microfilm Roll No. 78, adopting Map of San Rafael Unit No. 1, subdivision of portion of Acre Lot 21 Pacific Beach, accepting on behalf of the public unnamed easements shown on the map for public purposes; declaring them to be public easements and dedicated to public use; authorizing and directing the City Clerk to endorse upon the map as and for the act of the Council, that the easements are accepted on behalf of the public as stated; directing him to transmit the 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.

RESOLUTION NO. 117411, recorded on Microfilm Roll No. 78, authorizing and empowering City Manager to execute lease with Elam Clark of 1400 acres in Township 18 South, Range 2 East, Marron Valley, for ten years at an annual rental of \$600.00; description of property and terms and conditions to be set forth in form of lease filed in office of City Clerk under Document No. 487726 - \$10,000.00 as disclosed by report of last appraisal made by Auditor and Comptroller - leased for reason that City will derive revenue not otherwise obtainable, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117412, recorded on Microfilm Roll No. 78, authorizing and empowering City Manager to execute, for and on behalf of the City, a lease with Clarence E. Wilcken and Arthur J. Long for operation of Merry-go-round and Kiddy Air Plane in Balboa Park, for term of 3 years commencing on 1st day of April, 1954; description of property and terms and conditions to be set forth in form of lease filed in office of City Clerk under Document No. 487727, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117413, recorded on Microfilm Roll No. 78, authorizing City Attorney to accept \$59.15 in full settlement of City's claim No. 36087 dated March 8, 1954, in amount of \$118.29 against Robert H. Dingle, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117414, recorded on Microfilm Roll No. 78, authorizing City Attorney to dismiss City's claim No. 29144, dated October 19, 1951, in amount of \$258.68, against Pace Construction Company, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117415, recorded on Microfilm Roll No. 78, approving claim of A. D. Kirkland, on file in office of City Clerk under Document No. 487532, in amount of \$16.00; authorizing and directing City Auditor and Comptroller to draw warrant in favor of A. D. Kirkland in amount of \$16.00 in full payment, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117416, recorded on Microfilm Roll No. 78, denying claim of Samuel Feller on file in Office of City Clerk under Document No. 487249, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117417, recorded on Microfilm Roll No. 78, denying claim of General Accident Fire and Life Assurance Corporation, on file in Office of City Clerk under Document No. 486951, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117418, recorded on Microfilm Roll No. 78, denying claim of Fred Gruner, on file in office of City Clerk under Document No. 484689, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117419, recorded on Microfilm Roll No. 78, denying claim of Clifford G. Robinett, on file in office of City Clerk under Document No. 487131, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117420, recorded on Microfilm Roll No. 78, denying claim of Alexander W. Skelton, on file in office of City Clerk under Document No. 485802, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117421, recorded on Microfilm Roll No. 78, allowing bill of San Diego City and County Convention Bureau, Inc., bearing date March 29, 1954, in sum of \$562.89 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund for fiscal year 1953-1954, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117422, recorded on Microfilm Roll No. 78, accepting deed of Brohumil Emil Cerny, bearing date March 11, 1954, conveying portion of Pueblo Lot 256,

authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117423, recorded on Microfilm Roll No. 78, accepting deed of Walter A. Turner and Frances D. Turner, bearing date March 23, 1954, conveying portion of Pueblo Lot 1774; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117424, recorded on Microfilm Roll No. 78, accepting deed of William S. Vollmer and Margaret Obdyke Vollmer, bearing date March 22, 1954, conveying portion of Pueblo Lot 1774; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117425, recorded on Microfilm Roll No. 78, accepting deed of Paul A. Colonell and Rose Colonell, bearing date March 26, 1954, conveying easement and right of way for street purposes in portion Lot 6 Block 18 La Jolla Hermosa; setting aside and dedicating same to public use as and for public street, and naming it La Jolla Hermosa Avenue; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117426, recorded on Microfilm Roll No. 78, accepting deed of Jennie B. Blethen, bearing date March 23, 1954, conveying easement and right of way for street purposes in portion Lots 13, 14, 15 Blethen Subdivision; setting aside and dedicating same to public use as and for public street, and naming it 70th Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117427, recorded on Microfilm Roll No. 78, accepting deed of Thomas H. Fox and Donna B. Fox, bearing date March 27, 1954, conveying easement and right of way for street purposes in portion of Lot 13 Blethen Subdivision; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117428, recorded on Microfilm Roll No. 78, accepting deed of Mabel M. Knapp and Richard H. Knapp, bearing date March 27, 1954, conveying easement and right of way for street purposes in portion Lot 1 La Mesa Colony; setting aside and dedicating same to public use as and for public street, and naming it 70th Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117429, recorded on Microfilm Roll No. 78, accepting deed of Marie Schreiber, bearing date March 27, 1954, conveying easement and right of way for street purposes in portion Lots 11 and 12 Blethen Subdivision; setting aside and dedicating same to public use as and for public street, and naming it 70th Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117430, recorded on Microfilm Roll No. 78, accepting deed of George C. Gregory, bearing date March 26, 1954, conveying easement and right of way for channel purposes in portion of Lots 28 to 36 inclusive, Block 1 The Dells Park; authorizing and directing City Clerk to file deed for record in office of City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117431, recorded on Microfilm Roll No. 78, accepting deed of Doma D. Pierce and Ruth G. Pierce, bearing date March 25, 1954, conveying easement and right of way for sewer purposes in portion of Lot 8 Block A West Hollywood; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117432, recorded on Microfilm Roll No. 78, accepting deed of Joe Plaza and Antonia M. Plaza, bearing date March 24, 1954, conveying easement and right of way for storm drain purposes in portion Lot 20 Block 11 Mission Hills; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117433, recorded on Microfilm Roll No. 78, accepting deed of Union Title Insurance and Trust Company, bearing date March 23, 1954, conveying easement and right of way for storm drain purposes in portion Lot 9 Rodefer Hills Viewpoint; authorizing and directing City Clerk to file deed for record in office of Recorder San Diego County, together with certified copy of Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

The next 3 ordinances, introduced at the meeting of March 25, 1954, were presented.

One was amending Municipal Code by amending Section 101.0401 relative to establishment of zones, etc.;

One was amending Municipal Code by amending Sections 102.01, 102.02, 102.3 102.12, 102.16 and by adding Sections 102.02.1, 102.02.2 and 102.02.3, all regulating subdivisions; (read by Clerk at request of Council);

One was amending San Diego Municipal Code by amending Section 102.18 and by adding 3 new sections to be numbered 102.18.1, 102.2 and 102.18.3 relating to Final Subdivision Map.

On motion of Councilman Schneider, seconded by Councilman Burgener, they were continued to the meeting of Tuesday, April 6.

On motion of Councilman Wincote, seconded by Councilman Godfrey, Ordinance amending Sections 67.46 and 67.48 of San Diego Municipal Code, relating to Water Main Extensions and Replacements, and repealing Sections 67.00 and 67.47, was (on motion of Councilman Wincote, seconded by Councilman Godfrey,) introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen None.

Vice Mayor Dail requested, and was given permission for presentation of the next ~~not~~ matter, not on the agenda:

He recognized a woman who identified herself as Mrs. Benny Scott, in Nordica Heights (4251 Eta Street). Mrs. Scott protested little units being build adjacent to her home. She said that she was ashamed of them. It is awful to permit such buildings, she said.

The Vice Mayor said that the City has no jurisdiction over size of houses. Mrs. Scott, asked about her residence, said she has 1,000 square feet. Councilman Kerrigan said that persuasion only could be exerted, since the builder is constructing according to his rights. He asked what size it was thought the minimum should be.

Mrs. Scott said at least 700 square feet. There was general discussion on the issue between Councilmen Burgener, Kerrigan and Mrs. Scott.

Mrs. Scott said that if decent duplexes were being erected, she would not protest. She asked the Council to stop the construction right now instead of permitting the hurting of all. People of the district have become so discouraged, that 3 or 4 are going to get out.

Douglas D. Deaper, Deputy City Attorney, answering the urging of Mrs. Scott for having an ordinance passed being effective retroactively, said that one adopted could be for future only.

Councilman Kerrigan said that it is a legal matter, that the Council can't control, and that any action would be persuasive only.

Mrs. Scott declared the buildings proposed would be a disgrace. Councilmen Wincote and Godfrey discussed future zone variances which could be granted for selling of property by metes and bounds. Councilman Kerrigan maintained that zoning is the only protection. A petition would be required to change the zone. He expressed the belief that an attorney would find a way to delay.

Mrs. Scott spoke of a loop hole. and insisted that there is an error in the ordinance.

Councilman Godfrey said anyone who has a permit can't be stopped from building.

Mrs. Scott pleaded for there being no slums, and said that trailers would not be permitted. She thought the proposed houses would be no better.

Vice Mayor Dail said that the builder (who was not identified during the discussion) was in before the Architectural Review Committee, and that it has been reported that he will defy the Committee.

Councilman Burgener asked for passage of an ordinance to control the matter. Mr. Deaper said it would be referred to the Planning Department, and added that such an ordinance if adopted might be made an emergency measure.

(There was no action).

Mrs. Scott thanked the Council for hearing her.

The City Manager requested, and was given unanimous consent to present the next matter, not listed on the agenda:

RESOLUTION NO. 117434, recorded on Microfilm Roll No. 78, authorizing and directing the City Manager to execute agreement for and on behalf of The City of San Diego, by and between the City and San Diego Philharmonic Society under terms and conditions set forth in form of agreement on file in Office of City Clerk as Document No. 487708, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned, at the hour of 10:58 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, Tuesday, April
6, 1954

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.
Absent---None.
Clerk----Fred W. Sick.

The Regular meeting was called to order by the Mayor at 10:06 o'clock A.M.

The Mayor announced that the invocation was to have been given by Rabbi Cohen, but that he was not present. As a result, he asked those present to arise for a moment of silent prayer.

On motion of Councilman Schneider, seconded by Councilman Wincote, the minutes of the Regular Meetings of Tuesday, March 30, 1954, and Thursday, April 1, 1954, were approved without reading, after which the were signed by the Mayor.

Mayor Butler presented awards to the following employees, honoring their long-time service with the City of San Diego:

Abbott D. Allen, Motor Sweeper Operator, Street Division, Public Works Department - 20 years;
Frank S. Osborne, Chief of Party, Engineering Department - 25 years;
Hazel F. Bodmer, Senior Recreation Leader, Park and Recreation Department - 25 years;
Howard Ogden, Property Supervisor, Department of Finance, 30 years;
John B. Gibbins, Battalion Chief, Fire Department - 35 years.

Prior to the opening of bids, the Mayor presented an ordinance and a resolution, having to do with election.

Douglas D. Deaper, Deputy City Attorney explained both briefly.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the next ordinance was introduced.

117434 -
Silent Prayer
Service Awards
Election Ord by U.C.

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On motion of Councilman Schneider, seconded by Councilman Kerrigan, 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 day of its passage a written or printed copy.

