

See Book 79 of Minutes for first part of this meeting

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$3,151, given Document No. 488514;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in sum of \$3,000, given Document No. 488515;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$2,500, given Document No. 488516;

V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$3,000, given Document No. 488517;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$2,400, given Document No. 488515.

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 35th Street, Webster Avenue, Pardee Street, 36th Street and Pardee Place, within limits and as particularly described in Resolution of Intention No. 116494, 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 \$7,000.00, given Document No. 488519;

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$9,094.00, given Document No. 488520;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$7,000.00, given Document No. 488521;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$6,900.00, given Document No. 488522;

V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$8,500.00, given Document No. 488523;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$6,500.00, given Document No. 488524.

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 time set for hearing on Resolution of Intention No. 117016 for installation of lights on 30th Street, Upas and Ray Streets, and University Avenue, the Clerk reported written protests had been received from Otto Geilenfeldt and Henry R. Geilenfeldt, and from T. Kenneth Fergusson for The Corporation of St. Luke's Episcopal Church, which were presented. A written protest was handed in from Beatrice B. Tibbetts.

Asked for a report, the City Engineer said that the first 2 mentioned constituted 3.6% - and computation had not been made to include the one just filed. He reported that one protest was on cost, while the other was regarding no need for the lights.

RESOLUTION NO. 117530, recorded on Microfilm Roll No. 78, overruling and denying protests of Otto Geilenfeldt and Henry R. Geilenfeldt, St. Luke's Episcopal Church, and Beatrice B. Tibbetts, against improvement of 30th Street, Upas Street, Ray Street and University Avenue, under Resolution of Intention No. 117016, overruling and denying all other protests, was on motion of Councilman Burgener, seconded by Councilman Dail, 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 - Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Resolution of Preliminary Determination No. 116790 for paving and otherwise improving Wunderlin Avenue, the City Engineer made a verbal report. He said he had worked up estimates for the storm drain, which he explained from a map showing to the Council the location of the drain. He gave an estimate from \$3920 to over \$8,000.

There was discussion between the City Engineer Dail over methods.

The Engineer said that \$24,700.00 would be the cost for paving and grading. Councilman Dail brought up the question, if the paving is abandoned, the setting up of a drain project on a participation basis.

Councilman Godfrey said that if paved soon, the drain installation would be a waste.

Councilman Schneider was excused.

Councilman Dail wondered if there is participation on the drain, if it could apply on paving.

Councilman Burgener said that if the property owners can't afford the paving, the drain would be the best answer.

Mr. Deaper said that the City could participate in the drain.

The City Engineer reminded the Council that there has been no petition, that the project would be a small one for the 1/2 and 1/2 participation.

Councilman Kerrigan moved to abandon the project.

Bids
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Hearings

Councilman Schneider returned.

The City Engineer said that there is a protest of over 50% on the privately-owned property.

A petition was then handed in by an unidentified man.

RESOLUTION NO. 117531, recorded on Microfilm Roll No. 78, abandoning proceedings heretofore taken for improvement of Wunderlin Avenue, under Resolution of Preliminary Determination No. 116790, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey.

Councilman Godfrey asked that the matter of drains and contributions there-to be referred to Conference.

RESOLUTION NO. 117532, recorded on Microfilm Roll No. 78, referring to Council Conference the matter of drainage projects and contributions by the City, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, set for hearing on Assessment No. 2220, made to cover paving and otherwise improving Alley Block 88 E. W. Morse's Subdivision, under Resolution of Intention No. 111679, the Clerk reported that no appeals 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 appeals were presented.

RESOLUTION NO. 117533, recorded on Microfilm Roll No. 78, confirming and approving the Street Superintendent's Assessment No. 2220 made to cover the cost and expenses of paving and otherwise improving Alley Block 88 E. W. Morse's Subdivision, under Resolution No. 111679; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing him to record the warrant, diagram and assessment in his office, 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 the Engineer's Assessment No. 2219 for Kearny Mesa Improvement District - installation of water mains, sewer mains, steel standpipe water storage reservoir and appurtenances - W. H. Nichols told the Council that there are many things wrong with the assessment roll.

The Mayor announced that the Council had gone through the boundary matter in Conference. The Council and the Attorney think that situation will have to be litigated.

Mr. Nichols spoke from a map which he posted, regarding property lines. He showed land from the map, on which he is assessed. He told of area assessed - beyond the City line. He said that the 1911 Act says that measurements must be given in the assessment.

A. S. Monroe, attorney for the Boyle Engineering Company was heard. He said that he is the only man living who participated in setting of the monuments for survey of the area in 1915 or 1916. He referred to the City Engineer at that time being Mr. Rumsey or Mr. Cromwell, as having ordered a survey of the boundary of San Diego. He said that Mr. Hatch made a survey to the southern boundary of the City regarding an Encanto suit, which was later dismissed. He said that Williams surveyed and monumented pueblo lands owned by the City of San Diego. He sent a copy of letter to Councilman Burgener, which had been addressed to Mr. Nichols, regarding the east boundary of the City of San Diego, Mr. Monroe said. He said that the boundary is recognized by the State. Mr. Monroe spoke of 2 subdivisions east of the pueblo boundaries, as only "paper subdivisions". He said that many subdivisions are not surveyed. He said that it does not tie in with scaled dimensions. Mr. Monroe said that there are dimensions, but that they do not check in any manner, shape or form. When they came up to Soledad Slough (during the early survey referred to), they had to triangulate to determine the distance across the Soledad Slough, he stated.

There was discussion between Councilman Schneider and Mr. Monroe regarding a showing, with statement from Mr. Monroe that it is impossible to show.

Mr. Monroe spoke about the then-engineer, and Mr. Higgins (Shelly J. Higgins, the present Assistant City Attorney) and the putting in of granite monuments in connection with the survey. He mentioned having looked at old indexes on the Hatch survey. Mr. Monroe said he had made the map himself which is on file in the City Engineer's office. It is not an overlapping map, he said. He told about not losing public domain on account of the survey. He made reference to survey adjoining Balboa Park, on which Mr. Cosgrove, City Attorney, had brought suit to determine the south boundary of the park. The case was won on monuments, he said. "This was not done hurriedly", Mr. Monroe said.

The Mayor told about it being obvious that the situation is developing into a hassel, and that it looks like it is going to have to go into court.

Mr. Monroe spoke about if the boundary is on the west, Mr. Nichols is not assessed as he should be.

Mr. Nichols stated that he used to find monuments - on the old line.

Mr. Monroe referred to a "Coyle" or "Cowle", and told of various surveys and boundaries with difference of .8 acres from Williams' survey. *He said that the United States got the land from Mexico under treaty, and had agreed to recognize the lines. He said San Diego got patent from the United States for the Pueblo Lands. He spoke of when leaving Sorrento going in a true line to the River. He said it is a straight line; never mind where the monuments are. He told of Rancho Mission patent, regarding 2 lines, which he pointed out to the Council. He said that the Gas Co. spent \$50,000. to make a survey. He mentioned losing 9 or 10 acres of land. Mr. Monroe referred to being assessed 200 feet more than old granite monument. He said he had been advised that adverse possession does not hold against the City. The scale overlaps 70 feet on the map, he pointed out. He

(*Mr. Nichols, rather than Mr. Monroe).

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Kearny Mesa Improvement District hearing on assessment

said that the City Land Department estimates, regarding the Williams' line. There may be a loop hole that "can get out of". The City Engineer does not know the exact measurements, he charged.

The Mayor contended that the Council is in a position of having to follow recommendations of the City Engineer and the City Attorney. If Mr. Nichols does not agree, he would have to sue, the Mayor said.

Mr. Monroe stated that the Pueblo line of San Diego is the boundary of the assessment for a portion thereof. He spoke regarding the United States recognizing several private ownerships by grants under the Treaty of Guadalupe. He mentioned the Mexico and Spain grants, and the United States decision. He referred to there being not a patent, but a conformation of patent, as a quitclaim deed, issued. He told the Council that the United States Commission heard claims, and ordered a survey. He went into the history of patent in records of the Bishop of Monterey.

Councilman Wincote dwelled on the Hatch line.

Mr. Monroe said that so far as can be determined, the Hatch and Williams surveys constitute the same.

The City Engineer said that several lines (surveys) had been done. He declared that the stuff that is being talked about is not pertinent. What the effect is, he can't see, according to Engineer Fogg.

Mr. Nichols declared that he had paid assessments on the Williams line for the Chesterton water line, and that taxes are so paid.

The City Engineer said that the City does not need any historical line.

Discussion followed between Councilman Godfrey and Mr. Nichols over the area involved.

Mr. Nichols declared that he does not know if he owns the land for which he is assessed. He told about annexations. Then, he went to patents, and assumed that the correct survey had been made, Mr. Nichols stated. He carried on a discussion with Councilman Wincote regarding the Gas Company easement.

Answering Councilman Wincote, the Mayor stated that the owner pays the assessment on property covered by easement - unless covered by a contract otherwise.

Douglas D. Deaper, Deputy City Attorney, agreed that the owner of the property pays.

The Mayor said that the "owner is stuck".

Mr. Boyle - J. R. Lester Boyle, engineer of work - agreed with Capt. Fogg, City Engineer, regarding there being no discrepancy regarding the boundary. The assessment diagram shows the same assessment, he said. He agreed that he had found overlap of lands on old records. The records do not show the overlap, but from the field it had been found that there is the overlap. He contended that the overlap can be best demonstrated on the assessment diagram - rather than on the Nichols' map. Mr. Boyle spoke to the Council from the diagram. There was a conference held over the map, not recorded, because discussion was not understood on account of references made and pointed out on the map which was not seen. This occurred several times. Mr. Boyle said that the situation is encountered many times, and that the engineer has to rely on records.

Mr. Nichols joined the conference group, and he spoke too, his remarks not being understood either, since the map was still not seen by the Clerk.

Councilman Dail spoke to Mr. Boyle regarding the boundary of assessment.

Mr. Boyle said that it had been set out prior to the Council hearings.

Mr. Nichols spoke about the City now giving figures, which it did not do previously. He said that people buy bonds, and think that the City is issuing them. He asked for "rejection of the roll".

The Mayor said that the Council has no basis for such action, that it has the opinion of the Boyle Engineering and the Attorney, which he declared to be right.

Douglas D. Deaper said that a court could order a reassessment.

There was discussion between Councilman Wincote and Mr. Boyle over distances.

Mr. Boyle told the Council that there are many different opinions regarding the line.

Councilman Burgener said that although maps do not agree, the Council is not the body to determine the boundaries.

Mr. Nichols said that maps are not identical.

Councilman Godfrey pointed to a map regarding the district of assessment.

Mr. Boyle declared that he had made a search of the record, and announced that there is no space of a "no man's land".

Discussion was held between Councilman Godfrey and Mr. Boyle.

Mr. Boyle said that if a particular line is shown, the Council could have to be set up as a court of law.

Mr. Boyle showed on the map again regarding lines, and boundary. It could be foreshortened, he said, but that would be contrary to the record.

Councilman Schneider moved to adopt the recommendation of the Street Superintendent regarding splits of property, which motion was seconded by Councilman Dail.

The City Engineer, answering the Mayor, said that there is an 8.4% appeal by area.

Councilman Godfrey acknowledged that the Council has come to a dead end, that there is only one way: to court.

It was moved by Councilman Godfrey, seconded by Councilman Dail to overrule the appeals.

The Mayor pointed out that the only question before the Council is if the assessment is fair and equitable in the district.

Councilman Wincote spoke of having left out property in the canyons.

Councilman Dail said that the engineer is the best authority on what should be assessed.

Councilman Wincote asked how about the use of the property under the easement, and said that there is no 100-foot easement in any other subdivision.

Victor Selten said he had heard that the Council is bound by the Engineer and the Attorney.

Councilman Godfrey spoke to Mr. Selten, saying that it is not bound, but that the Engineer and Attorney are experts.

Mr. Selten pointed out that the Engineer had eliminated from the assessment roll the sewer matter on account of low property. A great portion of what has been eliminated is usable, and that sewer can be pumped therefrom, he declared. He said that he does not derive benefit from the sewer. He asked why in his case, and that of others, with frontage on the sewer which cannot use it should be on the basis set. He said that it would be better, in his case, to run a whole new system than attempt to utilize the sewer system installed under this contract. If it came to just one corner it would cost as much as for full length, he stated. He declared that the sewer frontage is not usable.

The City Engineer said that he does not agree with Mr. Selten; that he can make connection, despite statement to the contrary. He said that the protestant can connect directly in.

Mr. Selten charged that it would be more economical to run his own sewer line.

The City Engineer said that it is just like any other sewer, all over the City, and that Mr. Selten can use it if he wants to.

The Mayor asked Mr. Bracklow (E. L. Bracklow, attorney), if he wished to be heard. Mr. Bracklow spoke to the Council, and said that originally property owners had been told that the assessment would be approximately \$350.00 per acre; than \$525.00 per acre. He said that Mr. Frie's (Glen O. Fries) assessment is \$12,400 - an excess of \$900. per acre. The difference is considerable, he contended. He said that he does not know that the 20" water line is necessary. He said that the need should be considered. He charged that there is a terrific variance.

Councilman Burgener asked about the 20" water line.

The Engineer's reply was 1,700+ acres, indicating that is what would be served thereby.

Mr. Bracklow asked if the line is to serve other property.

The City Engineer said he did not know, but that a 16" sewer is necessary by gravity. The water line is as was prescribed by the Water Department, he said.

The Mayor said that is not a basis for argument now.

The City Manager told the Council that there is no other area concerned; it butts up against Elliott and Miramar. The line won't serve a new area, he stated.

Mr. Deaper said that the time for determining the district has past; those things are not before the Council.

Mr. Bracklow wondered if it was to serve Montgomery Field.

The City Manager's answer was that it had been discussed several times.

Councilman Dail pointed out that the City had contributed \$60,000.00 (in addition to the assessment against the City's property). He agreed that the improvement was at the request of the people "at the time".

The City Manager said that Montgomery Field is already sewered and watered. He said that the sewer was regarding Wherry, already served by water. He spoke of contribution of \$10,000.00 regarding future. He declared that the City was most general. He said that all the people concerned urged the City to go ahead with the project.

There was discussion by an unidentified woman who kept her seat in the audience.

A man who did not give his name, but who was thought to be Mr. Lee, asked about the fairness. He spoke about discrepancy of \$26,000.00 or \$27,000.00. There is another discrepancy regarding the City contribution, he said.

The City Engineer talked to Mr. Lee about the figures.

Mr. Lee spoke of the City's assessment on 180 acres.

The Engineer said that the City's assessment on the property is the same as on others.

Councilman Wincote wondered if the runway assessment is the same as that on the easement.

Councilman Godfrey answered "no".

Another woman who did not identify herself, asked about the \$900. per acre.

The Mayor said that the City Engineer had just explained it.

Councilman Godfrey spoke to that woman regarding her assessment, on account of Murphy Canyon. He said that there is no "hokus pokus", and that she can find out what is wanted.

Next, Councilman Schneider spoke to the same woman.

Reg Stalmer told the Council that he has 20 acres, north of Linda Vista Road and Cabrillo Freeway. He said that he protested on the 3 acres which he cannot use on account of being under a high voltage line. Answering Councilman Burgener, Mr. Stalmer said that he had been paid \$200.00 for the easement.

Councilman Kerrigan pointed out that the property was not within the City then (it was in the County, prior to annexation).

Mr. Stalmer said that water and sewer are no good to property when it cannot be used. He said he would not have donated it for the line. He added that he was protesting.

Willard Olson, of the City Engineer's office, said that allowance had been made regarding the character of the property in making the assessment.

Mr. Stalmer stated that he had donated a corner to the City for Street.