ORDINANCE NO. 6040 (New Series), recorded on Microfilm Roll No. 78, ordering, calling, providing for and giving notice of special municipal election to be held in The City of San Diego on June 8, 1954 - for the purpose of submitting a \$16,000,000 sewer bond proposition for acquisition and construction by the City of municipal improvement: works and facilities for transmission, treatment and clarification of sewage and disposal of sewage effluent by ocean outfall; including acquisition and construction of trunk sewers, sewage treatment plant and outfall sewer and appurtenances and appurtenant work, and including acquisition of lands, rights of way and easements and acquisition and construction of structures, tunnels, pipes, conduits, equipment, machinery and apparatus necessary or convenient therefor - and consolidating the special municipal election with the Statewide Primary Election to be held on said date - 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.

The Mayor presented the next Resolution, also, prior to the opening of bids:

RESOLUTION NO. 117435, recorded on Microfilm Roll No. 78, requesting the Board of Supervisors of the County of San Diego to consolidate The City of San Diego Bond Election to be held on June 8, 1954 - called by Ordinance No. 6040 (New Series) for the \$16,000,000 sewer bond proposition - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids - Specification No. 651, for Resurfacing Fay, Pearl to Prospect; Frontier, Enterprise to Rosecrans; Prospect, La Jolla Boulevard to Girard; Prospect, Girard to end south of Torrey Pines Road; Silverado, Ivanhoe to Exchange Place; Talbot, Rosecrans to LeRoy; West Point Loma Boulevard, to Seaside to Midway; West Point Loma Boulevard, Seaside to Voltaire - the Clerk reported that 5 bids had been received, which were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

R. E. Hazard Contracting Company, at Cabrillo Freeway and Friars Road, San Diego, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, given Document No. 488109;

Bid of Griffith Company, 1060 South Broadway, Los Angeles 15, accompanied by bond written by National Surety Corporation in the sum of Five Thousand Dollars, given Document No. 488110;

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 an amount not exceeding 10% of the aggregate sum of the Bid, given Document No. 488111;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of five thousand dollars, given Document No. 488112;

M. H. Golden Construction Company (no bond found), given Document No. 488113.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Alley Block 67 Park Villas, Public Right of Way and Villa Terrace, under Resolution of Intention No. 116398, the Clerk reported that 5 bids had been received, which were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$400.00, given Document No. 488125;

Councilman Dail was excused.

John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$400.00, given Document No. 488126;

William M. Penick and Lloyd T. Penick, copartners doing business under firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$450.00, given Document No. 488127;

Gilman Grading Company, accompanied by bond written by The Phoenix Insurance Company in the sum of \$400.00, given Document No. 488128;

V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$500.00, given Document No. 488129;

Councilman Dail returned.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Arbor Drive, within limits and as described in Resolution of Intention No. 116399, the Clerk reported that 6 bids had been received, which were presented to the Council.

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On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in sum of \$338.00, given Document No. 488130;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$300.00, given Document No. 488131;

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$300.00, given Document No. 488132;

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, given Document No. 488133;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1,000.00, given Document No. 488134;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$1,000.00, given Document No. 488135.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Boundary Street, under Resolution of Intention No. 116400, the Clerk reported that 6 bids had been received.

On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$1710.00, given Document No. 488136;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1500.00, given Document No. 488137;

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1500.00, given Document No. 488138;

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 \$1700.00, given Document No. 488139;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1,500.00, given Document No. 488140.

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$1,400.00, given Document No. 488141.

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

Before the opening of the next bids, the Mayor announced to contractors that bids are going to be opened by the Director of Finance, at the same time on another day. He said that if they had any suggestions to make, he wished that they would do so to Douglas D. Deaper, Deputy City Attorney.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving 17th Street, under Resolution of Intention No. 116402, the Clerk reported that 7 bids had been received.

On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$462.00, given Document No. 488142;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$400.00, given Document No. 488143;

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$400.00, given Document No. 488144;

V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$500.00, given Document No. 488145;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1,000.00, given Document No. 488146;

Morris Van Meter, accompanied by bond written by Maryland Casualty Company in the sum of \$400.00, given Document No. 488147;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$1,000.00, given Document No. 488148.

On motion of Councilman Schneider, seconded by Councilman Wincote, they were referred to the City Manager and 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. 116894 for paving and otherwise improving Birch Street, the Clerk reported that written protest had been received from Mrs. Bertha C. Bambush, which was presented.

The City Engineer reported that it was a 3.5% protest based on inability to pay.

The Mayor inquired if any interested affected property owners were present to be heard.

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

RESOLUTION NO. 117436, recorded on Microfilm Roll No. 78, overruling and denying protest of Mrs. Bertha C. Bambush against paving and otherwise improving of Birch

117436
Bids

Street under Resolution of Intention No. 116894, overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

On motion of Councilman Schneider, seconded by Councilman Burgener, proceedings were referred to City Attorney for preparation and presentation of Resolution Ordering Work.

Councilman Kerrigan was excused

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 116895 for paving and otherwise improving of Camino Del Collado, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners were present to be heard.

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

On motion of Councilman Schneider, seconded by Councilman Burgener, proceedings were referred to City Attorney for preparation and presentation of Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 117018 of Preliminary Determination for paving and otherwise improving Alley lying easterly of and contiguous to Lots 1 to 24 inclusive Block 1 Tract 1382 Wilshire Place; 43rd Street and Public Right of Way within 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 to be heard.

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

RESOLUTION NO. 117437, recorded on Microfilm Roll No. 78, determining that improvement of Alley lying easterly of and contiguous to Lots 1 to 24 inclusive Block 1 Tract 1382 Wilshire Place; 43rd Street and Public Right of Way within limits and as particularly described in said Resolution to be feasible and that lands to be assessed therefore will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1951 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. 117019 of Preliminary Determination for paving and otherwise improving Olney Street and Felspar Street within 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 to be heard.

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

RESOLUTION NO. 117438, recorded on Microfilm Roll No. 78, determining that improvement of Olney Street and Felspar Street within limits and as particularly described in said Resolution to be feasible and that lands to be assessed therefore will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1951 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 of Preliminary Determination No. 116790, for paving and otherwise improving of Wunderlin Avenue, continued from the meetings of March 23, 1954, March 30, 1954, the Clerk reported a written protest, together with 7 photographs, which were presented.

The City Engineer reported a 35.9% protest. He said that between 40% and 45% of property is owned by the City and the Schools (on which there is no protest). He said that City property was not considered one way or the other in figuring the percentages on the desire for improvement. He said that about 55% of the property is privately-owned.

Councilman Dail reminded the Council that the improvement did not originate by petition.

The Mayor inquired if anyone was present to be heard.

C. F. Boyle, who stated that he represented the property owners on Wunderlin Avenue, was heard. He said that statement regarding percentage is incorrect.

The Mayor observed that there is a majority of the private property owners protesting.

Councilman Dail said that the private property owners on the frontage have a 100% protest.

There was discussion between Councilman Dail and Mr. Boyle.

The Mayor passed around the pictures which accompanied the protest.

Councilman Dail said that on the storm drain the Council is in a position to contribute on Madera Street in the Chollas Creek. He said that it is a flood control matter. He said that it is a qualified protest, on account of the drain.

Mr. Boyle said that the paving is not needed, but the drain is.

Willard Olson, of the City Engineer's office, said that there is no storm drain provided in the job.

The City Engineer said that it is a surface drain.

Douglas D. Deaper told the Council that the City could not use storm drain money (from the bond issue), in relation to the surface paving.

Councilman Dail said that there is a problem regarding which should be considered, if the street is not paved. He said that paving would be concrete on account of the hill and the water.

The City Engineer disagreed, saying that it is asphalt. He told the Council that concrete is used where there is much drainage.

Councilman Dail said that the City instituted the project to relieve the drainage problem.

The City Engineer said that the area was to benefit, through paving, and added that it is a regular 1911 Act proceeding.

Councilman Dail recalled that there were 90% to 100% of the affected property owners "at the meeting" (apparently a neighborhood meeting held in Encanto). He said that it was the sense of those present that the work would be protested out if the City does not assist in the cost.

Councilman Schneider moved to refer the proceedings to the City Engineer. Councilman Dail agreed that should be done. The Chollas Creek drain was turned down by Encanto, he said.

Mr. Boyle said that the Chollas Creek project was abandoned by the City - not the property owners.

Councilman Dail discussed the matter with Mr. Boyle.

Councilman Dail moved to abandon the proceedings, which motion was seconded by Councilman Schneider.

The City Engineer, answering the Mayor, told of the situation in more detail.

Councilman Dail re-iterated that the proceedings had been instituted by the City. He said that it should not be forced on the property owners.

Councilman Godfrey said that two thirds of the private property owners are protesting. He said that the problem will not be solved, unless there is paving.

Councilman Dail maintained that the Engineer can do something to the Madera playground.

Councilman Godfrey said that there would be complications, if the proceeding is abandoned on account of the drainage.

Councilman Schneider spoke to the Engineer regarding the difficulty.

The City Engineer said that it is the City's Encanto playground which is causing the trouble. He said that a church is in the way of the drainage.

Councilman Schneider said that the City may be able to provide protection, since it is a City problem.

Councilman Dail said that there is no precedent to go on regarding City cost.

Answering the Mayor, the City Engineer spoke about estimate on the Boyle property. There are big lots he said, and that there had been one estimate of \$1200.00 for a 100-foot lot.

There was discussion between Councilman Burgener, and the City Engineer regarding the drain where there is no paving.

The City Engineer agreed that he can study the situation. He said he could give an estimate regarding the storm drain. The street will take care of the drainage, but it is not a local problem.

The motion and second were withdrawn.

RESOLUTION NO. 117439, recorded on Microfilm Roll No. 78, continuing hearing on the proposed improvement of Wunderlin Avenue, under Resolution of Preliminary Determination No. 116790 until 10:00 o'clock A.M., Tuesday, April 13, 1954; directing the City Engineer to make a study of the matter and make a recommendation, 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 Assessment No. 2218, for paving and otherwise improving Alley Block 4 Washington Heights, the Clerk reported that no appeals had been filed.

The Mayor inquired if any interested affected property owners desired to be heard.

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

RESOLUTION NO. 117440, recorded on Microfilm Roll No. 78, confirming and approving the Street Superintendent's Assessment No. 2218, made to cover cost and expenses of paving and otherwise improving Alley Block 4 Washington Heights, under Resolution of Intention No. 113491; authorizing and directing the Street Superintendent to record in his office the warrant, diagram and assessment, 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 Assessment No. 2219 made to cover improvements in the Kearny Mesa Improvement District, written appeals from James H. & Irene Porter, and another from J. H. & Irene Porter, Harold and Retta McComas, E. C. DeClue, Victor Selten, W. H. Nichols, D. S. LaMar, Glen Fries, Theodor Z. Bergashneider (filed during the hearing), Frank Thompson, Wm. & Marie Lang, Reg Stalmer, George R. and Edith Murray, Harold B. Starkey, were presented.

Also presented was a communication from the Street Superintendent, with the Assistant to the City Manager's stamp of approval, requesting that Assessments Nos. 83 and 84 be ordered corrected and modified, so that the portions of the property covered may be assessed separately, was presented.

The City Engineer said that there is an 8.4% by area protest (appeal). He mentioned the reasons given.

The Mayor said that the letter from the Street Superintendent regarding Assessments 83 and 84 should be approved. He pointed out that estimates were prepared by

outside engineers; that work was done by private engineers - not the City of San Diego. He asked if there was anyone present who desired to be heard.

A man who gave his name as Denver spoke about the \$14,080 assessment on his property, which is 19-1/2 acres. He did not file an appeal. Mr. Denver said it is too much tax, and stated that he had not received any notice. He charged that the City is trying to throw the assessments on the property in the flight pattern onto the property outside the flight pattern. The improvement will do him no good, he stated.

Councilman Dail was emphatic in his statement that the Council did not zone the property; the newspapers did.

Councilman Wincote sought to ascertain the highest and the lowest assessments per acre.

The City Engineer answered that the average overall cost is \$498.00 per acre. He spoke of the assessment as a feathered cost, regarding the property within 1,000 feet.

Mr. Denver replied that the water is 1/2 mile away.

The City Engineer went over the sewer, and said that it is not included in areas where the property cannot drain into the sewer. He spoke of differences in the sewer account of the flat property and that in the canyon.

The Mayor told of the improvement having been based on bid.

The City Engineer said that when the work was started the bids were over the estimates. He related that property owners were circularized regarding their desires. Now the average is under, according to him.

Councilman Dail pointed out that sewer and water are useless to the property on which there can be no building, in the 12000 ft area.

Mrs. Lee, 742 Hyatt told the Council that the original estimate was different from the cards which were about \$525. per acre; some go over \$1,000 per acre, down to \$550. After some discussion with Councilman Wincote over the card, Mrs. Lee said she did not have one with her, but she secured one from another property. She presented the card which had been sent out by the Engineer. She read from it regarding the improvement and the possible assessment of \$525.00 per acre. (The card was from the Engineer on the job; not the City Engineer).

An unidentified speaker spoke of bid being awarded over the estimate. It was said that the second bid received was lower than the first one, but it was still over the estimate.

Mrs. Lee said that she was for the improvement - on the lower estimate - but it is over \$1,000. now.

Once again Councilman Wincote wanted to know the typical assessment: the highest and the lowest.

Before there was any reply, Mrs. Lee said that she wants to know regarding the City's property assessment.

Discussion resulted between Councilmen Dail, Schneider and Mrs. Lee over that point.

Mrs. Lee said that property next door to her has assessment of over \$800. per acre.

The City Engineer showed diagrams and assessment on each parcel to members of the Council, which the Councilmen studied. He explained in detail regarding the City's assessment.

Councilman Burgener said that "up north" the City assessment was over \$600. per acre.

Then the City Engineer spoke of assessment as \$22,810. on the City parcel.

W. Lang, of Chula Vista, asked why the difference.

The City Engineer then spoke to property owners.

The Mayor pointed out that the hearing is on the fairness of the assessment distribution; the City can't change the total. The City Engineer should go over the individual assessment, he said, but that it could not be done in the meeting. It should be continued, he stated.

A man, whose name was understood to be Mr. Dinken, asked if the bill would be higher when sent by the contractor, than the City's notice of assessment.

Councilman Burgener replied to the speaker that it would be same.

Mr. Dinken said his property is quite a way from the water.

Louis Karp, attorney, spoke in behalf of Victor Selten. He charged that the method of spreading the assessment is unfair. Mr. Selten has an assessment of some \$13,000.00, which is not warranted, Mr. Karp said. He stated that benefits had been changed on account of the rezoning of the property. The City Engineer followed a formula, he started to say, but did not complete the statement. He said that the assessments are not the same on the various zones. In the middle of the proceedings the zoning had been changed, and the benefits changed, before the assessment was levied, Mr. Karp stated. Mr. Selten has a lot of frontage, but not much depth, Mr. Karp declared. He said that should have been considered, and spoke of being doubled near the sewer and water. The land starts at 75 feet, and is not benefited by consideration, according to Mr. Karp. He added that his client had other assessments. He stated that the City should consider having to use sewer pumps, but land to be so served should not be eliminated. Mr. Karp said that the assessment of \$1,000 per acre is unfair and inequitable. The Council should instruct the City Engineer to re-spread the assessment, he said.

There was an interruption at this point during items 15 (proposed Ordinance regarding regulations for trailer parks) and item 40 under Ordinances (continued matter re amendment to San Diego Municipal Code for regulating subdivisions).

The Mayor said that the Attorney will re-draft the ordinance on the trailer parks regulations, and that there will be a new hearing. There will be no hearing today, he announced.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the hearing was continued 2 weeks - to the hour of 10:00 o'clock A.M., April 20, 1954.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the ord-

inance amending the San Diego Municipal Code listed as Item 40 under Ordinances, providing for amendment to the Code and addition of sections, regulating Subdivisions, was continued one week - to the meeting of April 13, 1954.

The Council returned to the hearing on the Kearny Mesa improvement.

A. S. Monroe, attorney, from Los Angeles, representing the Boyle Engineering Company (engineers on the work), said that there are clerical errors on the assessment roll which should be corrected today). He had resolutions prepared to take care of the property splits. He said that the resolutions take care of the recommendations of the Street Superintendent. Mr. Monroe handed in the Resolution, which he told the Council had been prepared by him and approved by the City Attorney.

Douglas D. Deaper, Deputy City Attorney, told the Council that in this instance the work had not been done by the City staff.

Mr. Monroe told the Council that he was responsible as attorney for the project.

The Mayor declared that the Council was in a position to act on the previously-referred to assessments 83 and 84.

Councilman Godfrey said that the assessment will not be acted on until it is equitable.

Mr. Monroe stated that he does not make any determination which the Council would do.

The City Engineer said that there are just corrections in the resolution submitted by Mr. Monroe.

Councilman Dail moved to adopt the Resolution regarding corrections, which was seconded by Councilman Schneider.

Councilman Schneider asked for and was granted unanimous consent on the next items, during this discussion. He sought to bring up items 42 and 43 under ordinances on the agenda covering elections. After considerable discussion, when Councilman Schneider was not successful in introducing the 2 matters, he left the meeting.

Councilman Schneider was excused.

The hearing was resumed, at which time Mr. Karp said that the assessments need to be spread more equitably.

The City Engineer said that there is no assessment for sewer on the property in the canyons.

Discussion was entered into between Councilman Dail and the City Engineer on that point.

Mr. Karp stated that assessments had been made, in other instances, in the Drucker's Subdivision and La Jolla Country Club properties, although it had been necessary to use pumps to reach the sewers.

Reg Stalmer asked the Council if it would be necessary to come back - under a continued hearing.

The Mayor answered that the Council wants to go over the assessment with the Engineer regarding the fairness.

Councilman Wincote said that the Engineer needs a week.

Mr. Stalmer spoke about the 1,000-foot area regarding assessment for facilities, but that he has to go way around to reach it, making considerably more than 1,000 feet of installation. He felt that the assessment should not be double those way out. No structures are to be built, on account of the existing easement, he said.

Councilman Godfrey announced that all will be considered by the Engineer. He stated that he was not going to commit himself regarding what the Engineer is going to bring in.

Councilman Dail said he expected a greater protest than what has been received. He said that he does not want to make the assessment; that if it is not out of line the Council has to pass it.

W. H. Nichols offered verbal objection to the assessment, on the grounds that it is excessive on account of restrictions imposed. He said that property not under power line drains into Tecolote Canyon. That land would not be assessed for the sewer, according to the Engineer, he said. The easement is in the same position as the land under the flight pattern, according to him. He did not object on the portion, although the City had it under its possession, under condemnation, according to Mr. Nichols. He spoke of letting the contract which throws over \$20,000. on the land which the City had, and is now handed back to him. The cost of the job is excessive; the district is not properly drawn; the size of the main is in excess of need, Mr. Nichols charged.

The Mayor replied that the City is in no position to change the boundaries of the district.

Mr. Nichols continued, by saying that the City put him in the present position on account of having seized and taken possession of his land. He stated that he can get little information, and that the map is only by an estimate.

Discussion followed between Councilmen Wincote, Dail and Mr. Nichols.

Mr. Nichols said that there was no consideration regarding the time the City held his land.

The Mayor spoke for continuance of one week, and urged property owners with questions to confer with the City Engineer.

Councilman Wincote said that the question is one regarding property owners and bond owners. Maybe it should be discussed on next Thursday, he observed. All should be wrapped up in one package and considered on Thursday, according to him. He said that he did not think it would be decided on Tuesday, unless there is preliminary work done. He wondered if it would have to be revamped.

The City Engineer replied that if changed, the answer would be "yes". The lands under easement are on an area basis, he said. There are 3 main points, which can be considered fast, the Engineer stated.

Subdivision Ord considered
Trailer parks consideration
Kearny Mesa improvement

Councilman Wincote said that if a suit is threatened, it would be held up longer, and that things should be straightened up first.

Councilman Dail made the statement that the zone change has hurt people. He felt that the Council has to pass the assessment, as the Engineer presents it.

Councilman Wincote said that the City can't deny that property under the Karp (Selten) and Nichols protests are included.

Mr. Nichols said that the Engineer has changed his position.

The Engineer countered by saying that the Engineering Department has not gone down for unreasonable sewer cuts; 20-foot cuts are used all over town.

Councilman Dail insisted that the proper remedy is in court.

Mr. Nichols pointed out that the property in the area under the easement still gets the assessment, but can't be used on account of no buildings being permitted. The property is way back from the sewer, he said.

Councilman Dail said that there have been many threats, but no suits. The whole thing has been painful for the Council, all down the line, Mr. Dail said.

Answering a question from Councilman Godfrey, the Mayor repeated that there is an 8.4% protest.

Councilman Godfrey declared that the Engineer, under the law, has to make a fair assessment.

Discussion followed between Councilman Godfrey and the City Engineer regarding the depth of the canyons.

Councilman Dail moved to overrule the protests, and confirm the assessment.

Councilman Dail moved to continue the hearing one week, which motion was seconded by Councilman Wincote.

The several motions resulted in:

RESOLUTION NO. 117441, recorded on Microfilm Roll No. 78, adopting recommendation of the Street Superintendent, filed in the office of the City Clerk under Document No. 487822, relative to changes in the assessment roll for Kearny Mesa Improvement District - assessment roll No. 2219 - was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117442, recorded on Microfilm Roll No. 78, modifying assessment in the matter of Kearny Mesa Improvement District relative to correction of the diagram and assessment - modifying assessments Nos. 45, 83, 84 and Nos. 238, 239 and 240 to be computed according to benefits in the same manner as appears in the original assessment, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117443, recorded on Microfilm Roll No. 78, continuing hearing on Kearny Mesa Improvement Assessment No. 2219 to the hour of 10:00 o'clock A.M., Tuesday, April 13, 1954, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

The hearing on proposed ordinance amending sections and adding sections to the San Diego Municipal Code, regulating Trailer Parks, was on motion of Councilman Godfrey, seconded by Councilman Wincote - set on the agenda for this time - was continued under a previous action, to the meeting of April 20, 1954.