Mr. Olson gave figures to Mr. Stalmer covering that property.

Mr. Stalmer protested regarding benefit. He spoke about property in relation to sewer that had been run. He told of having a 2" water meter, already. He said he does not feel that he got as much benefit as someone 4 miles out. He referred to benefits derived "out there", 2 or 3 miles. He said that instead of facing on 150 feet of pipeline, it is 1200 feet. The water main was there, too.

Mr. Porter, who did not give his first name or initials, said that in the beginning there had been a lot of bad figuring done. He stated that everybody got the same card. He said that when he signed the card and sent it in, he knew that the property was in the canyon, he stated. He agreed that somebody is going to get hurt, but there is the need to keep the assessment as right as possible.

Kearny Mesa improvement assessment hearing.

Councilman Schneider spoke to Mr. Porter regarding benefits received.

Mr. Porter said that the improvement helped him; did not hurt. He spoke of looking at others. The time to speak up was when cards were sent, he stated. There should have been the extras (referred to by the City Engineer as inspection, advertising, engineering, etc.) He said that the City does not want the land to die; the bond company doesn't want to take the land, either. He said that if the City sticks price on the land it will stop development..Mr. Porter pleaded for staying with the original price.

Councilman Kerrigan asked who gave the estimates.

The Mayor said that it was Boyle.

Some unidentified property owners spoke up from the audience and said it was the City.

Mr. Porter suggested refiguring the assessment.

Councilman Kerrigan asked how the City got into the sending out of the figures.

The City Engineer replied that it was done after receiving bids. After the cards had been sent out the City had received a swarm of protests, he added. He said that the project had proceeded on the basis of benefits for the assessment. He told the Council that it was "feathered out". Arnold town, for sewer districts the assessment is \$200, \$250, \$300 per lot - making \$1,000 per acre for sewers alone. He declared that the distribution of the cost is fair and equitable.

Councilman Dail said that the small protest received indicates the fairness. He told about being fair with the people, and said that the formula is right. He said, after addressing the City Engineer, that he does not have to reveal the formula, but that he had laid it out (for all to see, if desired).

Mr. Lee spoke again, and said that the people should have been notified before voting to accept the work.

The Mayor declared that the Council has been patient in conducting the hearings.

Glen Fries told of owning Lot 13. He spoke of trying for a year to get a zone which would permit the building of houses. He stated that he has 3 sons, and that it will be necessary to put in 3 sewers to serve 3 houses. He said that he is paying over \$300.00 per month rent now, and wants to be permitted to build houses.

Harry C. Haelsig, at the request of the Council, made a verbal report. He spoke of interim zoning, set for R-1, M-1, M-1A and hearing. He said that property owners had protested out R-1A zoning, and as a result it has been dropped.

Mr. Lee said that he took out a petition for R-1 zoning, and had been referred back to the Planning, and that he has started that petition.

It was moved to overrule the protests, and confirm the assessment.

All the motions and seconds were shown in the following resolutions:

RESOLUTION NO. 117534, recorded on Microfilm Roll No. 78, modifying description of Assessment No. 124 in the matter of Kearny Mesa Improvement - assessment roll No. 2219 - covering portions of Lots 72 and 78 Rancho Mission; approving communication from the Street Superintendent dated April 12, 1954, and making the segregation of assessment described, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117535, recorded on Microfilm Roll No. 78, overruling and denying appeals of Frank Thompson, Harold B. Starkey, Highland Mesa Co., Inc. by E. C. De Clue, Wm. and Marie Lang, George R. and Edith Murray, Harold and Retta McComas, James H. and Irene Porter, D. S. LaMar, W. H. Nichols, Victor Selten, Reg Stalmer, Glen Fries, (another one of James H. and Irene Porter), Theodore Z. Bergschneider, Vernon Noland, Victor Selten (a second one), from the Street Superintendent's Assessment made to cover the costs and expenses of installation of Sanitary Sewer Main, Water Main and Steel Standpipe Water Storage Reservoir, in Kearny Mesa Improvement District under Resolution of Intention No. 109064; overruling and denying all other appeals, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilman Wincote. Absent None.

RESOLUTION NO. 117536, recorded on Microfilm Roll No. 78, confirming and approving the Street Superintendent's modified and corrected Assessment No. 2219 made to cover the costs and expenses of installation of Sanitary Sewer Main, Water Main and Steel Standpipe Water Storage Reservoir, in Kearny Mesa Improvement District, under Resolution of Intention No. 109064; 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 the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen Wincote. Absent--Councilmen None.

Councilman Dail pointed out that it was getting late, and he asked that the Council take a recess, and resume the agenda after the noon hour.

The Mayor said that he wanted to finish the docket, that although there are many items yet to be considered the ones which take the great amount of time had been disposed and the rest could be completed quickly.

. Councilman Dail was excused from the meeting.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed annexation to the City of San Diego of portion of Lot 40 La Mesa Colony, includ-

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Kearny Mesa Improvement
Assessment Hearing
Annexation hearing

ing Isabella Street closed, adjacent thereto, in the County of San Diego, to be known and designated as "Butterfield Tract", the Clerk reported that no written protests had been received.

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

On motion of Councilman Schneider, seconded by Councilman Wincote, the hearing was closed.

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for resurfacing streets - Specification No. 651 (Fay, Frontier, Prospect, Silverado, Talbot and West Point Loma) received April 6, 1954, from 5 bidders, was presented. It recommended award to Griffith Company of San Diego, low bidder, at a total estimated price of \$41,814.63 - approximately 15% less than average of bids received for similar work during the past year.

RESOLUTION NO. 117537, recorded on Microfilm Roll No. 78, accepting bid of Griffith Company for Resurfacing Streets; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City 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 Burgener, adopted.

RESOLUTION NO. 117538, 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 Improvement of Armstrong Street in Pueblo Lot 1203 southerly of Baltic Street (including grading, paving, construction of Type G curb, construction of cutoff walls, construction of 8" asbestos cement water main, complete with appurtenances, construction of fire hydrant, complete with appurtenances and construction of 8" gate valves), bearing Document No. 488349; 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. 117539, 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 Sewer Replacement - Chamoune Avenue to Landis, to Euclid Avenue to Trojan Avenue, bearing Document No. 488348; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117540, recorded on Microfilm Roll No. 78, approving plans and specifications for furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for Addition to Pacific Beach Recreation Building at 1405 Diamond Street, bearing Document No. 488347; 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. 117541, recorded on Microfilm Roll No. 78, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expenses necessary or incidental for construction of Transit Shed No. 2 on "B" Street Pier, bearing Document No. 488346; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of final map of Linda Vista Unit No. 2, subject to provision for installation of required improvements, if approved by the City Attorney and the City Manager, was presented.

RESOLUTION NO. 117542, waiving portion of San Diego Municipal Code, which requires filing of faithful performance bond in favor of the City of San Diego; authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with The United States of America, acting by and through the Housing and Home Finance Agency, Public Housing Administration, under and pursuant to powers and authority contained in provisions of Lanham Act (42 U.S.C. 1521 et seq.) for installation and completion of unfinished improvements in Linda Vista Unit No. 2, with provision, however, that the City Manager shall not sign the contract until he has been furnished by the Housing and Home Finance Agency with copy of contract entered into between the Agency and a reliable contractor, for installation of improvements as required by Document No. 485712 and Resolution No. 114728; directing the City Engineer to establish official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117543, recorded on Microfilm Roll No. 78, adopting Map of Linda Vista Unit No. 2, and accepting Linda Vista Road, Glidden Street, alley and unnamed easements shown, together with any and all abutters' rights of access in and to Linda Vista Road and Glidden Street adjacent to Lot 6 Block 77 shown thereon for public purposes; streets, alleys and unnamed easements together with abutters' rights of access described

declaring them to be public streets, alley, unnamed easements and abutters' rights, and dedicated to the public use; subject to dedication to provisions of Executive Order 9908 of December 5, 1957, entitled "Reservation of Source Material in Certain Lands Owned by the United States"; authorizing and directing the Clerk to endorse upon the map, as and for the act of the Council, that the streets, alley and unnamed easements, together with abutters' rights of access in and to Linda Vista Road and Glidden Street, are accepted on behalf of the public; 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 Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of final map of Martin Terrace (formerly Wisteria Downs) subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 117544, recorded on Microfilm Roll No. 78, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Irvin J. Kahn and Martin S. Soriana, for installation and completion of unfinished improvements and setting of monuments required for Martin Terrace subdivision; directing the City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117545, recorded on Microfilm Roll No. 78, adopting Map of Martin Terrace Subdivision; being portion of Northwest Quarter of Southwest Quarter and South Half of East Half of North Half of Southwest Quarter Lot 51 of portion of Ex-Mission Lands of San Diego; accepting on behalf of the public West Street, 46th Street and unnamed easements shown for public purposes; declaring them to be public streets and easements and dedicated to the public use; authorizing and directing the Clerk to endorse upon the map, as and for act of the Council, that the streets and unnamed easements are accepted on behalf of the public; 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 Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Glenn A. Rick, recommending approval of final map of Winn Subdivision, was presented.

RESOLUTION NO. 117546, recorded on Microfilm Roll No. 78, adopting Map of Winn Subdivision, being subdivision of Lot 36 Block 12 Tres Lomas; accepting on behalf of the public unnamed easements shown for public use; dedicating the easement to the public use; authorizing and directing the Clerk to endorse upon the map, as and for the act of the Council that the unnamed easements are accepted on behalf of the public as dedicated on the map; directing the City Clerk to transmit the map to the Clerk of the Board of Supervisors of San Diego County, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by P. Q. Burton, recommending that ordinance proposed rezoning portion Lot 9 La Mesa Colony (Minute Manor) from R-1 to R-4 be denied. It says that tentative map of Minute Manor was approved January 20, 1953 by Council Resolution No. 110138, and that approval expired one year later, and that the Planning Department has not been contacted regarding any extension of time.

RESOLUTION NO. 117547, recorded on Microfilm Roll No. 78, denying petition for rezoning from R-1 Zone to R-4 of portions of Lots 9, 17 and 18 La Mesa Colony; filing ordinance incorporating portion of Lot 9, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from Planning Commission, signed by P. Q. Burton, submitting 2 petitions proposing to establish M-1A zoning on south side of Market Street just east of Euclid Avenue, was presented. It says one petition covers area from Euclid Avenue to 54th Street; the other from 54th Street east to the first dwelling, a distance of about 800 feet. The petition, according to the communication is for the purpose of permitting a hardwood floor company to establish place of petition, while the other has indicated a tentative proposal for bakery on part of the property. It says that the Langley Corporation is established west of Euclid Avenue in an M-1 zone about 200 feet south of the railroad track. It reports 100 percent of owners of property concerned having signed the petitions and more than 75% of abutting property has indicated approval of rezoning. It suggests forwarding to City Attorney's office for drafting ordinance prior to public hearing.

RESOLUTION NO. 117548, recorded on Microfilm Roll No. 78, requesting the City Attorney to prepare and present ordinance for rezoning of portions of Las Alturas Unit No. 5 and Victory Manor from present Zone R-4 to M-1A, in accordance with Planning Commission Document No. 488401, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by P. Q. Burton, stating that the Commission had filed recommendation that Rolando Tract be placed under interim zone ordinance and that it be adopted as emergency measure, was presented. It states the Ordinance was prepared and introduced by the Council April 6, 1954, at which time the matter was set for hearing April 22, but that it was undoubtedly an oversight because the ordinance contains emergency clause, and such ordinance are usually adopted without public

hearing. It reports that if hearing were held as scheduled it would be subsequent to date of annexation of Rolando Tract, which is tentatively scheduled for April 16, 1954.

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

Communication from the Planning Commission, signed by P. Q. Burton, recommending that interim emergency zone ordinance be adopted with restrictions that are similar to City's R-1B zoning, and that the Commission should set a hearing for permanent zoning on the basis of R-1B, was presented. It states that property shown on the attached drawings Nos. 11151-L and 11152-L was annexed to The City as "Waring No. 2 Tract" on January 2, 1954, and that it is not now zoned and was annexed as uninhabited territory. The communication advises that property should be zoned R-1B as holding zone until such time as it is proposed to develop portion of it, and that it does not appear that any portion of it will be developed in the immediate future.

RESOLUTION NO. 117549, recorded on Microfilm Roll No. 78, requesting the City Attorney to prepare and present ordinance placing Waring No. 2 Tract under restrictions similar to the City's R-1 Zone, and that it should be adopted as emergency measure, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from City Engineer, with City Manager's stamp of approval, stating that petition signed by 69.6% of property frontage for paving and otherwise improving portions of Plum and Dickens Streets, was presented. It recommends that it be granted and proceedings be combined with those previously ordered by Resolution No. 111288 for improvement of Carleton Street and Plum Street. Also, it makes recommendation of improvements to be incorporated into the job.

RESOLUTION NO. 117550, recorded on Microfilm Roll No. 78, granting petition contained in Document No. 484845 for paving and otherwise improving portions of Plum and Dickens Streets; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be assessed to pay costs, damages and expenses thereof; directing the City Engineer to consolidate assessment district with district heretofore ordered by Resolution No. 111288, in accordance with recommendation in Document No. 488330, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from B. J. Gautereaux, City Manager, City of National City, relative to de-annexation from San Diego of property in the south half of the northwest one-quarter of Lot 65 Ex-Mission Lands (set forth in description attached thereto), was presented. It states that it is the intent and purpose that the property be annexed to the City of National City, and that description and map has been approved by San Diego County Boundary Commission as of March 9, 1954. The communication requests the City to de-annex the property.

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

Communication from the Board of Supervisors, signed by Marie Nasland, Deputy County Clerk, was presented. It states that the Supervisors on April 6, 1954 again considered the Mayor's letter of March 23 urging adoption of ordinance requiring medical examinations of food handlers. It advises that if the City of San Diego wishes to have such an ordinance adopted immediately, the City be requested to adopt an ordinance setting up regulations which were in effect prior to January 1, 1954, to be enforced by the Department of Public Health under City-County agreement. The communication states that some of the other incorporated cities of the County have not yet approved the form of ordinance presented to them.

RESOLUTION NO. 117551, recorded on Microfilm Roll No. 78, referring to Council Conference communication from Board of Supervisors, dated April 8, 1954, regarding adoption of ordinance requiring medical examinations of food handlers, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from Roby C. Day, Secretary, Citizens Pure Water Committee, being copy of "an open letter" addressed to Dr. J. B. Askew, Public Health Director, dated April 6, 1954, was presented. It refers to the subject of fluoridation of City water, and questions the legality and ethics of the work of Dr. Askew and other public office employees to promote the side taken for fluoridation of the City water. It mentions the statement that fluoridation has been a political issue since 33,000 signature were filed with the City Clerk on Nov. 13, 1953, for an Initiative Ordinance (to prohibit fluoridation).

On motion of Councilman Wincote, seconded by Councilman Godfrey, it was ordered filed.

Communications from Ruth B. Manning, 3904 Crown Point Drive and from Leonard Lafferty, 4074 Shasta Street, San Diego 9, asking for steps to undertake development of Fortuna Cove Park as part of Mission Bay development, were presented.

RESOLUTION NO. 117552, recorded on Microfilm Roll No. 78, referring to

Mission Bay Committee communications from Leonard Lafferty and from Ruth B. Manning requesting City to take necessary steps to develop Fortuna Cove Park as part of Mission Bay development, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted. (Clerk sent it to the City Manager, for the Committee)

Communication from San Diego Philharmonic Society, 724 Broadway, San Diego, dated March 31, 1954, signed by Burling M. Stump, president, was presented. It requests allocation in the 1953-54 budget, and as set forth between the City and the Society of September 11, 1953, a sum of \$5,000.00 for financial assistance, was presented.

RESOLUTION NO. 117553, recorded on Microfilm Roll No. 78, referring communication from San Diego Philharmonic Society for \$5,000.00 in 1954-55 budget to Budget Conference, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from H. Nelson Smith, 6575 El Cajon Blvd., San Diego, dated April 8, offering to deed to the City easement for street purposes over and across portion of Lot 13 Block 8 Encanto Heights, at southwest corner of 63rd and Wunderlin Streets for a 20-foot return, was presented.

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

Communication from Robert C. Kirkwood, State Controller (by Floyd Clause, Chief, Division of Accounting, was presented. It is in reference to annual apportionment of Unrefunded Motor Vehicle Fuel Tax on Aviation Gasoline.

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

Communication from San Diego Taxpayers' Association, signed by Edward C. Hall, president, 526 Spreckels Building, San Diego 1, dated April 6, 1954, was presented. It makes several suggestions and sets forth views of the Association in connection with the 1954-1955 Budget.

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

Communication from Marjorie B. Marshall, 2982 Maple Court, San Diego 4, requesting consideration of undeveloped areas of Balboa Park, between 12th Avenue and Pershing Drive in the vicinity of Laurel Street, was presented. It refers to advantages of the site, and it is presumed (although it does not say so) that it is proposed for an auditorium.

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

RESOLUTION NO. 117554, recorded on Microfilm Roll No. 78, directing notice of filing of Assessment No. 2228 made to cover the costs and expenses of work done upon paving and otherwise improving Alley Block 139 University Heights, Tyler Avenue and Public Rights of Way, within limits and as described in Resolution of Intention No. 112879, and of the time and place of hearing thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117555, recorded on Microfilm Roll No. 78, directing notice of filing of Assessment No. 2227 made to cover the costs and expenses of work done upon paving and otherwise improving 37th Street, T Street and Jewell Drive, within limits and as described in Resolution of Intention No. 112141, and of the time and place of hearing thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 117556, recorded on Microfilm Roll No. 78, accepting bid of Gilman Grading Co., a co-partnership, and awarding contract for paving and otherwise improving Alley Block 67 Park Villas, Public Right of Way and Villa Terrace, within limits and as described in Resolution of Intention No. 116398, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The Engineer reported low bid is 16.0% below the estimate.

RESOLUTION OF AWARD NO. 117557, recorded on Microfilm Roll No. 78, accepting bid of M. H. Golden Construction Company, a corporation, and awarding contract for paving and otherwise improving Arbor Drive, within limits and as particularly described in Resolution of Intention No. 116399, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The City Engineer reported low bid is 28.3% below the estimate.

RESOLUTION OF AWARD NO. 117558, recorded on Microfilm Roll No. 78, accepting bid of M. H. Golden Construction Co., a corporation, and awarding contract for paving

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and otherwise improving Boundary Street, within limits and as described in Resolution of Intention No. 116400, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The City Engineer reported low bid is 26.7% below the estimate.

RESOLUTION OF AWARD NO. 117559, recorded on Microfilm Roll No. 78, for the paving and otherwise improving 17th Street, within limits and as described in Resolution of Intention No. 116402, and awarding contract to M. H. Golden Construction Co., a corporation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The City Engineer reported low bid is 20.7% below the estimate.

RESOLUTION NO. 117560, recorded on Microfilm Roll No. 78, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alleys Block 3 Alhambra Park, under Document No. 488165; approving Plat No. 2572 showing exterior boundaries of the district to be included in the assessment for the 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117561, recorded on Microfilm Roll No. 78, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alleys in Block 12 Normal Heights, under Document No. 488168; approving Plat No. 2563 showing exterior boundaries of the district to be included in the assessment for the work and improvement; directing the City Clerk, upon passage of resolution of intention to file plat in the office of City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117562, recorded on Microfilm Roll No. 78, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving 67th Street, Mohawk Street, Bowman Lane, 68th Street, Saranac Street and Public Right of Way, under Document No. 488170; approving Plat No. 2560 showing exterior boundaries of the district to be included in the assessment for the 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 117563, recorded on Microfilm Roll No. 78, for paving and otherwise improving Birch Street, within limits and as described in Resolution of Intention No. 116894, was on motion of Councilman Godfrey, seconded by Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 117564, recorded on Microfilm Roll No. 78, for paving and otherwise improving Camino del Collado, within limits and as described in Resolution of Intention No. 116895, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 117565, recorded on Microfilm Roll No. 78, for grading and sidewalks on Missouri Street, within limits and as described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 117566, recorded on Microfilm Roll No. 78, for furnishing electric current in Five Points Lighting District No. 1, was adopted.

RESOLUTION OF INTENTION NO. 117567, recorded on Microfilm Roll No. 78, for furnishing electric current for lighting street lamps in Mission Beach Lighting District Number 2, and maintenance of appliances for one year from and including August 17, 1954, to and including August 16, 1955, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 117568, recorded on Microfilm Roll No. 78, for furnishing electric current for lighting ornamental street lights located in Ocean Beach Lighting District Number One, for period of one year from and including August 14, 1954, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 117569, recorded on Microfilm Roll No. 78, for furnishing electric current for lighting ornamental street lights located in University

Avenue Lighting District Number One, for period of one year from and including August 7, 1954, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 117570, recorded on Microfilm Roll No. 78, for furnishing electric current for lighting ornamental street lights located in University Avenue Lighting District Number Three, for period of one year from and including August 7, 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117571, recorded on Microfilm Roll No. 78, appointing time and place for hearing protests, and directing notice of hearing, for furnishing of electric current for lighting ornamental street lights located in San Diego Lighting District No. 3, for period of one year from and including July 16, 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117572, recorded on Microfilm Roll No. 78, for paving and otherwise improving Alleys in Block 3 Alhambra Park, within limits and as described in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117573, recorded on Microfilm Roll No. 78, for paving and otherwise improving Alleys in Block 12 Normal Heights, within limits and as described in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117574, recorded on Microfilm Roll No. 78, for paving and otherwise improving 67th Street, Mohawk Street, Bowman Lane, 68th Street, Saranac Street and Public Right of Way, within limits and as described in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117575, recorded on Microfilm Roll No. 78, ascertaining and declaring wage scale 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, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117576, recorded on Microfilm Roll No. 78, ascertaining and declaring wage scale for paving and otherwise improving Olney Street and Felspar Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117577, 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 Martin Avenue, described in Resolution of Intention No. 113494, and to be assessed to pay expenses thereof, diagram made by City Engineer; directing the City Clerk to immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117578, recorded on Microfilm Roll No. 78, ~~approving diagram~~ directing Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Georgia Street in vicinity of Myrtle Avenue, described in Resolution of Intention No. 115144 and to be assessed to pay expenses thereof; ~~directing City Clerk to immediately deliver diagram so certified to Superintendent of Streets~~, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117579, recorded on Microfilm Roll No. ~~117579, recorded on~~ Microfilm Roll No. 78, directing Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Keating Street and Linwood Street, described in Resolution of Intention No. 115262 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117580, recorded on Microfilm Roll No. 78, directing Engineer to furnish diagram of property affected and benefited by work and improving of Ellison Place, in Tract 1353, as described in Resolution of Intention No. 115895 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117581, recorded on Microfilm Roll No. 78, directing Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Everts Street, described in Resolution of Intention No. 115630 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

no. RESOLUTION NO. 117582, recorded on Microfilm Roll No. 78, directing Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Linda Rosa Avenue and La Jolla Mesa Drive, described in Resolution of Intention 115494 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117583, recorded on Microfilm Roll No. 78, directing Engineer to furnish diagram of property affected and benefited by work and improvement on installing sanitary sewer main, water main, and appurtenances, in Roanoke Street, Rachael Avenue and Morningside Street, described in Resolution of Intention No. 115633 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117584, recorded on Microfilm Roll No. 78, directing Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Santa Isabel Drive, described in Resolution of Intention No. 115897 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117585, recorded on Microfilm Roll No. 78, directing the Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Shafter Street and Carleton Street, described in Resolution of Intention No. 115495 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117586, recorded on Microfilm Roll No. 78, directing Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving 68th Street, described in Resolution of Intention No. 115632 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117587, recorded on Microfilm Roll No. 78, directing Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Wrelton Drive, described in Resolution of Intention No. 115393 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117588, recorded on Microfilm Roll No. 78, rescinding Resolution No. 115415 adopted Nov. 24, 1953, ordering plans for improvement of Blocks 139, 140, 141, 142, 143, 144, 165, 166, 167, 168, 169, 170 and 171 Choates Addition and portions of Morse, Whaley and Dalton Subdivision, and abandoning all proceedings thereunder, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from City Engineer, referring to communication from Ralph Chason, 2318 Tulip Street, San Diego 5, requesting refund of \$136.75 for assessment for sewer lateral which was installed in connection with paving Tulip Street between Juniper Street and Sycamore Drive, was presented. It states that Mr. Chason owns Lot 20 Block 29 Lexington Park, that he was previously connected to sewer near northerly side of the lot, that Tulip was paved under Resolution of Intention No. 110074 in 1911 Improvement Act. The communication recommends approving the claim.

It was pointed out by Mr. Deaper that the claim cannot be allowed (another had been denied recently).

The Mayor said he would be glad to write to the claimant and explain why it must be denied.

RESOLUTION NO. 117589, recorded on Microfilm Roll No. 78, denying request of Ralph Chason for refund of \$136.75 for assessment for sewer lateral installed in connection with paving Tulip Street between Juniper Street and Sycamore Drive; requesting the Mayor to address a letter to Mr. Chason giving reasons for denial of his request, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117590, recorded on Microfilm Roll No. 78, prohibiting parking of automobiles between 4:00 p.m. and 6:00 p.m., Sundays excepted: Westerly side of 30th Street between C Street and Broadway; authorizing installation of necessary signs and markings to be made, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117591, recorded on Microfilm Roll No. 78, authorizing City Manager to accept work on behalf of The City of San Diego in Lomita Village Unit No. 4 - required to be done under Agreement Document No. 463818 - and execute Notice of Completion and have same recorded, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117592, recorded on Microfilm Roll No. 78, authorizing and empowering City Manager to do all work in connection with moving City's Police Radio Monitor located on Point Loma, between Narragansett Avenue and Milan Street and between Warrington Street and Redondo Street, to a new site adjacent to Fire Station No. 22, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

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

RESOLUTION NO. 117593, recorded on Microfilm Roll No. 78, authorizing and empowering City Manager to do all work in connection with making of connections and sterilization of existing mains, necessary due to replacement of small water mains, Group 13, by the City, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The Resolution states the Director of Water Department has recommended the work, that 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. 117594, recorded on Microfilm Roll No. 78, authorizing the City Manager to employ T. B. Penick & Sons to replace 310 square feet of 5-inch Portland cement concrete paving at termination of North and South Alley Block 119 University Heights, in Howard Avenue, as shown on Drawing No. 10971-L, at and for price of \$226.30, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The Resolution states that The City of San Diego has entered into contract with T. B. Penick & Sons for paving and otherwise improving the Alley, that drawing shows paving to be replaced at termination of alley in Howard by The City, that contractor has offered to do the work for price stated and City Manager has recommended that offer be accepted.

RESOLUTION NO. 117595, recorded on Microfilm Roll No. 78, empowering and directing the City Manager to execute for and on behalf of The City of San Diego, a lease agreement with San Diego Symphony Orchestra Association for use of Balboa Park Bowl, in accordance with terms and conditions set forth in lease agreement, form of which is on file in office of City Clerk under Document No. 488429, was on motion of Councilman Godfrey, seconded by Councilman Godfrey, seconded by Councilman Burgener, adopted.

The Resolution states that the Association is desirous of giving symphony concerts on certain Tuesdays during summer months of years 1955, 1956, 1957, 1958 and 1959, that the concerts would be for cultural benefit of citizens of San Diego, that the City Manager and Park and Recreation Director recommend that the Association be allowed to use the Bowl for such activity.

RESOLUTION NO. 117596, recorded on Microfilm Roll No. 78, authorizing the City Manager and Park and Recreation Director to allow and permit Local 325 American Federation of Musicians to ~~(permit Local 325 American Federation of Musicians)~~ to hold and conduct musical program in Balboa Park Bowl on May 16, 1954, free of rental charges, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The Resolution states that the Local is contemplating and proposing a free admission band concert, together with 60-voice choir open to the entire population of the City and County of San Diego, and that it appears to be in the interest of the public to have such a program produced.

RESOLUTION NO. 117597, recorded on Microfilm Roll No. 78, authorizing and directing San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of following locations:

36th Street at East Mountain View Drive;
Albermarle Street, midblock between Sea Breeze Drive and
Calle Serena;
Calle Serena at Albermarle Street;

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Concord Street at Valemont Street;
 Loring Street at Crystal Drive;
 Loring Street at Ocean Boulevard

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

In connection with the next Resolution, the City Manager made a verbal report, stating that the Club is experiencing financial difficulty, and thinks that with amendment to permit it might be able to make a go of its operation.

RESOLUTION NO. 117598, recorded on Microfilm Roll No. 78, amending paragraph 1 of Use and Occupancy Permit agreement between Balboa Tennis Club and The City of San Diego, dated August 12, 1952, Document No. 45301; to provide rent shall be \$20.00 per month for period of 6 months from and after April 1, 1954, rental shall return to \$35.00 per month after reduction period expires; in meantime review of receipts and rental is contemplated by parties to the agreement, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117599, recorded on Microfilm Roll No. 78, approving Change Order No. 7, dated March 23, 1954, heretofore filed with City Clerk as Document No. 488433, issued in connection with contract between The City of San Diego and M. H. Golden Construction Company for construction of Wabash Freeway, Section B, contract contained in Document No. 473088 on file in office of City Clerk; changes amounting to increase in contract price of approximately \$1,127.28, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117600, recorded on Microfilm Roll No. 78, approving request of Geo. C. Punton, dated April 23, 1954, contained in Change Order No. 1, for extension of 30 days, to and including May 1, 1954, heretofore filed with the City Clerk as Document No. 488435, in which to complete contract for cleaning and coating interior surface of University Heights elevated tank, contract contained in Document No. 486360 on file in office of City Clerk, extending completion time to May 1, 1954, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117601, recorded on Microfilm Roll No. 78, approving Change Order No. 1, dated March 12, 1954, heretofore filed with the City Clerk as Document No. 488437, issued in connection with contract between The City of San Diego and Al E. Riley for improvement of Ocean Beach Shuffleboard Courts, contract contained in Document No. 484049; changes amounting to increase of \$212.92, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117602, recorded on Microfilm Roll No. 78, approving request of Al E. Riley, dated March 12, 1954, contained in Change Order No. 1, for extension of 15 days, to and including April 13, 1954, heretofore filed with City Clerk as Document No. 488437, in which to complete contract for improvement of Ocean Beach Shuffleboard Courts, contract contained in Document No. 484049 on file in office of City Clerk, extending completion time to April 13, 1954, was on motion of Councilman Wincote, seconded by Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117603, recorded on Microfilm Roll No. 78, granting revocable permission to Lemon Grove Sanitation District to enter upon such public streets and easements of The City of San Diego as are within exterior boundaries of Lemon Grove Sanitation District and to make such excavations therein as may be necessary for installation and maintenance of its pipelines and appurtenances subject however to condition that in all such cases the surface shall be restored to condition as good as or better than, it existed prior to such excavations, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117604, recorded on Microfilm Roll No. 78, granting revocable permission to Rolando Sanitation District to enter upon public streets and easements of the City of San Diego as are within exterior boundaries of Rolando Sanitation District and to make such excavations therein as may be necessary for installation and maintenance of its pipelines and appurtenances subject to conditions that in all such cases the surface shall be restored to condition as good as or better than, it existed prior to such excavations, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117605, recorded on Microfilm Roll No. 78, granting Fred Kaufman, 3617 El Cajon Boulevard, San Diego, permission to install a 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 easterly line of Lot 48 Block 128 Choates Addition, and easterly line of Lot 46 Block 1 McLaren's H Street Addition, to point of