Petition of R. L. Parsons advocating consideration of building to be erected on the Civic Center lawn at the southwest corner of grounds for kitchen and coffee shop to take care of the present one located on the lower deck of the Civic Center. Also that there be one on the 2nd deck for serving of fish dinners, etc., and as a lookout for tourists to view the ships coming in and going out.

Mr. Parsons said that it was not his idea; it had been thrown at him.

The Mayor said that the request needs consideration and a report.

On motion of Councilman Godfrey, seconded by Councilman Burgener, the petition was referred to the City Manager and to the Building Control Committee.

(It was sent by the Clerk to the City Manager).

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 11,000 feet of 5-twisted pairs, 16-gauge Conductor Cable for the Fire Alarm system, received from 5 bidders, was presented. It recommends award to Graybar Electric Company, Inc. (one of the two identical bidders; decided by lot).

RESOLUTION NO. 117444, recorded on Microfilm Roll No. 78, accepting bid of Graybar Electric Co., Inc. for furnishing Conductor Cable, for \$2,212.00 terms 1/2 of 1% 10 days, plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute contract, pursuant to specifications on file in the office of the Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, reporting on bids for installation of Parking Meter Curbs on Harbor Street between Harbor Drive and 8th Street, received March 25, 1954, from 4 bidders, was presented. It recommends award to H. W. Gould, low bidder, in amount of \$3,068.19 - estimate was \$3,712.65.

RESOLUTION NO. 117445, recorded on Microfilm Roll No. 78, accepting bid of H. W. Gould for installation of Parking Meter Curbs on portion of Harbor Street; awarding contract, authorizing and instructing majority of members of 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 Burgener, seconded by Councilman Wincote, adopted.

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Communication from Purchasing Agent, reporting on bids for installation of street lighting system on northerly end of Shelter Island, received March 17, 1954, from 4 bidders, was presented. It recommends award to Ets-Hokin & Galvan, low bidder - estimate was \$6,920.00.

RESOLUTION NO. 117446, recorded on Microfilm Roll No. 78, accepting bid of Ets-Hokin & Galvan for installation of street lighting system on northerly end of Shelter Island; awarding contract, authorizing and instructing majority of members of the Harbor Commission to enter into and execute on behalf of The City of San Diego as contract pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 200 Wool Sweaters for use of Junior Traffic Patrol, was presented. It recommends award to Jones Knitting Mills, the low bidder of 2 bidders. The price is identical with that paid one year ago.

RESOLUTION NO. 117447, recorded on Microfilm Roll No. 78, accepting bid of Jones Knitting Mills for furnishing 200 Wool Sweaters at \$6.50 each, f.o.b. San Diego, terms net plus State Sales Tax; awarding contract, authorizing and instructing 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 Purchasing Agent, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent with Assistant to City Manager's stamp of approval, reporting on used automotive equipment sold to 8 bidders, according to attached tabulation, was presented. It states that total of \$4,325.08 received was deposited with the City Treasurer.

On motion of Councilman Wincote, seconded by Councilman Burgener, it was ordered filed.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing City's requirements of Ferric Sulphate for period of 6 months beginning May 1, 1954, as per specifications on file in office of the City Clerk bearing Document No. 487832, was presented.

RESOLUTION NO. 117448, recorded on Microfilm Roll No. 78, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Ferric Sulfate for period of six months beginning May 1, 1954, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing City's requirements of Centrifugally Spun Reinforced Concrete Pipe for 6 months beginning May 1, 1954, as per specifications on file in the office of the City Clerk bearing Document No. 487833, was presented.

RESOLUTION NO. 117449, recorded on Microfilm Roll No. 78, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of Centrifugally Spun Reinforced Concrete Pipe for six months beginning May 1, 1954, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing City's requirements of Clay Sewer Pipe and Accessories for period of 6 months beginning May 1, 1954, as per specifications on file in the office of the City Clerk bearing Document No. 487834, was presented.

RESOLUTION NO. 117450, recorded on Microfilm Roll No. 78, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of Clay Pipe and Accessories for period of 6 months beginning May 1, 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117451, recorded on Microfilm Roll No. 78, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of two-bedroom house at Torrey Pines Filter Plant, north of Sorrento; and similar house at Lower Otay Reservoir (Reservoir) bearing Document No. 487836; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117452, recorded on Microfilm Roll No. 78, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain and appurtenances in Bandini Street, and easement in Lot 9 Rodefer Hills, View Point Division, bearing Document No. 487835; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

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RESOLUTION NO. 117453, recorded on Microfilm Roll No. 78, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Small Water Main Replacements Group 12, 1953-54, in various locations, bearing Document No. 487805; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from the Zoning Adjustment Board, signed by Glenn A. Rick, reporting on letter expressing opinion of the board that Zone Ordinance be amended. It states that as presently worded the Zone Ordinance authorizes the Zoning Administrator to grant certain limited variances, which is agreed is working out well. However, according to the communication, no time limit for filing appeals from the Administrator's decisions is provided. It states the ordinance sets limit of 10 days for appeals from decision of the Board, and suggests the same limit upon decisions of the Administrator.

RESOLUTION NO. 117454, recorded on Microfilm Roll No. 78, referring to Council Conference communication from the Planning Director, filed under Document No. 487633, recommending zoning ordinance amendment relative to time on appeals from decisions of the Zoning Administrator, to Council Conference, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

Communication from City Engineer with City Manager's stamp of approval, recommending amendment to proceedings for improvement of Oliphant Street, et al, to include construction of headwalls, wire link guard fence, water services and sewer laterals as required, and that improvement of Oliphant Street extend to SE'ly line of Point Loma Heights, was presented.

RESOLUTION NO. 117455, recorded on Microfilm Roll No. 78, adopting recommendation of City Engineer, filed in the office of the City Clerk April 2, 1954, under Document No. 487798, to amend proceedings for improvement of portions of Oliphant Street, Plum Street, Newell Street and Clove Street; directing City Engineer to amend proceedings in accordance with the recommendation, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Resolution of the Board of Supervisors of the County of San Diego, granting permission to consolidate City of San Diego special bond election to be held June 8, 1954, with State-wide Primary election, was presented, and ordered filed.

Communication from Board of Supervisors of the County of San Diego, submitting copy of County Ordinance No. 1378 (New Series), amending Ordinance No. 161 (New Series) referring to the Health Agreements between the County and various incorporated Cities, having to do with regulating use of Bulk Milk Dispensing Devices, etc.

RESOLUTION NO. 117456, recorded on Microfilm Roll No. 78, referring communication from County Board of Supervisors, under Document No. 487587 submitting copy of County Ordinance re use of Bulk Milk Dispensing Defices, etc., to Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from A.B.C. Cab Company of Ocean Beach, dated March 31, 1954, signed by Perry Black, owner & manager, requesting that request contained in letter of March 15, 1954, concerning reduction in metered taxicab rates be rescinded, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from Architectural Draftsmen's Guild of California, post office box 5282 East San Diego 5, signed by William C. Berry, dated March 31, 1954, was presented.

It refers to sub-standard housing and suggests regulation to establish minimum sizes of dwellings, etc.

RESOLUTION NO. 117457, recorded on Microfilm Roll No. 78, referring communication from Architectural Draftmen's Guild, under Document No. 487858 to Council Conference, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from G. Aubrey Davidson, 4440 Braeburn Road, dated April 1, 1954, was presented. It suggests site for Civic Auditorium between F, G, Columbia and State Streets (including New Town Park).

On motion of Councilman Wincote, seconded by Councilman Burgener, it was referred to the Mayor for reply.

Communication from San Diego Transit System, signed by E. L. Dawes, Auditor, dated March 31, 1954, enclosing duplicate original of "Annual Report" for calendar year 1953, was presented.

On motion of Councilman Burgener, seconded by Councilman Dail, the communication and report were ordered filed.

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communications

RESOLUTION OF AWARD NO. 117458, recorded on Microfilm Roll No. 78, 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 paving and otherwise improving Alley Block 25 Ocean Beach, under Resolution of Intention No. 116281, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.
(Engineer reported bid 20.0% below estimate).

RESOLUTION OF AWARD NO. 117459, accepting bid of V. R. Dennis, an individual doing business under firm name and style of V. R. Dennis Construction Co., for paving and otherwise improving Alley Block 76 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions of Acre Lots 16, 37, 45, 46 and Block 150 and 151 Pacific Beach, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.
(Engineer reported bid 18.2% below estimate).

RESOLUTION OF AWARD NO. 117460, recorded on Microfilm Roll No. 78, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract for paving and otherwise improving Alley Block 176 University Heights, under Resolution of Intention No. 116283, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.
(Engineer reported bid 18.4% below estimate).

RESOLUTION NO. 117461, recorded on Microfilm Roll No. 78, directing notice of filing of assessment No. 2225 and of time and place of hearing thereof, for paving and otherwise improving Alley in Block 178 Pacific Beach, under Resolution of Intention No. 113263, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117462, recorded on Microfilm Roll No. 78, directing notice of filing of assessment No. 2224 and of time and place of hearing thereof, for paving and otherwise improving El Paseo Grande, Calle Clara, Vallecitos, Calle Frescota, Camino del Oro, Alley Block 9 La Jolla Shores No. 1, Alley Block 12 La Jolla Shores Unit No. 1, Southerly Alley Block 34 La Jolla Shores Unit No. 6, La Vereda and Public Land being portion of Kellogg Park, under Resolution of Intention No. 112024, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117463, recorded on Microfilm Roll No. 78, directing notice of filing of assessment No. 2226 and of time and place of hearing thereof, for paving and otherwise improving Russell Street, under Resolution of Intention No. 113000, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117464, recorded on Microfilm Roll No. 78, approving plans, drawings, typical cross-sections, profiles and specifications for installation of sewer mains in Ollie Street, Camulos Street, Liberty Street and Venus Street; approving Plat No. 2535 showing exterior boundaries of district to be included in assessment for the work and improvement; directing the City Clerk upon passage of resolution of intention to file plat in office of the City Engineer, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 117465, recorded on Microfilm Roll No. 78, for the paving and otherwise improving Alleys in Block 66 Resubdivision of Blocks 39 and 56 Normal Heights, within limits and as described in the Resolution, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 117466, recorded on Microfilm Roll No. 78, for paving and otherwise improving Quimby Street, within limits and as described in the Resolution, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

OF INTENTION

RESOLUTION NO. 117467, recorded on Microfilm Roll No. 78, for installation of sewer mains in Klauber Avenue, Pierino Drive, Zeller Street, Plover Street, Hilger Street, Gibson Street, Tarbox Street, Madera Street and Public Rights of Way, within limits and as described in the Resolution, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 117468, for installation of sewer mains, etc., in Maple Street, Laurel Street, 44th Street, Alleys in Blocks 19, 14 and 15 Swan's Addition, 45th Street, Highland Avenue; Public Rights of Way in Lots 33 to 44 inclusive Block 14, Lots 20 to 24 inclusive Block 15, Lots 25 to 27 inclusive Block 19 Swan's Addition; Alley in Block B Swan's Second-Addition; Alley Block 2 Swan's Addition; Olive

Street, Alley Block 20 Swan's Addition, and Fairmount Avenue, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117469, recorded on Microfilm Roll No. 78, for installation of sewer mains, etc., Ollie Street, Camulos Street, Liberty Street and Venus Street, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117470, recorded on Microfilm Roll No. 78, ascertaining and declaring wage scale for grading and otherwise improving Missouri Street and Public Right of Way in Acre Lot 51 Pacific Beach, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117471, recorded on Microfilm Roll No. 78, approving Diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Sapphire Street, under Resolution of Intention No. 113753, and to be assessed to pay expenses thereof; directing City Clerk to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117472, recorded on Microfilm Roll No. 78, approving Diagram of property affected or benefited by work of improvement on paving and otherwise improving Chamoune Avenue, under Resolution of Intention No. 113885, and to be assessed to pay expenses thereof; directing City Clerk as same time of approval to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117473, recorded on Microfilm Roll No. 78, directing the City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving North and South Alley Block 119 University Heights, under Resolution of Intention No. 115261 and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117474, recorded on Microfilm Roll No. 78, directing the City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving 44th Street, under Resolution of Intention No. 115631 and to be assessed to pay the expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117475, recorded on Microfilm Roll No. 78, directing the City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Mason Street, under Resolution of Intention No. 115263, and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117476, recorded on Microfilm Roll No. 78, sustaining objections in the matter of proceeding for closing westerly 1/2 (40 feet) of Hawk Street, between northerly line of Walnut Avenue and southerly line of Brooks Avenue, contained in Document No. 478796, determining that the street shall not be closed; rescinding Resolution No. 117324 adopted March 30, 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117477, recorded on Microfilm Roll No. 78, authorizing and empowering City Manager to do all work in connection with installation of 47 directional signs in Mission Bay area, by appropriate City forces, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

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

RESOLUTION NO. 117478, recorded on Microfilm Roll No. 78, authorizing and empowering City Manager to execute, for and on behalf of City of San Diego, agreement for installation of new electric line and furnishing of electric service to caretaker's residence at Sutherland Dam, and furnish to San Diego Gas & Electric Company \$2,703.05 as refundable construction advance; terms and conditions set forth in form of agreement on file in office of City Clerk as Document No. 487870, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117479, recorded on Microfilm Roll No. 78, approving Change Orders Nos. 57, 61, 62, 63, 64, 67, 68, 69, 70 and 71 heretofore filed with the City Clerk as Document Nos. 487874 - 487883, issued in connection with contract between The City of San Diego and F. E. Young Construction Company 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 contract price of \$2299.12; approving Change Order No. 66, dated April 1, 1954, filed as Document No. 487873, amounting to decrease in contract price of \$500.00; approving request of F. E. Young Construction Company dated April 1, 1954, contained in Change Order No. 65, for extension of 16 days to and including April 16, 1954, filed with the City Clerk as Document No. 487872 in which to complete contract for said San Diego Public Library, and extending the completion time to April 16, 1954, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117480, recorded on Microfilm Roll No. 78, approving Change Order No. 1, dated March 17, 1954, heretofore filed with the City Clerk as Document No. 487884, issued in connection with contract between The City of San Diego and Daley Corporation for improvement of La Jolla Boulevard, from Colima Street to Camino de la Costa, contained in Document No. 483917; changes amounting to increase in contract price of approximately \$80.00, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117481, recorded on Microfilm Roll No. 78, approving Change Order No. 1, dated March 16, 1954, heretofore filed with the City Clerk as Document No. 487886, issued in connection with contract between City of San Diego and Ets-Hokin & Galvan for installation of traffic signals and safety lights on Wabash Boulevard, section "B", contained in Document No. 484528 on file in office of City Clerk, changes amounting to increase in contract price of approximately \$2,503.03, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117482, recorded on Microfilm Roll No. 78, granting Kathleen Cosby, 4386 Pacific Highway, San Diego 10, ^{permission} to install a 4-inch ceremac tile sewer line along the easterly lines of Lot 5 Block "H" Subdivision of Encanto Heights, and Lot 34 Block "G" Subdivision of Encanto Heights, and across Madrone Avenue and in Alley Block "G", to point of intersection with public sewer in the alley; to serve property at 6407 Madrone Avenue; subject to approval of Chief Plumbing Inspector, Property Department, City Engineer (Sewer Division) and City Manager, and upon conditions set forth; rescinding Resolution No. 117036 adopted March 9, 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117483, recorded on Microfilm Roll No. 78, granting W. R. Devich, 3527 Pershing Avenue, San Diego 4, permission to install 4-inch cast iron sewer line between property line and sidewalk; to be placed one foot outside property line and run in southerly direction, parallel to westerly line of Lot Z Block D El Nido Subdivision, to point of intersection with public sewer; to serve property at 3355 Ocean View Boulevard; subject to approval of Chief Plumbing Inspector, Sewer Division of Engineering Department, and City Manager, upon conditions set forth; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Proposed Resolution expressing grateful acknowledgment and commendation of people of San Diego to Lieutenant (j.g.) C. W. Vandenberg, 330 Playa Del Sur, La Jolla, California, for his act of valor on Friday, 26th of March, 1954, in which his actions were responsible for preventing a pilotless Cougar jet from becoming a serious disaster to the people of San Diego or its neighboring communities with great loss of life and property, etc.

The Resolution was scheduled for adoption at this meeting, and certified copy thereof was to have been presented by the Mayor in open Council meeting.

The Mayor announced that Lieutenant Vandenberg was unable to be present at this meeting, but that he is expected on April 15. He asked that the Resolution be held until that date. By agreement of members of the Council, it was continued until April 15.

RESOLUTION NO. 117484, recorded on Microfilm Roll No. 78, approving claim of California Cold Storage and Distributing Company, dba San Diego Ice and Cold Storage Company on file in office of City Clerk under Document No. 485015 in amount of \$40.34, and approving same for settlement in sum of \$16.27; directing the City Auditor and Comptroller to draw warrant in favor of California Cold Storage and Distributing Company dba San Diego Ice and Cold Storage Company in sum of \$16.27 in full settlement of claim, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117485, recorded on Microfilm Roll No. 78, denying claim of Donald P. Devor and Geraldine Devor on file in Office of City Clerk under Document No.

117479 - 117485
Proposed Lt. (j.g.) C.W.
Vandenberg Res. continued

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484329, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117486, recorded on Microfilm Roll No. 78, denying claim of Clifton T. Hatt and Helen D. Hatt, on file in office of City Clerk under Document No. 485708, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Proposed Resolution denying claim of Eileen M. Plummer & Clayton E. Plummer Sr., was presented.

Douglas D. Deaper, Deputy City Attorney, said that question had been asked by Councilman Schneider, who was not present, earlier in the meeting. When it was indicated that the Council intended to act on the City Attorney's recommendation to deny at this time, Mr. Deaper said that he can give Councilman Schneider the information later.

RESOLUTION NO. 117487, recorded on Microfilm Roll No. 78, denying claim of Eileen M. Plummer & Clayton E. Plummer Sr., on file in Office of City Clerk under Document No. 483665, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117488, recorded on Microfilm Roll No. 78, authorizing and directing the City Auditor and City Treasurer to refund to Lewis Construction Company the sum of \$65.00, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The Resolution says that on February 17, 1954, the Company deposited \$65.00 with the City Treasurer for sewer connection permit (Receipt No. 05474, Building Inspection Department), at 4258 Noyes Street, owner, Samuel Feller; that owner refused to perform escrow agreement to sell property and no sewer connection contemplated will be made, and that Lewis Construction Company has in writing requested refund of deposit. It says, also, that the City has given and said depositor has received no consideration for the money and the City has no claim in equity or law thereto.

RESOLUTION NO. 117489, recorded on Microfilm Roll No. 78, vacating sewer easement in westerly 4.0 feet of Lot 1 Fractional Block 193 Middletown; directing that from and after date of the order of vacation title to land previously subject to easement shall revert to owners of the land free from rights of the public; authorizing and directing the City Clerk to cause certified copy of the Resolution, attested under seal, to be recorded in office of the County Recorder of the County of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

It states that by deed dated March 23, 1937, easement was obtained; that since acquisition it has not been used, nor has it been used for purpose for which acquired for 5 consecutive years next preceding proposed vacation, and that easement is unnecessary for present or prospective public use.

RESOLUTION NO. 117490, recorded on Microfilm Roll No. 78, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of, and as act and deed of The City of San Diego quitclaim deed quitclaiming to La Jolla Country Club Inc. all its right, title and interest in and to water main easement heretofore conveyed to The City of San Diego by La Jolla Country Club, Inc., by deed dated December 23, 1953, located in strip of land 20.0 feet wide in Pueblo Lots 1262 and 1263, described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The Resolution states that The City of San Diego is desirous of acquiring easement and right of way for water main or water mains and appurtenances in said Pueblo Lots, that La Jolla Country Club has conveyed to The City easement and right of way therefor; that easement as conveyed to The City contained description that did not conform to needs of the City so when main or mains were installed would not be located on the easement, and as result the City has no need or use for the easement. It states owner of the property is willing to deed new easement to the City in exchange for quitclaim deed; that value of easement to be granted is equivalent to value of easement to be quitclaimed by the City, and is the sum of \$100.00, that City Manager has recommended the exchange. It authorizes and directs the City Clerk to deliver quitclaim deed to Property Supervisor with instructions that same be delivered to Grantee when he shall have received deed to easement as required by The City of San Diego.

RESOLUTION NO. 117491, recorded on Microfilm Roll No. 78, authorizing and empowering the Mayor and City Clerk to execute for and on behalf of, and as the act and deed of The City of San Diego, a quitclaim deed quitclaiming to the San Diego Unified School District, a public agency, all its right, title and interest in and to east 45 feet of portion of Lot 27 in resubdivision of portion of Block 40 Normal Heights, excepting any and all improvements located on the property, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The Resolution states that The City is owner of the land, that San Diego Unified School District has requested that the City convey it to them, excepting from sale improvements located thereon. It says, also that value of the property as disclosed by report of last appraisal made by Auditor and Comptroller is \$2,250.00, that the School District has offered said amount, and that The San Diego Municipal Code authorizes sale of City-owned real property to public agencies without advertising for bids and without complying with provisions of Section 22.0902 of the Code.

RESOLUTION NO. 117492, recorded on Microfilm Roll No. 78, accepting Quitclaim Deed executed on the 24th day of March, 1954, by Claremont Rental Housing Company, a corporation, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either without or within subdivision named Clairemont Unit No. 10, being subdivision of portions of Pueblo Lots 1126, 1127, 1237 and 1238; authorizing and directing the City Clerk to file the deed, together with certified copy of said Resolution for record in the office of the County Recorder, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117493, recorded on Microfilm Roll No. 78, accepting Quitclaim Deed executed on the 24th day of March, 1954, by Claremont Rental Housing Co., a corporation, 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 subdivision named Clairemont Unit No. 11, being portions of Pueblo Lots 1237 and 1238; authorizing and directing City Clerk to file said deed, together with certified copy of the Resolution for record in office of County Recorder, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117494, recorded on Microfilm Roll No. 78, accepting Quitclaim Deed executed on the 25th day of March, 1954, by Clairemont Village, Inc., a corporation, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, within or without subdivision named Clairemont Unit No. 12, being portions of Pueblo Lots 1226, 1238 and 1239; authorizing and directing City Clerk to file deed, together with certified copy of the Resolution for record in office of County Recorder, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117495, recorded on Microfilm Roll No. 78, accepting Quitclaim Deed executed on the 24th day of March, 1954, by Claremont Rental Housing Co., a corporation, 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 subdivision named Clairemont Unit No. 15, being portion of Clairemont Unit No. 8; authorizing and directing City Clerk to file the deed, together with certified copy of the Resolution for record in office of County Recorder, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Ordinance approving annexation to The City of San Diego of portions of Tidelands of San Diego Bay, in County of San Diego, State of California, known and designated as "San Diego Harbor Tidelands", which had been before the Council several times previously, and continued to this date on its latest presentation on March 30, 1954, was presented again.