intersection with public sewer; to serve property at 620 - 33rd Street; granted subject to approval of Chief Plumbing Inspector, Sewer Division of Engineering Department and the City Manager, upon condition set forth in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117606, recorded on Microfilm Roll No. 78, granting to KFMB-TV and to KFSD-TV permission to install 2 temporary cables, of less than 1/2 inch diameter from roof of San Diego Hotel across State Street to roof of buildings on west side of State Street, for purpose of providing facilities for televising hearings of Congressional Subcommittee on Un-American Affairs to be conducted in auditorium of Chamber of Commerce Building, for period beginning April 15, 1954 and ending April 23, 1954; providing permittees shall indemnify the City against loss or damage arising from or growing out of installation and/or maintenance of said cables, and said permittees, by acceptance of the permit, expressly agrees to save the City harmless from any damage or loss to property or personal injury to any person resulting directly or indirectly from installation and/or maintenance of the cables, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117607, recorded on Microfilm Roll No. 78, granting Merton E. LeBaron, 4947 West Point Loma Boulevard, San Diego, permission to install a 4-inch cast iron sewer line between property line and sidewalk; to be placed one foot outside property line and run in northerly direction, parallel to westerly line of Lot 11 Block 13 Tres Lomas Subdivision, to point of intersection with private sewer, to serve property at 2541 Calle Serena; subject to approval of Chief Plumbing Inspector, sewer division of Engineering Department and City Manager, and upon conditions set forth in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117608, recorded on Microfilm Roll No. 78, granting Rip Tide Inn Corporation, 2400 National Bank of Tulsa Building, Tulsa, Oklahoma (Care Selby C. Scott, 538 Westbourne, La Jolla), ^{permission} to install 36-foot driveway as measured at top of full-height curb, at 1860 Spindrift Drive, La Jolla, California, adjacent to portion of Pueblo Lot 1285, subject to conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117609, recorded on Microfilm Roll No. 78, authorizing the City Attorney to settle claim of Guy B. Woodward and Geneva Woodward on file in the Office of the City Clerk under Document No. 486212, claiming \$1034.00 for \$300.00; directing the City Auditor and Comptroller to draw his warrant in favor of Guy B. Woodward and Geneva Woodward on the 1952 Water Works Bond Fund in the amount of \$300.00 in full settlement of the claim, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117610, recorded on Microfilm Roll No. 78, authorizing George E. Courser, Chief of Fire Department, to attend Regional Conference for Senior Fire Officers, to be held in Portland, Oregon, April 22 and 23, 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. 117611, recorded on Microfilm Roll No. 78, authorizing J. H. Shaw, Purchasing Agent, and H. R. Van Sant, Buyer, Purchasing Department, to attend Annual Conference on Purchasing, to be held at U.C.L.A., Los Angeles, April 30 and May 1, 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. 117612, recorded on Microfilm Roll No. 78, authorizing S. V. Monsees, Electrical Engineer, Electrical Engineering Division, Engineering Department, to attend Illuminating Engineering Society Convention, to be held in San Francisco, California, April 19 and 20, 1954; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Ordinance, continued to this meeting from several previous meetings, 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", was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the Ordinance was continued one week - to Tuesday, April 20, 1954.

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Ordinance amending San Diego Municipal Code by amending Sections 102.01, 102.02, 102.03, 102.12 and 102.16; and by adding new sections numbered 102.02.1, 102.02.2 and 102.02.3, all Regulating Subdivisions, which had been before the Council previously, and continued to this date, was presented again.

The Mayor said that the Council is to have a new ordinance.

Councilman Godfrey spoke of not having had a chance to evaluate the proposed ordinance.

Fred Landgraf, attorney told of having had 5 meetings on the subject. He told of having not had enough time to study the proposal. He declared that it will take time to draw a map ordinance regarding the radical change.

Harry C. Haelsig, Assistant Planning Director, told the Council that the department has 5 applications, and he made a report on them.

There was discussion between Mr. Haelsig and Mr. Landgraf.

Councilman Wincote said that in principle, the subdivisions should be brought up next Tuesday.

Mr. Landgraf spoke about there being no disagreements on the basic requirements.

Councilman Wincote said that those where the owners want action should be brought up.

There was nothing before the Council on those matters - only the one ordinance.

It was moved by Councilman Godfrey, seconded by Councilman Schneider that a new ordinance be introduced in two weeks, in lieu of the one on this agenda - which was filed.

Councilman Godfrey started to speak of having an ordinance, and suggestions, but did not complete the comment.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the reading of the next ordinance was dispensed with prior to final passage by a vote of not less than 4 members of the Council.

There was available for consideration of each member of the Council prior to the day of final passage a written or printed copy.

ORDINANCE NO. 6047 (New Series), recorded on Microfilm Roll No. 78, 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, was on motion of Councilman Schneider, 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 Godfrey, the reading of the next ordinance was dispensed with prior to final passage 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. 6048 (New Series), recorded on Microfilm Roll No. 78, amending Chapter IX, Article I of The San Diego Municipal Code by adding Section 91.02.1, permitting erection and maintenance of steel bleachers with wooden seats within Fire Zone I, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

On motion of Councilman Schneider, seconded by Councilman Wincote, the next ordinance was introduced, 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 reading was dispensed with prior to final passage 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. 6049 (New Series), recorded on Microfilm Roll No. 78, appropriating the sum of \$4,000.00 from Unappropriated Balance Fund, and transferring the same to Non-Personal Expense, City Traffic Division Fund (15.09), 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 Burgener, seconded by Councilman Godfrey, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading was dispensed with prior to final passage 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 passage a written or printed copy.

ORDINANCE NO. 6050 (New Series), recorded on Microfilm Roll No. 78, establishing grades of Alleys: (1) Alley in Block 16 Bird Rock City by the Sea, between southerly line of Bird Rock Avenue and northerly line of Easterly and Westerly Alley lying northerly of and contiguous to Block 2 Bird Rock Addition; (2) Easterly and Westerly Alley lying northerly and contiguous to Block 2 Bird Rock Addition, between northeasterly line of Chelsea Avenue and southwesterly line of La Jolla Boulevard, was on motion of Councilman Burgener, 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 Burgener, seconded by Councilman Godfrey, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading was dispensed with by 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. 6051 (New Series), recorded on Microfilm Roll No. 78, establishing grade of Alleys Blocks 24 and 25 Morena: Alley Block 24 between southerly line of Jellett Street and northerly line of Kane Street; Alley Block 25 between easterly line of Kane Street and northerly line of Lister Street, was on motion of Councilman Burgener, 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 Burgener, seconded by Councilman Godfrey, the next ordinance was presented.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading was dispensed with by 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. 6052 (New Series), recorded on Microfilm Roll No. 78, establishing grade of Alley Block 44 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, between easterly line of Cass Street and westerly line of Dawes Street, was on motion of Councilman Burgener, 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 Burgener, seconded by Councilman Godfrey, the next ordinance was presented.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading was dispensed with by 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. 6053 (New Series), recorded on Microfilm Roll No. 78, establishing grade of Alley in Block 20, Paradise Hills, between the southeasterly line of Albemarle Street and the northwesterly line of Cumberland Street, was on motion of Councilman Burgener, 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 Burgener, seconded by Councilman Godfrey, the next ordinance was presented.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading was dispensed with by 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. 6054 (New Series), recorded on Microfilm Roll No. 78, establishing grade of 55th Street, between line easterly at right angles to westerly line of 55th Street at intersection of westerly line of 55th Street with northwesterly line of Marvin Street, and southerly line of Hubner Knolls Annex, was on motion of Councilman Burgener, 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 Burgener, seconded by Councilman Godfrey, the next ordinance was presented.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading was dispensed with by 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. 6055 (New Series), recorded on Microfilm Roll No. 78, establishing grade of 55th Street, between northwesterly line of Redwood Street and southeasterly termination of said 55th Street, was on motion of Councilman Burgener, 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 Burgener, seconded by Councilman Godfrey, the next ordinance was presented.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading was dispensed with by not less than 4 members of the Council. There was available

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able for consideration of each member of the Council prior to day of passage a written or printed copy.

ORDINANCE NO. 6056 (New Series), recorded on Microfilm Roll No. 78, establishing grade of Galveston Street, between northerly line of Gardena Avenue and line parallel to and distant 19.98 feet northerly from northerly line of Gardena Avenue, was on motion of Councilman Burgener, 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 Burgener, seconded by Councilman Godfrey, the next ordinance was presented.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading was dispensed with by 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. 6057 (New Series), recorded on Microfilm Roll No. 78, establishing grades of certain streets in Lexington Park:

(1) Sycamore Drive, between easterly line of 39th Street and westerly line of Marigold Street;

(2) 39th Street, between its termination at Pepper Drive and northerly line of Juniper Street;

(3) Juniper Street, between westerly boundary line of Fairmount Park and its northerly prolongation, and termination of Juniper Street at Tulip Street and Crenshaw Street;

(4) Marigold Street, between northerly line of Juniper Street and southwesterly line of Azalea Park;

(5) Pepper Drive, between its termination at 39th Street and westerly line of Azalea Park;

(6) Pepper Drive, between easterly line of Azalea Park and southwesterly line of Violet Street;

(7) Pepper Drive, between northeasterly line of Violet Street and westerly line of Tuberose Street;

(8) Tulip Street, between line drawn from northeasterly corner of Lot 27 Block 29 Lexington Park, to intersection of easterly line of Tulip Street with southeasterly line of Sycamore Drive, and southeasterly line of Azalea Park;

(9) Sycamore Drive, between northeasterly line of Tulip Street and southwesterly line of Tuberose Street;

(10) Sycamore Drive, between northeasterly line of Snowdrop Street and westerly line of Hollywood Park;

(11) Poppy Place, between southeasterly line of Manzanita Drive and southerly line of Manzanita Drive;

(12) Manzanita Drive, between line bearing N 40° 30' 56" W from intersection of southeasterly line of Manzanita Drive with southerly line of Violet Street and southwesterly termination of Manzanita Drive;

(13) Tuberose Street, between northeasterly prolongation of northwesterly line of Alley Block 11 Lexington Park, and southeasterly termination of Tuberose Street;

(14) Shamrock Street, between southerly line of Sycamore Drive and southerly boundary line of Lexington Park;

(15) Violet Street, between southeasterly line of Poplar Street and southeasterly termination of Violet Street;

(16) Tuberose Lane, between southwesterly line of Tuberose Street and southeasterly prolongation of southwesterly line of Lot 3 Block 26 Lexington Park;

was on motion of Councilman Burgener, 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.

ORDINANCE NO. 6058 (New Series), recorded on Microfilm Roll No. 78, establishing grade of Littlefield Street, between easterly line of Morena Boulevard and line drawn northeasterly at right angles to southwesterly line of Littlefield Street, from point distant 30.72 feet southeasterly from intersection of northwesterly prolongation of Littlefield Street with easterly line of Morena Boulevard, was on motion of Councilman Burgener, 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 Burgener, seconded by Councilman Godfrey, the ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of the 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 passage a written or printed copy.

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 the 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 passage a written or printed copy.

ORDINANCE NO. 6060 (New Series), recorded on Microfilm Roll No. 78, establishing grade of Milton Street, between line parallel to and distant 20.01 feet westerly from westerly line of Frankfort Street and westerly line of Frankfort Street, was on motion of Councilman Burgener, 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, ordinance approxing Annexation to The City of San Diego of portion of Lot 40 La Mesa Colony, including Isabella Street closed, adjacent thereto, in County of San Diego, State of California, known and designated as "Butterfield Tract", was ~~on motion of Councilman Schneider, seconded by Councilman Wincote, was~~ introduced, 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 amending San Diego Municipal Code by amending Section 101.0401, relating to establishment of zones within the City of San Diego (has to do with unsubdivided property, and interim zone), was introduced, 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.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the reading of the ordinance 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 passage a written or printed copy.

ORDINANCE NO. 6059 (New Series), recorded on Microfilm Roll No. 78, establishing setback regulations along University Avenue within Rolando Tract, 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. Absent--Councilman Dail.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned, at the hour of 12:56 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Kadstrom
Deputy

John D. Butler
Mayor of The City of San Diego, California

4/15/54

REGULAR MEETING

Chamber of the Council of The City of San Diego, Calif-
ornia, Thursday, April
15, 1954

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 on appeal from decision of the Board of Zoning Adjustment granting permission to erect residence with 10-foot setback on Lots 13, 14, 15 Block G Arlington, at southwest corner of 40th and Gamma Streets, instead of the 5-foot setback variance requested, the finding of facts in connection with Resolution No. 8066 was read by the Clerk.

Harry C. Haelsig, Assistant City Planning Director, reported that several protests had been received.

Councilman Wincote wondered about cutting the wall for the setbacks.

D. E. South, Zoning Administrator, also mentioned 4 new protests against the requested 5-foot setback. He read one, which he said applies to the other 3. He showed a map of the area. Councilman Godfrey entered the meeting at this time.

Councilman Wincote read from the report. He wondered why it would be more expensive for the 22-foot than the 10-foot setback walls.

Mr. South said that they are at different levels.

Dr. Kimbrough passed up photographs to members of the Council. He said that the ground level of the proposed house would be above the roofs of other houses.

George Crane, who later referred to himself as being the designer of the house, explained the photographs to the Council.

Councilman Wincote said he thought Mr. Crane had reversed the photographs and the location of the property.

Mr. Crane continued, by pointing out the area to the Council. He showed the elevations of the proposed retaining at various locations, and told of the increased cost for the wall at 22 feet, and 10 feet, compared to setback of 5 feet. He said that the original axis of the street is on Gamma, but that Dr. Kimbrough is coming in from 40th Street. He referred to the corner as being 5 feet back from the setback, and that it is farther back from the street. Mr. Crane spoke of the street grade being 13 feet below the level of the house.

Mr. South told the Council that he could see no justification for a 5-foot setback. He said that there would be only 2 feet difference is dropped to 10 feet.

Mr. Crane said that Dr. Kimbrough owns 4 lots (although the appeal, and the finding of facts, as well as Resolution No. 8066 all refer to only Lots 13, 14, 15).

Councilman Dail moved to grant the appeal.

Asked about the cost of the proposed house, Dr. Kimbrough answered about \$25,000.00.

Mr. Crane said that it will cost more.

Councilman Godfrey referred to the legal bases for granting setback variances. He said that the Planning had already gone from "20 feet" to 10 feet.

Mr. Crane spoke of the difference in cost of the wall as being \$800.00.

Douglas D. Deaper read from the ordinance. He pointed out that the Planning Department, and the commission, had already made a finding in regards to the adjustment granted.

Mr. Ward - who did not give his first name or initials - 3939 Gamma Street, spoke. He said that others are back in a hole. If stated that if Dr. Kimbrough gets the setback variance, others should have it also.

Mr. Crane stated that the value of the Kimbrough house will be 3 times as high as others in neighborhood. He declared that the value of the Kimbrough house will raise the valuation of the entire area.

There was discussion between Councilman Godfrey and Mr. Ward about the property, from a map which was not seen by the Clerk.

Mr. Nygaard said that maybe some day property owners would be able to pave the street, but felt that the 4 lots referred to would work against it.

Mr. Crane said that Mr. Nygaard had signed the petition favoring the variance, but that he had changed his mind. He spoke about having been to the City Engineer, and that the matter applied for will not affect the street. He said that the street paving had been turned down time to time by the property owners as being too high in cost. Mr. Crane stated that Dr. Kimbrough will do more than the rest to provide for the paving of Gamma Street, adjoining his expensive development.