On motion of Councilman Burgener, seconded by Councilman Wincote, it was continued for one week - to April 13, 1954.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of the next ordinance was dispensed with, by the following vote, to-wit: Yeas--Councilmen Wincote, Burgener, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

ORDINANCE NO. 6041 (New Series), recorded on Microfilm Roll No. 78, amending the San Diego Municipal Code by amending Section 101.0401 thereof, relating to establishment of zones within the City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, ~~Kerrigan~~, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider, Kerrigan.

When the Ordinance was presented, Douglas D. Deaper, Deputy City Attorney, explained its provisions to the Councilmen.

Proposed Ordinance amending The San Diego Municipal Code by amending Sections 102.01, 102.02, 102.03, 102.12 and 102.16, and adding new sections numbered 102.02.1, 102.02.2 and 102.02.3 - all Regulating Subdivisions - was presented.

On motion of Councilman Burgener, seconded by Councilman Wincote, it was continued one week - to the meeting of April 13, 1954.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of the next ordinance was dispensed with, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, ~~Kerrigan~~, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider, Kerrigan

ORDINANCE NO. 6042 (New Series), recorded on Microfilm Roll No. 78, amending the San Diego Municipal Code by amending Section 102.18 and by adding thereto 3 new sections to be known as and numbered 102.18.1, 102.18.2 and 102.18.3 relating to Final Subdivision Map, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Kerrigan.

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The next two ordinances, both of which had to do with special election consolidated with County Election on June 8, 1954, were continued for later consideration - and were acted upon in the afternoon.

Inasmuch as they were not acted upon at this time, the Council proceeded to the other items listed on the agenda.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the reading of the next ordinance was dispensed with, on motion of Councilman Godfrey, by 4 votes.

Prior to the dispensing with the reading, the ordinance was introduced.

ORDINANCE NO. 6045 (New Series), recorded on Microfilm Roll No. 78, appropriating \$1,554.00 from Unappropriated Balance Fund, and transferring same to Social Service Department Fund, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Kerrigan.

On motion of Councilman Godfrey, seconded by Councilman Burgener, the next ordinance was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Kerrigan.

An ordinance creating a Special Fund in the office of the Treasurer of The City of San Diego to be known as the "Library Education Fund" and providing for expenditures therefrom.

When presented, Douglas D. Deaper, Deputy City Attorney, explained the terms of the ordinance, stating that the Fund is to come not through City appropriations but from donations.

On motion of Councilman Burgener, seconded by Councilman Wincote, the next ordinance was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Kerrigan.

An ordinance amending Chapter IX, Article I of the San Diego Municipal Code by adding thereto Section 91.02.1, permitting erection and maintenance of steel bleachers with wooden seats within Fire Zone I.

On motion of Councilman Burgener, seconded by Councilman Godfrey, Ordinance incorporating portion of Pueblo Lot 1237 into RC Zone and CP Zone, as defined by Sections 101.0409 and 101.0410 of the San Diego Municipal Code and repealing Ordinance No. 13456 insofar as the same conflicts, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Kerrigan.

On motion of Councilman Burgener, seconded by Councilman Godfrey, Ordinance incorporating portions of Pueblo Lot 1785, Acre Lots 4, 5, 6, 11, partition of Pueblo Lot 1784, Soledad Terrace, all Block A Nettleship Tye Tract No. 2, into "R-1B" and "R-1C" Zones, as defined by Sections 101.0403 and 101.0404 of the San Diego Municipal Code, and repealing Ordinance No. 119 (New Series) insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Kerrigan.

On motion of Councilman Burgener, seconded by Councilman Godfrey, Ordinance incorporating portions of Blocks 23, 24, 27, 28 West End Addition into R-2 Zone, repealing Ordinance No. 12820 insofar as the same conflicts, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Kerrigan.

On motion of Councilman Burgener, seconded by Councilman Godfrey, Ordinance establishing regulations governing use of land in an area of land known as "Rolando Tract" (interim zoning), was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Kerrigan.

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

RESOLUTION NO. 117496, recorded on Microfilm Roll No. 78, accepting deed of United States of America Housing and Home Finance Agency Public Housing Administration, bearing date March 31, 1954, conveying portion of Pueblo Lot 1189; authorizing and directing the City Clerk to file deed for record in the office of the Recorder of San Diego County, together with copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The City Manager explained that property is in connection with the Boys' Club which would be built, and property leased back from the City.

At 12:26 o'clock Noon, the Council took a recess to the hour of 1:00 o'clock P.M., to consider the two ordinances which had been held over, and not acted upon.

117496
6045 N.S.
Ords. introduced & hearings set

Upon reconvening, at the hour of 1:43 o'clock P.M., the roll call showed the following:

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

In connection with the next Ordinance, Councilman Wincote expressed his opposition to propositions G. and H, both having to do with retirement of City employees. He asked that the record show such opposition, after the vote had been taken on the ordinance, although he did not vote against adoption of the ordinance as a whole.

On motion of Councilman Burgener, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, 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 day of passage a written or printed copy.

* ORDINANCE NO. 6043 (New Series), recorded on Microfilm Roll No. 78, ordering, calling, providing for and giving notice of Special Municipal Election to be held on Tuesday, June 8, 1954, for the purpose of proposing and submitting to the Electors of the City propositions to amend the Charter of The City of San Diego; and consolidating said special municipal election with the Statewide Primary Election to be held in the City on June 8, 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted by the following vote: Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Dail, seconded by Councilman Kerrigan, the next ordinance was introduced.

On motion of Councilman Dail, seconded by Councilman Kerrigan, 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 day of passage a written or printed copy.

ORDINANCE NO. 6044 (New Series), recorded on Microfilm Roll No. 78, submitting to the qualified electors of The City of San Diego at the Special Municipal Election to be held on the 8th day of June, 1954, a proposed ordinance initiated by petition of the registered voters of the City prohibiting fluoridation of the San Diego Municipal Water Supply, was on motion of Councilman Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

* The propositions under Ordinance No. 6043 (New Series) are, briefly:

Proposition C. to amend Section 24 of Article IV of the Charter;

Proposition D. to amend Section 54 of Article V of the Charter;

Proposition E. to amend Section 59 of Article V of the Charter;

Proposition F. to amend Section 117 of Article VIII of the Charter;

Proposition G. to amend Section 141 of Article IX of the Charter;
(to which objection was made, as noted above)

Proposition H. to amend Section 143 of Article IX of the Charter;
(to which objection was made, as noted above)

Proposition I. to amend the Charter by adding new section to Article IX.

There being no further business to come before the Council at this time, the meeting was adjourned by order of the Mayor at the hour of 1:47 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

4/8/54

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, April 8, 1954

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Absent---Councilmen None
Clerk----Fred W. Sick

A Regular Meeting, held this date, was called to order by Mayor Butler
at the hour of 10:06 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed Ordinance approving and adopting proposed amendments to Section 2, Rule II, of the Rules of the Civil Service Commission - "Waiver of Residence" - no written protests had been made, and no one appeared to make verbal protest or file written protest.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said Ordinance was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent-Councilmen None.

Communication from the Purchasing Agent, bearing Assistant to City Manager's stamp of approval, submitting resolution re bids for furnishing various and sundry materials, in order to effect lower prices, was presented.

RESOLUTION NO. 117497, recorded on Microfilm Roll No. 78, authorizing and directing the Purchasing Agent when feasible for combined bids covering requirements, to advertise, together with The County of San Diego and The San Diego Unified School District, for periods of not exceeding one year in duration; resolution to become effective when and if The County of San Diego, and The San Diego Unified School District file with the City Clerk certified copies of resolutions of the legislative body authorizing advertising for and receipt of combined bids; authority shall be effective for a period of one year from the effective date of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117498, recorded on Microfilm Roll No. 78, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Resurfacing Central, Orange to Myrtle; Euclid, Monroe to S. of Thorn; Grim, University to Redwood; Park Blvd., University to El Cajon; San Diego, Conde to Taylor; Sunset Blvd., Ft. Stockton to Witherby; University, 5th to Albatross; Washington, 5th to 6th, Ivy to University; bearing Document No. 488183; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Planning Director, reporting on communication of Dalton J. Baker (re Winn Subdivision) requesting amendment to terms of Resolution No. 116978 pertaining to division of Lot 36 Tres Lomas into 3 parcels, was presented. It states that in view of the fact that pending ordinance will revise subdivision procedure of the City and permit Record of Survey maps for divisions into 4 parcels, or less, it was recommended that Resolution 116978 be amended to comply with terms of proposed ordinance.

RESOLUTION NO. 117499, recorded on Microfilm Roll No. 78, adopting recommendation of City Planning Director on amending Resolution No. 116978, adopted March 4, 1954, in connection with division of Lot 36 Tres Lomas (Winn Subdivision), was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

(It has to do with deletion of requirements for sewer and water laterals, and for street grading).

Communication from the County Clerk, signed by Marie Nasland, Deputy, advising that the Board of Supervisors on March 30, 1954, ordered that agreement between the County and the City dated August 18, 1954, covering maintenance of traffic signals and lighting units be cancelled, was presented. It states action was taken in accordance with recommendation of Survey-Road Commissioner in letter dated March 30, 1954, copy attached. The communication advises that it is the understanding of the Board of Supervisors that the State Division of Highways took over maintenance April 1, and that the City of San Diego ceased maintenance March 31.

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

Communications - a large group of them, signed by individuals - bearing the heading: "Citizens of San Diego want you to leave the Water in Morena Lake", and expressing reasons therefor in connection with fishing, were presented.

117497 - 117499
Ord presented
Communications

The Mayor said that the communications can be filed, that about 3,000 forms had been printed. He advised that Paul Beermann, Water Director, is going to file an explanation.

The City Manager ^{said that it} is a question if the lakes are for the benefit of sportsmen, or for water for the community. He said there is going to be the same problem with Sutherland. The whole idea is to have catch basins for the water, but that the City will try to maintain it to permit keeping fish. The Manager emphasized that the lakes are not for fishing, but for water supply.

On motion of Councilman Kerrigan, seconded by Councilman Dail, they were ordered filed.

Communication from Arthur A. Ohnimus, Chief Clerk of the State Assembly, submitting copy of Assembly Concurrent Resolution No. 21, adopted by California Legislature on March 30, 1954 (relative to the "Birthplace of California"), was presented. It requests an acknowledgment of the receipt of the Resolution.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the letter and copy of bill were ordered filed.