Councilman Burgener spoke of others wanting the same thing, if given to Dr. Kimbrough.

Councilman Schneider referred to 2 lots sloping away.

Mr. Ward agreed.

Councilman Wincote said that Dr. Kimbrough is willing to pave the street, apparently. He wondered if that is so.

Dr. Kimbrough said yes.

Kimbrough setback variance hearing

Councilman Kerrigan pointed out that Dr. Kimbrough may not own the house later. He said that he can't, and the Council can't give any guarantee to other property owners about what might be done in the future.

Councilman Godfrey spoke of wanting to do everything possible, consistent with the neighborhood. He said that less than the average setback would create a problem.

Councilman Wincote stated that the average setback is 15 feet, and that the Zoning Committee had changed it to 10. It is now arbitrary, he declared. He referred to houses built there now with 22-foot setbacks.

Councilman Dail wondered if there is any concern regarding future setback. He said that the Council would not be bound for others.

Councilman Burgener said this is a tough one.

Councilman Kerrigan disagreed, and said it is a matter of equity.

Councilman Schneider moved to grant the appeal, and overrule the Board of Zoning Adjustment, which motion was seconded by Councilman Dail.

Mr. Crane told the Council that there is the matter of livability, including the patio area which becomes more usable if built on the same level. He said that if required to stay back, it becomes less usable.

Councilman Burgener declared that Dr. Kimbrough knew what it was when he bought. He spoke of the City already having given 2/3, regarding the cost reduction from 22 feet to 10 feet.

Mr. Crane said again that it is a question of livability. He maintained that it is at least 30 feet down from the Kimbrough floor to the next house. He said that Gamma is not the front yard, and set back.

Although there were several calls for the question by Councilman Schneider, unrecorded general discussion followed.

Councilman Schneider asked Mr. Ward and Mr. Nygaard if they built their houses, or if they bought.

Both stated that they bought.

There was discussion between Mayor Butler and Mr. Deaper over the right to call for the question and closing debate. Mr. Deaper outlined what would need to be done, under Roberts' rules of order.

Discussion, not recorded, continued from several individuals and members of the Council.

RESOLUTION NO. 117643, recorded on Microfilm Roll No. 78, sustaining appeal of Dr. Jack J. Kimbrough, 2961 Franklin Avenue, from the decision of the Board of Zoning Adjustment in granting to Jack J. Kimbrough a setback variance of 10 feet for residence on Lots 13, 14 and 15 Block G Arlington, on the southwest corner of 40th Street and Gamma Street, in Zone R-4, instead of the 5 feet applied for; overruling and denying the Board of Zoning Adjustment Board's Resolution No. 8066, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Crandall Condra, 1016 Cypress Way, San Diego 3, from decision of the Board of Zoning Adjustment in granting application No. 12755 - Res. No. 8060 - of Anita Youngk, owner, and Mary G. Armstrong, Purchaser, for permission to construct and operate convalescent nursing home with maximum of 30 single rooms, located on Lot 7 Block 5 La Canyada Villa Tract, Catherine Cesmat, agent for both the buyer and seller, asked for a continuance of the hearing until next Tuesday.

The Mayor asked Mr. Condra if he agreed to the continuance.

Mr. Condra replied that he had no objection to a continuance for 2 weeks, since he could not be present on the date for the suggested hearing.

Mrs. Cesmat said that the applicants were not able to attend on account of death in the family.

On motion of Councilman Schneider, seconded by Councilman Burgener, the hearing was continued to the meeting of Thursday, April 29, 1954.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portions of Lots 54 and 63 Ex-Mission Lands into R-1 Zone, CP Zone and C Zone, as defined by Section 101.0405, 101.0410, 101.0411 and repealing Ordinance No. 5646 (New Series) and Ordinance No. 5945 (New Series) insofar as it conflicts, the Clerk reported that no written protests had been received.

Harry C. Haelsig explained the location (approximately between Euclid Avenue and north of Gloria Street, also portions east and west of Logan Avenue).

The Mayor asked if anyone was 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, the hearing was closed.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, 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 final passage a written or printed copy of the ordinance.

ORDINANCE NO. 6061 (New Series), recorded on Microfilm Roll No. 78, incorporating portions of Lots 54 and 63 Ex-Mission Lands into R-1 Zone, CP Zone and C Zone, as defined by Section 101.0405, 101.0410, 101.0411 and repealing Ordinance No. 5646 (New Series) and Ordinance No. 5945 (New Series) insofar as they conflict) 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 None.

117643
Crandall Condra appeal
6061 N.S.

RESOLUTION NO. 117613, 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 moving Shed No. 2 "B" Street Pier to 10th Street Industrial Area, bearing Document No. 488572; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117614, 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 furnishing and installing Water Mains in Lincoln Avenue from Normal Street to Idaho Street; and 39th Street from Thorn Street to Juniper Street, bearing Document No. 488539; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Winote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code insofar as it relates to Tentative and Final Maps of Rose Manor, was presented.

RESOLUTION NO. 117615, recorded on Microfilm Roll No. 78, suspending Sections 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code in connection with Tentative and Final Maps of Rose Manor, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Rose Manor, subdivision into 3 lots of portion of Lot 10 La Mesa Colony, located on the southerly side of Rose Street westerly of 63rd Street, was presented. It states that Rose Street is directly in front of the property and was recently improved under 1911 Improvement Act proceedings, on which hearing will be held about June 1 on the assessment roll. It states the Final Map should not be filed prior to the assessment roll on the improvement district and the assessment on the parcel paid in cash.

RESOLUTION NO. 117616, recorded on Microfilm Roll No. 78, approving Tentative Map of Rose Manor, subject to 7 conditions, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from City Engineer, recommending that proceedings be amended to improve Russ Boulevard, between 25th and 26th Streets - petition granted by Resolution No. 114279 - including portions of 25th and 26th Streets as required and that the job include curbs as required.

RESOLUTION NO. 117617, recorded on Microfilm Roll No. 78, adopting recommendation of the City Engineer filed in the office of the City Clerk on April 12, 1954, under Document No. 488384; authorizing City Engineer to amend proceedings for improvement of Russ Boulevard between 25th Street and 26th Street, in accordance with the recommendation, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from George C. Dyer, Rear Admiral, U.S. Navy, Commandant, Eleventh Naval District, dated 9 Apr 1954, being copy addressed to San Diego Public Safety Committee, was presented. It sets out the Commandant's views relative to hitch-hiking (in connection with pickup station having been established in Imperial Beach by action of the Board of Supervisors. The communication requests that the matter be reopened, so that an Eleventh Naval District representative may be present and submit the District's side of the case and request reconsideration of action taken. It refers to effort to bring about reduction in number of military personnel engaged in hitch-hiking, and bringing it under regulatory control thereby minimizing insofar as possible potential dangers involved, inasmuch as it is known that the practice exists.

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

Communication from W. O. Patten, 4265 Juniper Street, was presented. It requests that he be permitted to make a verbal complaint to the Council at this meeting. It states Sutherland Dam water is being run through his ranch with no provision for adequate crossings. The communication states that the water department will not take any of the responsibility in regard to the crossings and the property department is delaying settlement.

W. O. Patten spoke to the Council. He said that he is a teacher and coach at San Diego, and has a ranch at San Vicente. He mentioned having been given a right of way, but that crossings have not been put in.

The Mayor asked if the water is still running.

Mr. Patten replied that it was running 'til yesterday. He spoke of a neighbor getting stuck. Mr. Patten told of having to take a couple across, and that he got stuck and spent Sunday trying to correct the situation. The truck is still there, Mr. Patten told the Council. He stated that he had been to Beermann (Paul Beermann, Water Director) about property crossings, and that nothing had been done yet.

Douglas D. Deaper, Deputy City Attorney, said that Allan Firestone of Attorney's office was handling the matter, but that he was away ill. He spoke of the situation possibly going on for 6 months to a year. He said that the condemnation has been on for a year.

117613 - 117617

Communications

W. O. Patten talk to Council.

Mayor Butler referred to there being no more run-off this year. The City Manager spoke about being shut down on account of this problem, and added that there will be more.

Councilman Godfrey referred that the matter be referred to the City Manager, which motion was seconded by Councilman Dail.

After the motion was made, Mr. Patten said that he can't get the truck out. He stated that he will take a mechanic out to the site in an effort to move the truck.

The roll was called on the motion, and the matter referred to the City Manager.

Councilman Burgener brought up the next matter, not listed on the agenda. He said that it has to do with discontinuance of bus in Mission Beach. He said that apparently the transit company is supposed to show a profit from operation, or carry for convenience of patrons.

The City Manager said that he had a representative of the Transit Company in his office day before yesterday for an analysis. He said that he was told that by re-adjusting service, it may affect rates. He said that the facts should be weighed.

Councilman Kerrigan said that this is no answer to the question, that it is a question of procedure.

The Clerk then secured from the City Clerk's office a petition which had been filed on the subject.

Councilman Wincote said that this is a peculiar case, and that the company is threatening regarding rates. He maintained that when residents of Mission Beach had bought and built - as well as renters - they had checked regarding the existing service.

Councilman Kerrigan asked who initiated the petition.

The question was not answered.

The Mayor recommended that it be referred to the City Manager.

Councilman Kerrigan said that all have rights to go to the Commission (Public Utilities Commission of the State):

* Councilman Schneider wondered if it would be feasible to sub-lease, or to turn over the franchise to another person to operate as a service. He spoke of someone probably being able to make a little for such a service.

The roll was called on the motion, and the petition referred to the City Manager.

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

RESOLUTION NO. 117618, recorded on Microfilm Roll No. 78, acknowledging receipt of copy of Notice of Intention to circulate petition for annexation of territory designated as "Rolando Tract No. 2", and an affidavit of publication thereof, and approving the circulation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Resolution mentioned the petition, and the action taken being required under the Annexation Act of 1913.

RESOLUTION NO. 117619, recorded on Microfilm Roll No. 78, authorizing and empowering the City Manager to do all work in connection with replacement of 440 feet of 2-inch water main with 6-inch pipe on Draper Street, from Westbourne Street to Fern Glen, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION NO. 117620, recorded on Microfilm Roll No. 78, authorizing and empowering City Manager to do all work in connection with making connections to and the sterilization of water mains to be installed in Lincoln Avenue, from Normal Street to Idaho Street, and in 30th Street, from Thorn Street to Juniper Street, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION NO. 117621, recorded on Microfilm Roll No. 78, authorizing City Manager to accept work on behalf of The City of San Diego in Don Terrace Unit No. 1 Subdivision - Agreement Document No. 456072 - and to execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117622, recorded on Microfilm Roll No. 78, authorizing and directing the City Clerk to cause notice to be published in the official newspaper to the

117618 - 117622
Bus discontinuance in
M.B. (pet. and discussion by U.C.)

4/15/54

City of San Diego to the effect that at a regular meeting of the Council, in the Council Chamber in the City and County Administration Building, the Council will consider advisability of adopting Resolution authorizing the City Manager to enter into contract with Ed Fletcher Company for right and option to purchase one or more of five parcels of land located adjacent to Lake Hodges Reservoir over a period of 5 years, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The Resolution states that the City Manager has recommended execution of contract, and that he advises that the land is needed by the City for purpose of additional water development.

RESOLUTION NO. 117623, recorded on Microfilm Roll No. 78, granting Pioneer Community Congregational Church, 2816 Fairfield Street, San Diego 17, to install and maintain underground telephone and electric ducts from power and telephone pole on the southwest corner of Fairfield Street and Jellett Street, to church plant now under construction, on conditions set forth in the resolution - revocable - authorizing sending of certified copy of the Resolution to James D. Hostetter, Trustee and Building Superintendent, Pioneer Community Congregational Church, San Diego, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117624, recorded on Microfilm Roll No. 78, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against Lot 3 Block 87 San Diego Homestead Union, 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 taxes and deeds, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117625, recorded on Microfilm Roll No. 78, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portions of Lots 1, 2, 9, 10, 11 Block 86 San Diego Homestead Union, 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 taxes and deeds, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117626, recorded on Microfilm Roll No. 78, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion of Lot 11 Block 8 Point Loma 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 him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117627, recorded on Microfilm Roll No. 78, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion of Lot 14 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 him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117628, recorded on Microfilm Roll No. 78, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion of Lot 13 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 him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117629, recorded on Microfilm Roll No. 78, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego requesting that all taxes against portion of Lot 13 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 him to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117630, recorded on Microfilm Roll No. 78, vacating public utilities easements - parcels 1, 2, 3, 4 - in Tres Lomas, described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

The Resolution states that easements were acquired in 1929 at the time of filing subdivision of Tres Lomas, that they have not been used for purpose acquired and for not for five consecutive years next preceding date of this Resolution, and that easements are unnecessary for present or prospective public use by the City.

RESOLUTION NO. 117631, recorded on Microfilm Roll No. 78, accepting subordination agreement, executed by Pacific Mutual Life Insurance Company, beneficiary, and Title Insurance and Trust Company, trustee, bearing date March 31, 1954, wherein the 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 the deed for record in the office of the Recorder of San Diego, together with certified copy of the Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117632, recorded on Microfilm Roll No. 78, accepting subordination agreement, executed by Pacific Mutual Life Insurance Company, beneficiary, and Title Insurance and Trust Company, trustee, bearing date March 31, 1954, wherein the 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 the deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117633, recorded on Microfilm Roll No. 78, accepting Deed of Celia D. Krough, bearing date April 9, 1954, conveying portion of Section 7 Township 13 South, Range 2 West, S.B.M.; authorizing and directing the City Clerk to transmit the deed, together with certified copy of the Resolution, to the City Properties Department for recording when escrow instructions have been complied, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117634, recorded on Microfilm Roll No. 78, accepting deed of State of California, bearing date March 29, 1954, conveying Section 36 Township 14 South, Range 1 West, County of San Diego; authorizing and directing City Clerk to file 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 Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117635, recorded on Microfilm Roll No. 78, accepting deed of Kenneth M. MacLeod and Elaine Kyle MacLeod, bearing date April 5, 1954, conveying easement and right of way for alley purposes in portion of Lot 23 Soledad Terrace; 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 Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117636, recorded on Microfilm Roll No. 78, accepting deed of Ray L. Jenkins and Joan L. Jenkins, bearing date December 9, 1953, conveying easement and right of way for street purposes in portion of Lot 13 Cave and McHatton Subdivision, Lot 14 and portion of Lot 16 Ex-Mission Partition; setting aside and dedicating it to the public use as and for public street and naming it 58th Street; authorizing and directing the City Clerk to file 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 Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117637, recorded on Microfilm Roll No. 78, accepting deed of Wylam.F. Peterson and Ethel M. Peterson, bearing date December 9, 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 it to the public use as and for public street and naming it 58th Street; authorizing and directing the City Clerk to file 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 Dail, seconded by Councilman Wincote, adopted.

~~RESOLUTION NO. 117638, recorded on Microfilm Roll No. 78, accepting deed of C. D. Arnold & Sons, bearing date April 6, 1954, conveying easement and right of way~~

RESOLUTION NO. 117638, recorded on Microfilm Roll No. 78, accepting deed of O. D. Arnold & Sons, bearing date April 6, 1954, conveying easement and right of way for storm drain purposes in portion of northeast quarter of Section 33 Township 16 South, Range 2 West, San Bernardino Meridian; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 6062 (New Series), approving and adopting proposed amendment to Section 2 Rule II of Rules of Civil Service Commission of The City of San Diego - WAIVER OF RESIDENCE - 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 reading of the Ordinance was dispensed with on motion of Councilman Schneider, 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 reading of the next Ordinance was dispensed with on motion of Councilman Kerrigan, seconded by Councilman Schneider, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 6063 (New Series), recorded on Microfilm Roll No. 78, amending Section 2 of Ordinance No. 1845 (New Series) of the ordinances of The City of San Diego, adopted May 14, 1940, and as amended by Ordinance No. 5021 (New Series) adopted December 18, 1951 - has to do with admission fee, and other fees, at the Zoological Gardens, in Balboa Park - was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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 was dispensed with by 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. 6064 (New Series), recorded on Microfilm Roll No. 78, appropriating \$15,000.00 from Unappropriated Balance Fund of the City of San Diego, and transferring same to Elections Account, non-personal expense (03.02) City Clerk's Fund, 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 Wincote, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading was dispensed with by 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. 6065 (New Series), recorded on Microfilm Roll No. 78, appropriating \$10,000.00 from Capital Outlay Fund, for providing additional funds for City's share of cost of cooperative storm drain projects - addition to Ordinance No. 4849 (New Series) - 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.

In connection with the next matter, the City Manager asked that it be brought up today, saying that it had been continued from 2 weeks ago.

Communication from Purchasing Agent reporting on bids for furnishing Communication Equipment for Civil Defense, received by the Purchasing Agent April 1, 1954, from 3 bidders. It recommends awards to Western Radio and Telephone Supply Co., of San Diego, low bidder on Items 1, 2, 3; and to Industrial Radio Corporation of Chicago, on Items 4 and 5 - as shown in the resolutions of award which follow.

Councilman Dail said that the Council is at the mercy of one man in the Civil Defense. He maintained that it does not make sense.

Councilman Kerrigan pointed out that the radios can be used elsewhere.

Councilman Wincote spoke about contributory funds, to which he said not too much credence should be given.

The Mayor gave what he called a "poor man's review" of a conference on the subject of civil defense. He said that there is justification for the expenditure, and said that equipment can be used for several purposes.

Councilman Dail stated that we are not prepared for an attack, and that it should be referred to as "disaster" and not "civil defense".

Mayor Butler spoke for keeping the existing set up. The answer is in the basic precautions regarding family responsibility, he declared.

RESOLUTION NO. 117639, recorded on Microfilm Roll No. 78, accepting bid of Western Radio and Television Supply Co. for furnishing Item 1, 1- Double Conversion Super-heterodyne Short Wave Receiver @ \$453.00; Item 2, 1 - 150-Watt Transmitter @ \$655.00; and

Item 3, 1 - 540 KC to 54 MC Frequency Communication Receiver with Speaker @ \$960.70; all terms net, plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute the same pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117640, recorded on Microfilm Roll No. 78, accepting bid of Motorola Communications & Electronics, Inc. for furnishing Item 4, 12 - Radio Phone Pack Units at \$384.71 each; Item 5, 3 - Handie-Talkie Units at \$278.12 each, all plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute the same, pursuant to specifications on file in office of City Clerk, 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. 117641, recorded on Microfilm Roll No. 78, authorizing the City Manager to purchase at the price of \$1,330.00 each, 2 sirens to be installed: Homeland Place, Camino del Rio, and Loukelton Way, south of Estrella Avenue - from Ets-Hokin & Galvan pursuant to contract filed as Document No. 471139 in Office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

(The Resolution refers to the previous contract, under Document shown above, and particulars in letter dated March 9, 1953, from the contractor).

The City Manager requested, and was granted, unanimous consent to present the next matter not listed on the Council's agenda. He explained about the proposed lease, and desire to develop portion of the area involved. The Manager told the Council that the people involved have been difficult to deal with. He stated that offer has been made to "clear the property out of the lease". Adoption of the proposed resolution would release the property for immediate use, the City Manager added.

RESOLUTION NO. 117642, recorded on Microfilm Roll No. 78, authorizing and empowering the City Manager to execute, for and on behalf of the City, an agreement of lease agreement, filed in the office of the City Clerk as Document No. 392467, with Henry S. Ervay, Jr. and Rochelle L. Ervay of portion of Lot 17 Lemon Villa, being the 54th and University Recreation Area, more particular description of property and terms and conditions to be set forth in form of amendment to lease filed in office of City Clerk under Document No. 488633, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

After adoption of the Resolution, Councilman Kerrigan said that it is a "question of \$150.00, or 10,000 people".

See page 21 for Resolution No. 117643

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

The Manager referred to a question propounded by Bryant Evans, of the San Diego Union which he wants to answer with Council's advice. He said that it has to do with policy on sewage. Before he gives a release, he said that he wanted certain matters determined. The Manager told about a group which had been into his office on the previous day regarding the site (on Point Loma). He said that it was wondered what would happen if the Navy does not agree to grant the property desired, and if it is proposed to move farther north to private property. The Manager said that he had advised that it is not the plan to move to private property, but the group of citizens wants the City's assurance that it will not go north on private property.

Councilman Godfrey asked what is the delay by the Navy. Why not tomorrow, he asked.

The City Manager advised that it is necessary to go to Washington; it has to be analyzed locally, first, then to Washington. He told of having to go through channels.

Councilman Wincote asked why not tie the bond issue to the specific site.

The City Manager answered that the bond issue is set.

Councilman Dail said that opponents will say that they can't get a decision, so they will vote against the bond issue.

Councilman Kerrigan said the Navy won't give.

The City Manager spoke of support, with intent that the project not be moved north.

Councilman Dail spoke of it as a facility for people in the future. What happens if it is not voted, he wondered.

The City Manager said that "it is not the intent of the City to move the site closer to private property", and added that there has been fine cooperation from the Navy.

Councilman Godfrey said that the whole proposition is based on the present site; there is no consideration given to any other site.

Councilman Wincote questioned Councilman Godfrey's statement.

Councilman Godfrey proposed that the City "go on record as stating that no consideration is given to any other area for location of the sewer plant".

Councilman Dail maintained that with the proposition going on to the ballot, the City is in no position to say.

117640 - 117643

Pt. Loma Sewer plant discussion

4/15/54

The City Manager said that the Navy has expedited actions regarding the general location. (~~Material has been developed.~~) Material has been developed, and either has or is, going out. He said that the Navy recognizes the problem on account of the forthcoming election.

Councilman Wincote wanted a resolution passed stating "there is no consideration of a site to the north of the present area".

Councilman Kerrigan amplified the idea by saying that there is no consideration of any site other than on Point Loma.

Councilman Wincote said although the City would not move the site north, it might move south. It is already 1/4 mile different, he said. Then he asked that the Council adopt a statement to the effect that it "would consider a site south, but no site north of the present site".

Councilman Kerrigan pointed out to the Council that opponents are going to look for an answer to every question in this session.

Councilman Wincote said that the campaign is not yet started to oppose the issue. He said that he thinks the Navy will give the site which is wanted.

Councilman Dail declared that the Council is in no position to say that it is not going to build, if it is not on the Navy site.

The Mayor said that the City Manager can advise the group which had consulted with him, and that there is no need for a Resolution.

(There was no action).

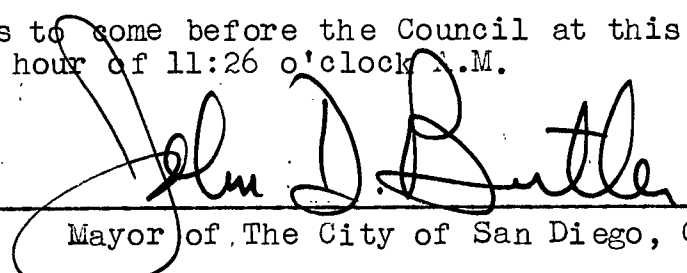
There being no further business to come before the Council at this time, the meeting was adjourned by the Mayor at the hour of 11:26 o'clock A.M.

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, Tuesday, April
20, 1954

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Absent---None
Clerk----Fred W. Sick

A Regular meeting of the Council was held this date, and called to order by the Mayor at the hour of 10:04 o'clock A.M.

Mayor Butler presented Paul K. Whiteker, D.D., pastor of the First Baptist Church.

Dr. Whiteker gave the invocation.

Councilman Dail was excused.

The Minutes of the regular Council meetings of April 13, 1954, and of April 15, 1954, were presented to the Council by the Clerk. On motion of Councilman Burgener, seconded by Councilman Wincote 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 preparation of exterior surfaces and application of two coats of paint to buildings of Central Police Station at Market and Pacific Highway - Specification No. 655 - the Clerk reported that 12 bids had been received, which were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

The bids were as follows:

George C. Punton, 615 H St., Chula Vista, Calif., accompanied by bond written by Indemnity Insurance Company of North America in the sum of 10% of bid not to exceed \$2,000., given Document No. 488815;

Jess B. Worthington, Inc., 2805 University Ave., San Diego, accompanied by bond written by Federal Insurance Company in the sum of 10% of the amount of accompanying bid, given Document No. 488816;

Ray Cramer, Box 403, Solano Beach, Calif., accompanied by bond written by Fireman's Fund Indemnity Company in the sum of 10% of amount of accompanying bid, given Document No. 488817;

C. M. Bond, 285 Seavale, Chula Vista, Calif., accompanied by bond written by Glens Falls Indemnity Company in sum of 10% of amount of bid, given Document No. 488818;

A. W. Kirch and Company, 1135 Garnet, San Diego, Calif., accompanied by bond written by Fire Association of Philadelphia in the sum of 10% of amount of bid, given Document No. 488819;

B. W. Cantrell, 1020 South 26th Street, San Diego, Calif., accompanied by bond written by American Surety Company in sum of 10% of total amount bid, given Document No. 488820;

Lee E. Singleton, Painting Contractor, 2745 "B" Street, San Diego, Calif., accompanied by bond written by Reliance Insurance Company of Philadelphia, given Document No. 488821;

Kolpacoff Painting Co., Lemon Grove, Calif., accompanied by cashiers check #F 22064 written by 1st National Bank, La Mesa Branch in the sum of \$800.00, given Document No. 488822;

Robert McMullan and Son, P.O. Box 3241, San Diego, Calif., accompanied by bond written by United States Fidelity and Guaranty Company in the sum of 10% of amount bid, given Document No. 488823;

Chartier Co., 3527 W. Camino del Rio, San Diego, Calif., accompanied by bond written by Hartford Accident and Indemnity Company in the sum of 10% of amount of accompanying bid, given Document No. 488824;

John M. Spurlock, 5338 Custer St., San Diego, Calif., accompanied by bond written by United Pacific Insurance Company in the sum of 10% of bid submitted, given Document No. 488825;

Helge Hultgren, Inc., 3535 W. Camino del Rio, San Diego, Calif., accompanied by bond written by Federal Insurance Company in the sum of 10% of amount of accompanying bid, given Document No. 488826.

On motion of Councilman Schneider, seconded by Councilman Burgener, they were referred to the City Manager and to the City Attorney.

Councilman Dail returned.

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The Mayor asked Morey Levenson if a hearing was wanted today on the proposed Ordinance regulating Trailer parks. He replied that he was ready, if the Council is.

The Mayor then asked Mr. Levenson to wait following the opening of the bids and the place set on the agenda for the Trailer Parks Ordinance.

The hour of 10:00 o'clock A.M. having arrived, the time set for receiving bids for paving and otherwise improving Alleys Blocks 199 and 220 Pacific Beach, within limits and as described in Resolution of Intention No. 116718, 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 \$1,000.00, given Document No. 488830;

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, given Document No. 488831;

John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York, a corporation, in the sum of \$1,000.00, given Document No. 488832;

Dan McF. Chandler, accompanied by bond written by Pacific Employers Insurance Company in the sum of \$825.00, given Document No. 488833;

Gilman Grading Co., accompanied by bond written by The Phoenix Insurance Company in the sum of \$800.00, given Document No. 488834.

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

At this point the Mayor told the Council that he had received word from the City Attorney's office that progress is being made on the proposals having to do with the opening of bids.

The hour of 10:00 o'clock A.M. having arrived, the time set for receiving bids for paving and otherwise improving Congress Street and Hortensia Street, within limits and as particularly described in Resolution of Intention No. 117351, the Clerk reported that 6 bids had been received, which were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

The bids were as follows:

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$2,000.00, given Document No. 488841;

Councilman Burgener was excused.

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$2,284.00, given Document No. 488835;

Councilman Burgener returned.

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, given Document No. 488837;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1,800.00, given Document No. 488836;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$1,700.00, given Document No. 488840;

Griffith Company, accompanied by bond written by National Surety Company in the sum of \$2,000.00, given Document No. 488842.

On motion of Councilman Schneider, seconded by Councilman Wincote, the 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 receiving of bids for paving and otherwise improving Wunderlin Avenue and 60th Street, within limits and as particularly described in Resolution of Intention No. 116721, the Clerk reported that 6 bids had been received, which were presented to the Council.

On motion of Councilman Schneider, seconded by Councilman Burgener, they were publicly opened and declared.

The bids were as follows:

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$1,799., given Document No. 488843;

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1,400., given Document No. 488844;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$2,000., given Document No. 488845;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1,400.00, given Document No. 488846;

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 \$1,700., given Document No. 488847;

Bids

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$1,200.00, given Document No. 488848;

On motion of Councilman Schneider, seconded by Councilman Burgener, the 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 receiving bids for paving and otherwise improving Wells Street, within limits and as described in Resolution of Intention No. 116720, the Clerk reported that 6 bids had been received, which were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

The bids were as follows:

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$2,000.00, given Document No. 488849;

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$1,554.00, given Document No. 488850;

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1,200.00, given Document No. 488851;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1,200.00, given Document No. 488852;

V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$1,500.00, given Document No. 488853;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$1,200.00, given Document No. 488854;

On motion of Councilman Schneider, seconded by Councilman Burgener, they 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 receiving bids for furnishing electric current for lighting ornamental street lights in College Park Lighting District No. 1, for period of one year from and including June 1, 1954, the Clerk reported that 1 bid had been received, which was presented to the Council.

On motion made and seconded, it was publicly opened and declared.

The bid was as follows:

Bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$160.80 written by San Diego Trust and Savings Bank, given Document No. 488839.

On motion of Councilman Wincote, seconded by Councilman Burgener, the bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for receiving bids for furnishing electric current for lighting ornamental street lights in Collwood Lighting District No. 1, for period of one year from and including June, 1954, the Clerk reported that 1 bid had been received, which was presented to the Council.

On motion made and seconded, it was publicly opened and declared.

The bid was as follows:

Bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$42.84 written by San Diego Trust and Savings Bank, given Document No. 488838.

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

The Mayor requested, and was granted, unanimous consent to present the next matter, not listed on the agenda - prior to opening the bids.

He told of the feats of accomplishment by Lieutenant (j.g.) C. W. Vandenberg, 330 Playa Del Sur, La Jolla, manouevring his own plane in such a manner as to prevent a pilotless jet from causing serious disaster to the people of San Diego or its neighboring communities. The Mayor presented to Lt. Vandenberg a certified copy of Resolution No. 117529 acknowledging on behalf of the people of San Diego the heroic action, and expressing thanks. In addition, a key to the City was presented by the Mayor to Lieutenant Vandenberg. Members of the Council arose, and applauded the lieutenant as he accepted the award with only brief thanks to the Mayor.

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

Councilman Burgener spoke about Mission Beach and Ocean Beach residents who would be affected by proposed discontinuance of bus service for portions of Mission Beach and Ocean Beach.

The Mayor said that the Attorney has prepared a Resolution to oppose abandonment of the lines. He announced that the City Attorney will represent the City in a hearing to be held by the Public Utilities Commission tomorrow.

Mr. Pain, attorney, was asked if he wished to say anything on the subject.

Bids

Lt. (j.g.) C.W.Vandenberg
presentation of Res. & Key
M.B.-O.B. Bus abandonment

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David H. R. Pain, from Ocean Beach, thanked the Council for its proposed action. He said that he wanted to get together with the City Attorney, and that there will be residents interested present at the hearing.