Communication from Ronald T. Strong, secretary, San Diego Public Safety Committee, Room 216, 525 "E" Street, San Diego 1, dated April 5, 1954, addressed to Board of Supervisors of San Diego County, was presented. It opposes, for safety reasons, establishment of pick-up stations for military hitch-hikers, and deplores recent action of the Board of Supervisors in authorizing such a station in Imperial Beach.

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

Communication from W. F. Radcliffe, 2120 Cecelia Terrace, San Diego 10, Chairman, East Bay Coordinating Council, dated April 2, 1954, was presented. It refers to the matter of evacuation of the Clairemont area, saying that it could be done readily and requests grading and improvement of a road or provision of a more direct route to provide therefor.

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

RESOLUTION NO. 117500, recorded on Microfilm Roll No. 78, authorizing and empowering City Manager, for and on behalf of the City, to execute lease with Palomar Dealers Association of portion of Collier Park, and portion of Pueblo Lot 206 of Pueblo Lands, for term of 10 years at annual rental of \$10.00; description of property and terms and conditions to be set forth in form of lease filed in office of City Clerk under Document No. 488176, property has value of \$100,000,000, as disclosed by report of last appraisal made by Auditor and Comptroller, leased for reason that City will derive benefits not otherwise obtainable, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117501, recorded on Microfilm Roll No. 78, approving Change Order No. I-A-4, dated March 22, 1954, heretofore filed with City Clerk as Document No. 488178, issued in connection with contract between City of San Diego and Engineer Constructors, Inc., for construction of Sutherland-San Vicente Conduit, Section 1, contract contained in Document No. 466147; changes amounting to increase in contract price of approximately \$1,052.00, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117502, recorded on Microfilm Roll No. 78, directing the Property Supervisor to file petition with Board of Supervisors of the County of San Diego, requesting that all taxes against property in westerly half of Lots 2, 3, 4 Block 70 Arnold and Choate's Addition, together with 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117503, recorded on Microfilm Roll No. 78, granting permission to General Petroleum Corporation, 2619 East 37th Street, Los Angeles, 54, California, to install 2 36-foot driveways, as measured at top of full-height curb on westerly side of Sunset Cliffs Boulevard between points 4 feet and 40 feet, and 87 feet and 123 feet north of the north line of Point Loma Avenue; and 30-foot driveway measured at top of full-height curb, on northerly side of Point Loma Avenue between points 12 feet and 42 feet west of west line of Sunset Cliffs Boulevard, adjacent to southerly 125 feet of Lots 13 to 15 Block 43 Ocean Beach, subject to conditions contained in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117504, recorded on Microfilm Roll No. 78, granting Thomas Sarantos and Donald E. Lewis, 6774 Rolando Knowles Drive, La Mesa, California, permission to install a 30-foot driveway on the northerly side of West Point Loma Boulevard, between points 20 feet and 50 feet east of the easterly line of Sunset Cliffs Boulevard, adjacent to southerly line of Lots 1 and 2 Block 28 Ocean Beach Park Annex, on condition that it be in accordance with all rules, regulations and ordinances of the City, that widths be measured at top of full height curb and that proposed driveway meet City requirements for access for service stations, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117505, recorded on Microfilm Roll No. 78, accepting quitclaim deed executed on the 25th day of March, 1954, by Clairemont Company, a copartnership composed of Carlos Tavares and Louis C. 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 subdivision named Clairemont Unit No. 5; authorizing and directing City Clerk to file deed, together with certified copy of the Resolution for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117506, recorded on Microfilm Roll No. 78, accepting quitclaim deed executed on the 25th day of March, 1954, by Clairemont Development Company, a partnership, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without the subdivision named Clairemont Unit No. 7, being portion of Pueblo Lots 1207, 1208, 1209, 1210 and unnumbered lot bounded by Pueblo Lands of San Diego; authorizing and directing City Clerk to file the deed, together with certified copy of the Resolution for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117507, recorded on Microfilm Roll No. 78, accepting quitclaim deed of Mid City Heights, Inc., a corporation, 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. 8, being subdivision of portions of Pueblo Lots 1210, 1223, 1224, 1227; authorizing and directing the City Clerk to file the deed, together with certified copy of the Resolution for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117508, recorded on Microfilm Roll No. 78, accepting quitclaim deed of Mid City Heights, Inc., a corporation, 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. 9, being portions of Pueblo Lots 1227, 1228, 1236 and 1237; authorizing and directing the City Clerk to file the deed, together with certified copy of the Resolution for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117509, recorded on Microfilm Roll No. 78, accepting quitclaim deed executed on the 26th day of March, 1954, by Carlos Tavares, Louis C. Burgener and Patricia W. Burgener, 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 Clairemont Manor Unit No. 1, being portions of Pueblo Lots 1237 and 1238; authorizing and directing City Clerk to file the deed, together with certified copy of the Resolution for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117510, recorded on Microfilm Roll No. 78, determining and declaring that the public interest, convenience, and necessity of The City of San Diego and the inhabitants thereof require the construction, operation, and maintenance of storm drains and appurtenances thereto across portions of Pueblo Lot 183 of the Pueblo lands of San Diego in The City of San Diego; that the public interest, convenience, and necessity demand the acquisition of easements and rights of way through, over, under, upon, along, and across the property, to be used by The City for construction of the storm drains and appurtenances within the area aforesaid; 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 easements and rights of way, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117511, recorded on Microfilm Roll No. 78, accepting subordination agreement, executed by California-Western States Life Insurance Company, beneficiary, and Westerlic Corporation, Ltd., trustee, bearing date March 16, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Lot 59 Las Alturas Villa Sites, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117512, recorded on Microfilm Roll No. 78, accepting subordination agreement, executed by C. W. Callahan, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date March 29, 1954, wherein parties subordinate all their right, title and interest in and to portion of Lot 15 Victory Manor, 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 the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117513, recorded on Microfilm Roll No. 78, accepting subordination agreement, executed by Dr. William B. Jenkins and Irene C. Jenkins, beneficiaries, and Security Title Insurance Company, trustee, bearing date March 31, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Lot 20 Victory Manor, 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 the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117514, recorded on Microfilm Roll No. 78, accepting subordination agreement, executed by George E. King and Sally B. King, beneficiaries, and Security Title Insurance Company, trustee, bearing date March 31, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Lot 20 Victory Manor, 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 the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117515, recorded on Microfilm Roll No. 78, accepting subordination agreement, executed by Leonard Martinez and Evelyn J. Martinez, beneficiaries, and Bank of America National Trust and Savings Association, trustee, bearing date March 24, 1954, wherein said parties subordinate all their right, title and interest in and to portion of Lot 59 Las Alturas Villa Sites; authorizing and directing City Clerk to file the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117516, recorded on Microfilm Roll No. 78, accepting deed of Raymond B. Talbot, as Tax Collector for the County of San Diego, bearing date July 2, 1953, conveying all the real property as follows:

In Bayside - Lots 40 to 44 incl., Block 7;

In City Gardens - Lot 26;

In Electric Line Addition - Lots 19 & 20 Block 6;

In Tract No. 1381 - Lots 27 to 32 incl., Block 32 ;

authorizing and directing the City Clerk to file the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117517, recorded on Microfilm Roll No. 78, accepting deed of San Diego Unified School District of San Diego County, California, bearing date March 23, 1954, conveying easement and right of way for street purposes in portion of Lot 1 Block 489 Old San Diego; setting aside and dedicating the land for public use as and for public street, and naming it Conde Street; authorizing and directing the City Clerk to file the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117518, recorded on Microfilm Roll No. 78, accepting deed of Arthur F. Snyder and Jessie F. Snyder, bearing date February 5, 1954, conveying ease-

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ment and right of way for street purposes in portion of Lot 59 Las Alturas Villa Sites; setting aside and dedicating the land as and for public street, and naming it Encina Drive; authorizing and directing the City Clerk to file the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117519, recorded on Microfilm Roll No. 78, accepting deed of Harris Gary Hudson and Ruth C. Hudson, bearing date April 3, 1954, conveying easement and right of way for street purposes in portion of Alley (closed) lying adjacent to north-easterly line of Lot 5 Block 18 La Jolla Hermosa; setting aside and dedicating the land to the public use as and for public street, and naming it La Jolla Hermosa Avenue; authorizing and directing the City Clerk to file the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117520, recorded on Microfilm Roll No. 78, accepting deed of Carlos Tavares, Marjorie Claire Tavares, Robert P. Holmes, Ann V. Holmes, William P. Kessling and Ehrma F. Kessling, bearing date March 23, 1954, conveying easement and right of way for street purposes in portion of Pueblo Lot 1259; setting aside and dedicating the land to the public use as and for public street, and naming it Nautilus Street; authorizing and directing the City Clerk to file the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117521, recorded on Microfilm Roll No. 78, accepting deed of Al V. Carpenter and Jane A. Carpenter, bearing date March 31, 1954, conveying easement and right of way for street purposes in portion of Lot 30 La Mesa Colony; setting aside and dedicating the land to the public use as and for public street, and naming it Reservoir Drive; authorizing and directing the City Clerk to file the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117522, recorded on Microfilm Roll No. 78, accepting deed of Joseph D. Morrison and Anna M. Morrison, bearing date January 8, 1954, conveying easement and right of way for street purposes in portion of Lot "A" La Mesa Colony; setting aside and dedicating the land to public use as and for public street and naming it Reservoir Drive; authorizing and directing the City Clerk to file the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117523, recorded on Microfilm Roll No. 78, accepting deed of Russell G. Lewis and Agnes A. Lewis, bearing date March 30, 1954, conveying easement and right of way for street purposes in portion of Lot 16 Blethen Subdivision; setting aside and dedicating the land to the public use as and for public street, and naming it 70th Street; authorizing and directing the City Clerk to file the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117524, recorded on Microfilm Roll No. 78, accepting deed of John L. Donovan, bearing date March 10, 1954, conveying Lot 6 Block 85 Homestead Union; setting aside and dedicating the land to the public use as and for a public street, and naming it Wabash Boulevard; authorizing and directing the City Clerk to file the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117525, recorded on Microfilm Roll No. 78, accepting deed of Charles Boyle and Novalym W. Boyle, bearing date March 9, 1954, conveying easement and right of way for sewer purposes in portion of Lot 15 Victory Manor; authorizing and directing the City Clerk to file the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117526, recorded on Microfilm Roll No. 78, accepting deed of William G. Klemm and Irene Klemm, bearing date March 29, 1954, conveying easement and right of way for sewer purposes in portion of Lot 22 Victory Manor; authorizing and directing the City Clerk to file the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117527, recorded on Microfilm Roll No. 78, accepting deed of Clarence D. Steffensen and Eileen Steffensen, bearing date January 30, 1954, conveying easement and right of way for sewer purposes in portion of Lot 20 Victory Manor; authorizing and directing City Clerk to file the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117528, recorded on Microfilm Roll No. 78, accepting deed of La Jolla Country Club, Inc., bearing date March 16, 1954, conveying easement and right of way for water main purposes in portion of Pueblo Lots 1262 and 1263; authorizing and directing the City Clerk to file the deed for record in the office of the Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

On motion of Councilman Kerrigan, seconded by Councilman Dail, the reading of the next ordinance 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 day of final passage a written or printed copy.

ORDINANCE NO. 6046 (New Series), recorded on Microfilm Roll No. 78, amending Sections 67.46 and 67.48 of the San Diego Municipal Code, relating to water main extensions and replacements, and repealing Sections 67.00 and 67.47 of the San Diego Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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

RESOLUTION NO. 117529, recorded on Microfilm Roll No. 78, commending Lieutenant (j.g.) C. W. Vandenberg of 330 Playa Del Sur, La Jolla, for his act of valor in guiding a F9FJ Cougar jet plane, through manouevring his own plane in such a manner as to prevent the pilotless Jet from causing serious disaster to the people of San Diego or its neighboring communities, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

It also expresses grateful acknowledgement of the people of the heroic action, and expresses and forever rolls in the archives of the City of San Diego; and directs the Mayor to present a certified copy to Lieutenant Vandenberg in open Council meeting.

Although the proposed Resolution had been continued from a previous meeting until April 15, 1954, the Mayor asked for its adoption this date, so that it would be ready for presentation to Lieutenant Vandenberg on that date.

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:

On motion of Councilman Burgener, seconded by Councilman Schneider, Ordinance amending Section 2 of Ordinance No. 1845 (New Series), adopted May 14, 1940, and as amended by Ordinance No. 5021 (New Series), adopted December 18, 1951, was on motion of Councilman Burgener, 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.

It gives the Society the right to charge an admission fee to the premises of the Zoological Gardens in Balboa Park of not to exceed 40¢ per person, and furnish and charge for transportation facilities within the grounds, to operate or let concessions for sale of refreshments, curios, etc.; providing that all revenues derived by the Society from such sources shall be expended in and about the development, operation and maintenance of the gardens and exhibits.

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

Councilman Wincote referred to the election ordinance which had been adopted at the previous meeting (Ord. 6043 N.S.). He said that when he had objected to "g" and "h" on the propositions, for the retirement of City employees, it had been meant to include "i". He asked the Council to give consideration to withdrawing proposition "i". He read "i" in the Charter, which says that control is in the Board of Administration of the Retirement System. The Council could be in hot water on account of the proposition, according to Councilman Wincote. The Council is a policy making body, and he doesn't want to take the right away from the Council, he declared.

Councilman Dail declared that the situation works both ways, and that an economic situation might take care of the problem (regarding the salary, amount of retirement allowance).

Discussion followed between Councilman Wincote and Councilman Dail regarding the contribution by employees, and their vested rights.

Councilman Godfrey talked to Councilman Wincote regarding the technical rights.

Shelly J. Higgins, Assistant City Attorney - who is familiar with the situation, and who was involved in the drafting of the ordinance - was sent for by the Mayor.

Judge Higgins arrived, almost immediately, and said that "there would have to be substantial change to plan"...., but was interrupted.

Councilman Wincote then read about the proposition.

Mr. Higgins said that unless there is a substantial change of plan "B" it is what the Council had asked for.

Discussion was entered into between Councilman Wincote and Mr. Higgins regarding the effectiveness.

Councilman Dail said that employees should have protection, and that a Council could cut it in half.

Douglas D. Deaper, Deputy City Attorney, spoke to Mr. Higgins about change in percentage of contributions.

Mr. Higgins told the Council that would be set by the Board.

Mr. Deaper added that the benefits, in any event, remain the same.

Next, Councilman Wincote read from the Charter.

Mr. Higgins declared that there had been preserved, carefully, the matter of benefits regarding actuarial figures.

Councilman Godfrey discussed that point with Mr. Higgins.

Mr. Higgins discussed with Councilman Godfrey regarding the percentage, which could not be changed without vote of employees - as well as of the Council. If there is not a change in the basic plan, it would not be effective, he commented.

Councilman Godfrey spoke to Mr. Higgins regarding control by prejudiced party; being the employees.

Councilmen Schneider and Godfrey entered into discussion regarding private endowments (as opposed to the question before the Council), on fixed amounts.

Mr. Higgins said that if there were a fixed amount, it would do what Councilman Godfrey says. He told of there being no change of basic plan B relative to percentages.

There was discussion between Councilman Burgener and Mr. Higgins over benefits.

The Mayor wondered if Councilman Wincote's objections had been answered.

Councilman Wincote's answer was "no". Who is going to say what is basic, regarding benefits, he asked.

Councilman Dail stated that Mr. Higgins has answered, to his satisfaction.

Discussion was held between Councilman Schneider and Mr. Higgins regarding benefits under salaries.

Mr. Higgins stated that the powers regarding salaries are with the Council and the Civil Service Commission. He emphasized that every attorney in the State says that courts will not sustain inferences. The Charter as a whole would be taken to reconcile the matter, he declared. Mr. Higgins said that the Ordinance had been designed to take care of plan "B", and that another ordinance can be presented with amendment to clarify the position, if desired.

Councilman Wincote said that proposition "g" is to correct the matter, under Ordinance of 1951. The salary percentage is part of the Ordinance, according to the speaker.

Fred W. Sick, City Clerk, who is secretary to the Retirement Board, spoke. He said that what is done is on recommendation of the actuary by the Board. He said that benefits are not changed.

Councilman Wincote announced that he would make a motion to strike "i" from the ordinance placing the proposition on the ballot. He declared that the interpretation of no ordinance amending is different. He said that the matter will come up dozens and dozens of times.

Councilman Godfrey pointed out that there has been authorization made to place the matter on the ballot. He wondered if it could be removed.

Mr. Higgins pointed out that it has gone to the Registrar, and that it has been ordered on the State ballot.

The Mayor said that the Board of Supervisors of the County had wanted the ordinance early, so it could take the needed action. He said that the Council can't reconsider its action - that was taken on another day.

Councilman Godfrey said that an amendment, if voted, would have no effect until acted upon by the Legislature - sometime after next April.

Councilman Schneider said it would be January, rather than April.

Councilman Godfrey spoke of not having the Ordinance yet. He said it would be better to adopt "after".

Mr. Higgins said that the Ordinance ought to be up for July 1.

Councilman Godfrey asked if it would be possible to withdraw.

Councilman Schneider said that it could be, in November.

Councilman moved "that proposition 'i', if possible, be removed from the June ballot, and that it be referred to the City Manager and to the City Attorney regarding its removal".

Mr. Higgins said that it would need another ordinance to do that, inasmuch as the Council had adopted the ordinance including the position ordering it on.

Councilman Dail declared that Councilman Wincote has taken each issue, opposed all, and tried to keep them off the ballot. He said that the entire matter is getting into a state of confusion. He stated that it would be wrong to cloud up the ballot.

Councilman Wincote said that the arguments are zealous.

Councilman Dail pointed out that the proposal is for the protection of employees against future Councils.

Councilman Schneider declared that the Council has to trust the City Attorney to get the matter on the ballot legally.

Councilman Wincote said that on the policy-making problem, the Council has to have a vote of the employees. He declared that the Council doesn't consult department heads on policy matters.

Councilman Dail moved to table Councilman Wincote's motion.

The Mayor declared that it had died for lack of a second.

Councilman Godfrey said that the Council had set a new world's record regarding completing the meeting (of items before the Council, up to this point). He spoke of the retirement being based on broad experience with actuaries. He related that Los Angeles is going into the red on the actuarial services of Buck (George Buck, who is the actuary to the City Employees' Retirement of San Diego also).

There was discussion between Councilmen Wincote, Schneider, and Godfrey, regarding plan B.

Councilman Godfrey said that there are differences between authorities. He said that the Council can't refer to the sacred nature of authorities too completely. He read from a report regarding withdrawals from service. He addressed Councilman Schneider regarding the report, and the City's liabilities. He read, further, from the report from which he had been speaking. He said that the Council had voted on the ordinance to submit the propositions, before the report had been given. Councilman Godfrey spoke of Mr. Waites (who had given the Council a report, for actuaries engaged for that purpose, in Conference) as a nice fellow. He said, however, that it is the Council's duty to evaluate "the whole thing".

Councilman Dail agreed with Councilman Godfrey, that the report had not been read, before the vote was taken on action to adopt the ordinance.

Councilman Wincote asked John McQuilken, City Auditor, if he had the report which had been asked for. Mr. McQuilken handed it to Mr. Wincote. They had a quiet private discussion, which was not heard.

Councilman Schneider spoke of a failure to under/stand the problems, and that the Council is obliged to lean on an expert.

Councilman Dail said that the City doesn't know where it is going.

General discussion between several members of the Council took place, and individual comments were not heard for the minutes.

Councilman Dail said that experts are called in to guide the Council, but that members of the Council still argue.

Councilman Schneider referred to Councilman Wincote as being stubborn. There was a mild verbal exchange between the two Councilmen on that point.

There was no action taken, inasmuch as there was the following motion.

Councilman Dail moved to adjourn the meeting, which motion was seconded by Councilman Schneider.

Mr. Dail pointed out that the motion was not debatable.

There being no further business to come before the Council at this time, and as a result of the motion and second, the meeting was adjourned at the hour of 10:48 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadstrom
Deputy

John D. Butte
Mayor of The City of San Diego, California

4/13/54

REGULAR MEETING

Regular Meeting of the Council of The City of San Diego,
California, Tuesday, April 13,
1954

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Absent---Councilmen None.
Clerk----Fred W. Sick

The Meeting was called to order by Mayor Butler at the hour of 10:06 o'clock A.M.

The Mayor presented the Rev. Michael O'Connor, pastor of Our Lady of Angels Church. He asked all to rise, whereupon Father O'Connor gave the invocation.

The Minutes of the Regular Council Meetings of Tuesday, April 6, 1954, and of Thursday, April 8, 1954, were presented to the Council by the Clerk.
On motion of Councilman Kerrigan, seconded by Councilman Burgener, they 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 receiving bids for paving and otherwise improving Alley Block 45 Normal Heights, within limits and as described in Resolution of Intention No. 116493, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

The bids were as follows:

Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$300.00, given Document No. 488502;
John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$200.00, given Document No. 488503;
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 \$200.00, given Document No. 488504;

Gilman Grading Company, accompanied by bond written by The Phoenix Insurance Company in the sum of \$200.00, given Document No. 488505;

Dan McF. Chandler, accompanied by bond written by Pacific Employers Insurance Company in the sum of \$155.00, given Document No. 488506.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Haines Street, within limits and as particularly described in Resolution of Intention No. 116401, the Clerk reported that 6 bids had been received, which bids were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

The bids were as follows:

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$600.00, given Document No. 488507;

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$685.00, given Document No. 488508;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1,000.00, given Document No. 488509;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$600.00, given Document No. 488510;

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, given Document No. 488511;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$600.00, given Document No. 488512

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Logan Avenue and Florence Street, within limits and as particularly described in Resolution of Intention No. 116621, the Clerk reported that 6 bids had been received, which bids were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

The bids were as follows:

Griffith Company, accompanied by bond written by National Surety Corporation, in the sum of \$2,699.00, given Document No. 488513;

Invocation

Minutes approved

Bids