Mr. Bishoff, who did not give his first name or initials, president of the Loma Alta Civic Association, thanked the Council for its consideration of the issue.

Mrs. Clara Louise Merrick also thanked the Council, and said she need say nothing further. She had a sheaf of petitions which the Mayor asked her to present to the Public Utilities Commission.

RESOLUTION NO. 117644, recorded on Microfilm Roll No. 78, expressing the opinion of the members of the Council that the best interests of The City of San Diego and its inhabitants will be prejudiced by issuance by the Public Utilities Commission of the State of California to San Diego Transit System of Certificate of Public Convenience and Necessity to abandon two Route "R" shuttles as requested in Application No. 39295, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The Resolution says that San Diego Transit System has applied for certificate of Public Convenience and Necessity to discontinue and abandon services on two Route "R" shuttles, (1) from intersection at Midway Drive and West Point Loma Boulevard, west along West Point Loma Boulevard to Cable Street and (2) from intersection of Mission Boulevard and Ventura Boulevard, along Mission Boulevard to Anacapa Court. It recites that the Council has been advised that the proposed abandonment will not be in the best interests of the City and inhabitants thereof and that it would be in the interest of the City to advise the Public Utilities Commission that the City opposes the issuance of such a certificate authorizing the abandonment.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 117128, 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 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, the proceedings were referred to the City Attorney.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 117129, for paving and otherwise improving Thorn Street, 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, the proceedings were referred to the City Attorney.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 117190 for paving and otherwise improving Wightman Street, the Clerk reported that 2 written protests had been received from Raymond J. Harris; and from Wayne E. Mueller, et al, which were presented.

The City Engineer reported a 14% protest, on the basis of sidewalk which is not wanted. He told the Council that the plans do not show the sidewalks.

The Mayor inquired if anyone was present to be heard.

Mrs. (Fred) Gabel, told the Council that she lives on the north side, and does not want the sidewalks.

Mrs. (Raymond J.) Harris asked if Ogden is to be paved. She spoke of living in Block 5. She looked at a map with the Engineer, and some members of the Council. She told of having to walk in the middle of the road.

The City Engineer said that Shilo, which Mrs. Harris spoke about, is not in the job.

The Mayor stated that the City does not institute the proceedings, and that it does not force improvements in where not wanted by the property owners.

RESOLUTION NO. 117645, recorded on Microfilm Roll No. 78, overruling and denying protest ~~(of Raymond J. Harris)~~ Raymond J. Harris and Gloria L. Harris, and property owners against paving and otherwise improving Wightman Street and Ogden Street, as provided in Resolution of Intention No. 117130, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the proceedings were referred to the City Attorney.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2221 made to cover cost and expenses of paving and otherwise improving Alley Block 9 La Jolla Park and Alley between Blocks 9 and 21 La Jolla Park, within limits and as described in Resolution of Intention No. 112882, the Clerk reported that no appeals had been received.

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

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

RESOLUTION NO. 117646, recorded on Microfilm Roll No. 78, confirming and approving the Street Superintendent's Assessment No. 2221 made to cover cost and expenses of paving and otherwise improving Alley Block 9 La Jolla Park and Alley between Blocks 9

117644 - 117646

Hearings

M.B. - O.B. Bus discontinuance

and 21 La Jolla Park under Resolution of Intention No. 112882; directing the Street Superintendent to attach his warrant thereto and issue it in manner and form provided law; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for lighting ornamental street lights located in San Diego Lighting District No. 1, 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. 117647, recorded on Microfilm Roll No. 78, confirming the proposed assessment for furnishing electric current for lighting San Diego Lighting District No. 1, contained in Engineer's Report and Assessment filed in office of City Clerk March 12, 1954; 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 Resolution No. 117259 of Preliminary Determination for paving and otherwise improving Alley Block L Altadena, the Clerk reported that no written protests had been presented.

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. 117648, recorded on Microfilm Roll No. 78, determining that the proposed improvement of Alley in Block L Altadena, within limits and described in Resolution No. 117259 of Preliminary Determination is feasible and that lands to be assessed therefor will be able to carry burden of the assessment, also finding and determining that public convenience and necessity require proposed improvements, and that Special Assessment require the proposed improvements, and that Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, 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 Resolution No. 117260 of Preliminary Determination for paving and otherwise improving Alley Block 22 Ocean Beach, the Clerk reported that no written protests had been presented.

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. 117649, recorded on Microfilm Roll No. 78, determining that the proposed improvement of Alley in Block 22 Ocean Beach, within limits and described in Resolution No. 117260 of Preliminary Determination is feasible, and that lands to be assessed therefor will be able to carry burden of the assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed ordinance (San Diego Municipal Code) by adding 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; 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) - all regulating Trailer Parks - the City Manager said that the City has the basic information, and that the revised copy is the result of conferences with interested persons. Copies were not available until yesterday, he added. The Manager said that there is disagreement on the matter of fences and hedges. Coverage had been moved into the prospective section, he said. The Manager referred to the retroactive matter having been put at 60%. In other ways there is agreement, he added. He spoke of requiring 12 feet for a moving lane, one-way. It is made flexible to fit, he declared.

Glenn A. Rick, City Planning Director, said that he had not been to the Conference. While he does not want to delay the matter, he stated that there are places where the ordinance may need amendment.

Morey Levenson, attorney, representing the San Diego unit of the Trailer Park Association, which includes all parks except one, spoke. He said that the City Manager has stated the picture fairly well. He suggested incorporation into the draft Section 91.20 draft which he read regarding grading for drainage. He declared that there could be arbitrary plans to deny permits. There is conflict in the next section, he stated. He expressed the opinion that it would be safer if the ordinance provided for "shall approve" if the proposed park complies with the Code, and Health matters, etc. It would be clearer if changed, he added. Next, he said that the 2nd portion should be substantially the same as the 3rd. Conceivably any department could refuse to approve the plans, Mr. Levenson said.

The Manager spoke for using the word "Review", instead of "Approve".

It was moved by Councilman Burgener to amend the ordinance to provide for "reviewed", instead of "approved", (~~instead of "approved"~~), seconded by Councilman Schneider. The question was not called for, or the vote taken here.

Mr. Rick said that there is the matter of the Engineer's opinion, which is not covered in the Building Code.

Councilman Kerrigan stated that when plans are approved, the points are covered. He declared that Mr. Rick's point is important.

Mr. Levenson told the Council that it has to be assumed that it will be properly engineered. He said that he had in mind the Planning, Fire and Health - not the engineering regarding review rather than approval.

Councilman Godfrey said that everybody is responsible to somebody. He stated that there will not be anything arbitrary. If a trailer park is not approved, there is recourse to the Council, according to him.

Mr. Levenson said that there is conflict in the next Section. He said that he does not think that the Council can delegate right.

Councilman Dail spoke to Mr. Levenson regarding plans, as approval. He said that one who takes out a permit goes through all that for building a house. He said that the wording is no different for a subdivision, or a house building. It is not cumbersome or arbitrary, he declared.

Mr. Levenson said that minimum standards are not laid down. It has happened where permits have been denied, he said.

Councilman Dail spoke about having tried to avoid arbitrary powers.

Mr. Levenson said he can think of cases to cover his point, but that they are not pertinent.

Councilman Wincote expressed the belief that it would be well to write in the specifications.

Mr. Levenson spoke of them being set out in other instances.

Mr. Rick pointed out that there have been differences of opinion of what is wanted and what is allowed. He mentioned there having been special requests; not department rulings. There is no yardstick in the Code regarding drainage, he said. It is a question of judgment, according to him.

Councilman Wincote said that if the Engineer finds an error he can ask for revision of plans.

Mr. Levenson said that the Building Inspector is not allowed to issue permits where there is not compliances. He recommended use of the word "shall".

Councilman Godfrey said that the City Engineer has to say if there is proper drainage. There are different situations, he observed.

Councilman Dail commented that it is the same as subdivisions.

Mr. Levenson spoke of the many departments involved, and that there can be control as needed on that account.

Councilman Schneider addressed Mr. Levenson regarding the time element between review and approval.

Mr. Levenson spoke to Councilman Schneider regarding appeal time.

Next, Councilman Godfrey spoke to Mr. Levenson regarding reasonable engineering. Then he spoke about subdivisions. He made reference to use of "review" instead of "approval" as emasculating the issue.

Mr. Levenson said that as a lawyer he has to look at it from a lawyer's point of view. He said that he has not contended that departments do not have rights to do certain things under the law.

Councilman Wincote asked why not pass the ordinance under the motion.

Councilman Godfrey, in turn, asked why not leave it as written.

There was discussion between several Councilmen over the question of drainage.

In Mr. Levenson's opinion a subdivision is not comparable.

The second to the previous motion was withdrawn. (That left no motion).

Next, Mr. Levenson spoke about Section 91.21 re need for punctuation (a comma) between \$5.00 and 50¢, for clarity.

On motion of Councilman Schneider, seconded by Councilman Burgener, the comma was added.

Mr. Levenson said that under Section 101.0604 the State has under study the subject of cabanas. It felt that there should be uniformity between the City and the State. He asked for removal of that portion of the ordinance.

Councilman Kerrigan spoke to Mr. Levenson regarding the "hereafter" provision.

Mr. Rick spoke of that not adding anything, and recommended elimination.

Mr. Levenson said that if the change is made according to Mr. Rick cabanas could be had. The question of cabanas should be left open, and there be adequate protection, he stated.

Councilman Godfrey, speaking about cabanas, pointed out there there is an effort to keep away from a slum appearance, which could result from their use.

Mr. Rick said that a new view has been taken regarding enclosures.

The City Manager spoke about trying to eliminate cabanas. They are not wanted, he said. He declared that the City can ban them, even if the State regulates them. He said that it is the desire to avoid permanent structures.

Councilman Schneider read from page 8 of the ordinance - Sec. 101.0101.12 relative to cabanas. (The ordinance defines them, and said that 'Cabaña' does not include 'Awning').

Mr. Levenson said that the definition of cabanas is broad. It was his contention that so long as the occupied area is limited, the City has avoided difficulty about cabanas.

The City Manager referred to a conditions in connection with trailers north of Huntington Beach. That is not wanted, he said.

Mr. Rick asked about knocking out "e" under Section 101.0640, page 12.

Mr. Levenson replied "sure". He said that it would prohibit lattic work on sides, even if open in the front.

Councilman Wincote spoke of definition of cabana not accomplishing what is wanted.

Mr. Levenson spoke about many residents of the trailer parks want outdoor living space.

There was discussion between Councilman Burgener and Mr. Rick regarding a cabana's definition.

Mr. Rick said that the Council could knock out "e"; the State is going to legislate.

Councilman Schneider moved to strike "e"

There was no second to motion. Instead, Councilman Godfrey said that there are 2 types of trailers: those for tourists, and those of permanent residents. He said that "e" should be left in.

The Mayor said that it is ambiguous; it should come out.

Councilman Godfrey said that if the thing keeps going, it can become junky.

Councilman Godfrey was excused

Mr. Rick told of a structure being defined, land of 101.0641 regarding occupied area.

Councilman Schneider moved to add the word "unit" to (a) under Sec. 101.0641 - after word trailer at end of sentence.

Mr. Levenson said that "c" had been discussed by the City Manager (it has to do with roadways), and that as written it is confused.

There was discussion between Mr. Levenson and the City Manager regarding the road widths.

Mrs. Marian Fesler Purdy (lessee of City land in Mission Bay for trailer park) spoke about traffic lanes on Pacific (which she changed to Harbor Drive), as being only 11-foot lanes. She declared that it is excessive where more is required.

The City Manager spoke of there being 12-foot lanes, where there are single lanes. There are a few where they are less, he agreed, for multiple lanes.

Mrs. Purdy declared that the streets become excessive in size under the ordinance requirements.

The City Manager said that trailer parks don't generally have parking on both sides.

Mr. Levenson spoke next about requirement for hedges: (d) and (e) on page 13 of the proposed ordinance. He said that he can't see the health problem involved. He declared that requirement is for aesthetic purposes. The City Attorney has ruled that the City cannot control property for architectural control on that basis, he said.

Councilman Schneider was excused

Mr. Rick said that, nevertheless, that is made a condition under zone variances.

Mr. Deaper said that in granting variances it is a matter of grace, and that for such reason the requirement can be made. He said that it is not exercising police power. He referred to it possibly being for police power, but that this would be questionable.

Mr. Levenson said he would not object to the alternative of hedge or fence. The Mayor said that "d" and "e" could be joined through use of "and/or" at the end of (d) in Sec. 101.0641.

Councilman Dail declared that a neighborhood should have protection where a variance for trailer parks is granted. If it is there, it should do certain things, he stated. It would be for the protection of trailer parks as well as residences, he added.

Mr. Levenson said that the fence and hedge is in the prospective portion. If it is in for aesthetic purposes, it could not be made retroactive, he declared. If the fence or hedge for an existing park, would it be around an addition, he asked.

Mr. Rick replied that it would be around an addition.

Mr. Levenson's response was that would look ridiculous. He said that it would be almost impossible to enforce, and added that the owner or operator of a trailer could let a hedge which is planted die. Is it practical, he asked.

The Council did not go further with the point, or answer the question.

Councilman Wincote said that and/or, as suggested, is a good one.

Councilman Burgener moved, and Councilman Kerrigan moved addition of "and/or" after (d) in Sec. 101.0641.

Councilman Dail said that a fence is open.

There was discussion on that point as to whether a fence is open, or if it is an enclosed redwood wall, for instance.

Mr. Harper, who did not give his first name or initials, was heard next. He spoke about the license tax under Sec. 31.0305.1, licensing connected with the trailer parks. (He spoke in connection with DeAnza Trailer Park - Mission Bay lease from the City).

Councilman Godfrey returned.

Mr. Harper said he thinks DeAnza Trailer Park is being discriminated against, in that the license tax would be almost \$2,000.00.

Councilman Burgener pointed out that people in trailers pay alarmingly low cost for services which they receive.

Mr. Harper replied that methods are being worked out in the East on the taxation matter. He said he would not object to \$300.00 or \$500.00; but \$2,000.00 would be too much.

Councilman Godfrey said that everybody else pays on the basis set up in the ordinance.

Mr. Harper spoke about Sec. 42.0413. He said that they could not have separate lavatories. He referred to having one for each trailer. There would be a contradiction, as written, he stated. He pointed out that in his opinion it is misleading.

Mr. Rick said that it might be necessary to refer to the State Law, which is lenient.

The Mayor said that the State law could be taken.

Mr. Harper referred to Section 101.0101.30, stating that provisions might be in variance with a lease. He told of having been granted the right to conduct trailer sales at the De Anza Trailer park. There might be variance he said, and said that they would be allowed trailer sales.

The Mayor spoke about an interest.

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Councilman Burgener said that does not apply.
Mr. Rick said that trailers could not be sold, if there was not a zoning variance.

Councilman Burgener declared that to be a separate subject matter, entirely.
Mr. Harper then spoke to Mr. Deaper.
Mr. Deaper, replying to Mr. Harbor, said that it is not necessary to have a trailer park license, where trailers are not occupied.
Mr. Harper spoke about Sec 101.0640 (c) on page 12. He read about the surfacing and rock objection removal. He wanted to know if that applies before a certificate of occupancy is granted. Mr. Harper told the Council that individual occupants usually plant their own lawns.

Mr. Rick said that nevertheless many are messy. It is a minor matter, and that there would be a special permit on that.

Mr. Deaper told the Council that there are no variances for the ordinance provided, except....(he did not finish). A portion of the ordinance goes in different portions of the Code, he said. Then, he said that variances can be granted.

Mr. Harper said that if his point in question could be covered, he would like it.

Councilman Kerrigan said that the City could require lawns prior to occupancy.

Councilman Wincote said that it would then become a question of aesthetics (referred to previously as being not permitted).

Mr. Harper did not want to put on lawns or black top prior to certificate of occupancy.

There was discussion between Mr. Harper and Councilman Godfrey about dust resistant top before certificate of occupancy.

Mrs. Purdy told the Council that the planting of lawns is expensive, and that seed is supplied and permits authorized for lawns. She declared that some residents want diachondra. She told the Council that she restricts the appearance of the units. Mrs. Prdy spoke for need for limit of time.

Councilman Godfrey wondered if it would be well to stipulate a time. How about 30 days, he asked.

Mr. Harper spoke of 60 days for occupancy of unit.

Councilman Godfrey said that there is no reason to require 30 days for occupancy.

Mr. Harper said "60 days", as a question.

Councilman Burgener replied "yes".

Councilman asked why 60.

Councilman Godfrey moved that it shall be effective within 30 days from occupancy per unit for installation of lawn, which was seconded by Councilman Godfrey.

The motion carried.

Mr. Harper referred to 101.0641 aa under 2 on page 13, having to do with size. He said that trailers range from 16 to longer. He stated that Mr. Blom had agreed regarding 30 feet (instead of 35 feet as shown in the ordinance) as being not objectionable.

The City Manager said that provisions contained in the ordinance cover the point.

Mrs. Purdy said that her trailer court has over-all dimensions and minimum width, but that greater width is being provided. She spoke for need to provide area for small trailers designed for cavationists in trailers of 30 feet. She could see no reason for certain length and width of spaces.

There was discussion between Councilman Kerrigan and Mrs. Purdy on that point.

Councilman Kerrigan asked how to whip the problem.

The Mayor referred to an area of 875 square feet.

Mrs. Purdy said that she is not quarelling with the size.

Then the Mayor referred to no objection.

There was discussion between Councilman Wincote and Mr. Rick regarding a separate area for parking; also reference to eliminating the 25 feet in aa.

Councilman Wincote moved to make depth 30 feet instead of 35 feet as provided in Sec. 101.0641. The motion was seconded by Councilman Burgener, and carried.

Mr. Harper asked about (c) (1) below 11 feet in the same section 101.0641.

The Mayor said that standard width of lanes is 12 feet.

The City Manager said that there are seldom single lanes, rather multiples. He spoke of being able to have a minimum of 12 feet for 1 lane. He referred to it being barely possible to squeeze through a 12-foot alley.

Mr. Purdy said that there is no through traffic. She repealed that there are only 11-foot lanes on Harbor Drive.

The City Manager agreed, but said that he does not like it.

Mrs. Purdy spoke about 32-foot width; 11-foot street and 2 15-foot streets behind. She declared that where traffic goes only 5 to 12 miles per hour, 12-foot lanes are plenty. She told of having got out and measured the lanes on Harbor with a tape.

The City Manager said that for fire protection there is a need for equipment to drive through the street.

Councilman Kerrigan said that the argument is about 1 foot.

Mr. Rick said that no sidewalks are required.

The City Manager said that the regulation is prospective.

The City Manager said that there would be a variance, or requirement to go to 12 feet.

Mrs. Purdy told of having 45 feet "between trailer lots". She charged that the City Manager had picked out most of the substandard trailer parks and unattractive parks when he wrote up the cabana prohibition. She spoke about people who bring incomes and take nothing out of the City, as being the ones who want cabanas. They need protection from wind in the West, she stated.

The Mayor read the section regarding awnings.

Trailer Parks regulation
ordinance hearing.

Councilman Burgener said that the ordinance provides that operators of trailer parks can't have any structure.

Mrs. Purdy declared some cabanas beautiful. She told of having pictures and films from around the country. She pleaded for their control and attractiveness. Mrs. Purdy said that there can be some type of control. Florida recognizes the need for them, according to Mrs. Purdy, but San Diego legislation is against even the best types.

The Mayor said that legislating on the subject is difficult.

Mrs. Purdy asked that they be not ruled out now.

Councilman Godfrey said that the Council "has not closed the door". He spoke to Mrs. Purdy regarding slum conditions resulting from cabanas, which he said the City is trying to eliminate. He repeated that the Council is not closing the door. He contended that they should not be enclosed on 4 sides.

Councilman Dail asked if the ordinance would be adopted today.

Douglas Deaper replied that it would, rather, be introduced.

Councilman Dail moved to introduce the ordinance, which motion was seconded by Councilman Kerrigan.

Councilman Godfrey asked that the changes be made, then introduce the ordinance next Thursday.

Carl Hanson, who operates a trailer park at 6535 Pacific Highway, spoke. He referred to a hedge along his property, but which the next door neighbors refuse to assist in maintaining.

It was moved by Councilman Godfrey, seconded by Councilman to refer the Ordinance to the City Attorney for the change - for Thursday - and continue the hearing.

Councilman Dail said that shelters can be put up, by zone variance.

Councilman then requested discussion of amendments Thursday in Conference. He moved as above, which motion was seconded by Councilman. Mr. Godfrey suggested introduction of the Ordinance on Tuesday.

The question was called for.

It was asked what the motion was.

The Mayor requested reading of the motion.

August M. Wadstrom, Deputy City Clerk, read the motion and suggestion.

Councilman Godfrey disagreed, and said that he had not made a suggestion; it was a motion. He added that the clerk was in error.

The Mayor then asked if Mr. Godfrey wished to make a motion.

Councilman Godfrey moved to discuss the amendments in conference on Thursday, with ordinance to be introduced the following Tuesday - April 27, 1954.

Councilman Wincote said that as long as he was shown seconding the original motion, he would second this one.

Resolution No. 117650, recorded on Microfilm Roll No. 78, referring ordinance regulating Trailer Parks, and amendments thereto, to Council Conference for April 22, 1954, for introduction at the meeting of Tuesday, April 27, 1954, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

After adoption of Resolution No. 117650, Douglas Deaper stated that the Council has been discussing a basis change, and that it has to be considered carefully.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed annexation of territory known as "La Mesa Colony Tract No. 5", Orin Cope, Assistant to the City Manager, was asked for a statement.

Mr. Cope said that if the election is called, the Council has a petition from more than 25% of the registered voters.

A Mrs. Moore, of 67th Street, who did not give her first name or initials, asked "what about water".

Mr. Cope said that the City is trying to work out an exchange of land, that there would be no assessment or bonded indebtedness covering the water. He said that there is a water main in 67th Street, that there would be a connection with no cost to the property owners.

The hearing was ordered closed.

Petition from Mary O'Korn, 844 Jacumba Street, San Diego 14, "against increase of bus fares in San Diego", stating that it is believed that the present fares are sufficient to make a reasonable profit for the Company.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the petition was ordered filed.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 182 fixed lecture room chairs, for installation in lecture room of new Public Library, received from 3 bidders. It recommends award to Austin Safe & Desk Co. of San Diego, low bidder.

RESOLUTION NO. 117651, recorded on Microfilm Roll No. 78, accepting bid of Austin Safe & Desk Co. for furnishing 182 Fixed Lecture Room Chairs at \$4,388.02 including installation; awarding contract, authorizing and instructing City Manager to enter into and execute the same pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing Paving Breakers, Clay Diggers, and Jack Hammers for Public Works Department, received April 1, from 9 bidders. It recommends award to Warnock-Bancroft Equipment for Items 2, 3, 4; and to Thor Power Tool Company of Los Angeles for Item 1.

117650 - 117651
Hearing La Mesa Colony
Tract No. 5
Pur Agt. communication

RESOLUTION NO. 117652, recorded on Microfilm Roll No. 78, accepting bid of Thor Power Tool Company for furnishing 8 Heavy Duty Paving Breakers @ \$277.00 each, 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 office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117653, recorded on Microfilm Roll No. 78, accepting bid of Warnock-Bancroft Equipment Company for furnishing Item 2, 10 - Heavy Duty Clay Diggers @ \$167.00 each; Item 3, 2 - Medium Weight Jack Hammers @ \$266.00 each; Item 4, 2 - Medium Weight Paving Breakers @ \$167.00 each, 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 office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for installation of traffic signals and safety lighting systems at intersections of 30th Street at Lincoln Avenue, 30th Street at Wightman Street, and 30th Street at Redwood Street, received April 1, 1954, from 4 bidders, was presented. It recommends award to Chula Vista Electric Company, low bidder, in amount of \$1,614.00 - 17.0% below estimate.

RESOLUTION NO. 117654, recorded on Microfilm Roll No. 78, accepting bid of Chula Vista Electric Company for installation of traffic signals and safety lighting systems at intersections of 30th Street at Lincoln Avenue, 30th Street at Wightman Street, 30th at Redwood Street for \$14,614.00; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 7 trucks of various sizes for Department of Public Works received by Purchasing Agent March 31, 1954, from 7 bidders, was presented. It recommends award to International Harvester Co. and to City Chevrolet Co., for various items as listed.

RESOLUTION NO. 117655, recorded on Microfilm Roll No. 78, accepting bid of International Harvester Co. for furnishing Item 1, 1 One-ton Chassis and Cab with Special Body @ \$2,345.81; Item 3, 1 One-half Ton Panel Truck @ \$1,547.28; Item 5, 1 - 15,000 Lb. GVW Chassis and Cab @ \$2,024.87; all plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of the City a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117656, recorded on Microfilm Roll No. 78, accepting bid of City Chevrolet Co. for furnishing Item 2, 3 - Canopy Express Trucks @ \$2,028.37 each; Item 4, 1 - 14,000 Lb. CVW Chassis and Cab @ \$1,904.01; plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of the City a contract pursuant to specifications on file in office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from City Manager, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 12,000 feet of 3/4" copper tubing in 60' coils, for stock room, received April 9, 1954, from 7 bidders, was presented.

It recommends award to Mission Pipe and Supply Company, low bidder, at \$0.3411 per foot, terms 1/2 of 1% plus sales tax.

RESOLUTION NO. 117657, recorded on Microfilm Roll No. 78, accepting bid of Mission Pipe and Supply Company for furnishing 12,000 feet of 3/4" copper tubing in 60' coils at \$0.3411 per foot, terms 1/2 of 1%, plus sales tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of the City, a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The preceding item, although listed on the agenda at the place where shown in these minutes, was adopted after the next two items had been considered.

Mayor Butler left the meeting during the next item, and Vice Mayor Charles C. Dail assumed the duties of chairman.

A communication from the Planning Commission, signed by Harry C. Haelsig, relative to Tentative Map of Unit No. 4 of Linda Vista, was presented. It states that during presentation the staff inadvertently, due to lack of time and to pressure, omitted one requirement for opening street through Lot 11 Block 51 to provide access to a subdivided area that has a potential of approximately 30 lots. It says that Mr. Shellaby of PHA stated that Mrs. Harman wishes to request the particular phase of Unit 4 to be returned to the Planning Commission for future discussion as to alternate method of providing access without immediate removal of houses. It recommended approval of the Tentative Map as presented so that PHA may proceed with negotiations for engineering contracts, but that matter of providing access be referred back to Planning Commission for further consideration. The Clerk read the letter.

RESOLUTION NO. 117658, recorded on Microfilm Roll No. 78, suspending Sections 102.07-5, 102.11-2, 102.11-1, 102.11-3, 102.12-6, 102.18, 102.16-6, 102.17-c of San Diego Municipal Code insofar as they relate to Tentative and final maps, was on

motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Linda Vista Unit No. 4, for subdivision of portion of Linda Vista easterly and westerly of Ulric and southerly of the business center - consisting of 231 lots occupied by single-family dwellings, duplexes, and 4 and 6 unit apartment buildings, was presented. It attaches 12 conditions.

RESOLUTION NO. 117659, recorded on Microfilm Roll No. 78, approving Tentative Map of Linda Vista Unit No. 4, subject to conditions contained, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117660, recorded on Microfilm Roll No. 78, adopting recommendation of the City Planning Department (shown on page 38 of these minutes) on requirement for street opening through Lot 11 Block 51 Linda Vista Unit No. 4 for reference back to the Planning Department, and for approving Tentative Map also, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

The recommendation referred to for reference back to the Commission is Document No. 488998.

Mr. Shellaby, connected with PFA appeared, but was not heard.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portions of San Diego Municipal Code insofar as they relate to Tentative and Final Maps of San Rafael Unit No. 2, was presented.

RESOLUTION NO. 117661, recorded on Microfilm Roll No. 78, suspending Sections 102.09 1 & 2, 102.05, 102.12-8, 102.10-3, 102.18, 102.17-c of the San Diego Municipal Code insofar as they relate to Tentative and Final Maps of San Rafael Unit No. 2, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of San Rafael Unit No. 2, for subdivision of portion of Acre Lots 21, 22, 23 Pacific Beach - located on easterly extension of Wilbur Avenue, easterly of Lamont Street, consisting of 27 lots, was presented. It states the parcel adjoins parcel of land in escrow to School Board for another elementary school in Pacific Beach.

RESOLUTION NO. 117662, recorded on Microfilm Roll No. 78, approving Tentative Map of San Rafael Unit No. 2, subject to conditions, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from J. R. Lester Boyle, suite 327 Spurgeon Building, Santa Ana, California, submitting claim in the sum of \$80,717.05 as 9.25% of final cost of construction of Kearny Mesa Improvement District, plus incidental expenses advanced, was presented.

RESOLUTION NO. 117663, recorded on Microfilm Roll No. 78, approving claim of Engineer of work, J. R. Lester Boyle, for engineering services rendered in the matter of the Kearny Mesa Improvement District, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Diego

Communication from San Fire Fighters Association, Local Number 145, signed by R. W. Shukraft, president, was presented. It requests a 5% increase in salaries, longer vacations, refers to payments in other cities, etc.

RESOLUTION NO. 117664, recorded on Microfilm Roll No. 78, referring to Budget Conference (City Manager) communication from San Diego Fire Fighters Association, Local Number 145, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from Mr. and Mrs. Allen Steinkamp, 3616 Crown Point Drive, San Diego 9, dated April 15, 1954, was presented.

It states they are much interested and in favor of Recreation project at Fortuna Cove - Mission Bay, Pacific Beach, and urges starting it soon.

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

Communication from State of California Water Pollution Control Board, San Diego Region No. 9, 3441 University Avenue, San Diego 4, dated 14 April 1954, was presented. It transmits copy of Board Resolution No. 54-5 which commends and endorses recent action of the Council placing before voters of the City of San Diego a solution to the sewerage problem of this area.

On motion of Councilman Wincote, seconded by Councilman Burgener, it was filed (also referred to the Mayor for reply, by request).

RESOLUTION NO. 117665, recorded on Microfilm Roll No. 78, directing notice of filing of Assessment No. 2230, and time and place of hearing thereof, for installation

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of curb and sidewalk in Poole Street, Azul Street and La Jolla Shores Drive, under Resolution of Intention No. 113264, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117666, recorded on Microfilm Roll No. 78, directing notice of filing of assessment and of time and place of hearing thereof, for paving and otherwise improving Redwood Street and Haller Street, under Resolution of Intention No. 112880, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 117667, recorded on Microfilm Roll No. 78, accepting bid of Dan McF. Chandler, an individual doing business under firm name and style of Chandler Construction Co., and awarding contract for paving and otherwise improving Alley Block 45 Normal Heights, under Resolution of Intention No. 116493, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The City Engineer reported low bid is 23.1% below the estimate.

RESOLUTION OF AWARD NO. 117668, recorded on Microfilm Roll No. 78, accepting bid of R. E. Hazard Contracting Co., a corporation, and awarding contract for paving and otherwise improving Haines Street, within limits and as described in Resolution of Intention No. 116401, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The City Engineer reported low bid is 24.1% below the estimate.

RESOLUTION OF AWARD NO. 117669, recorded on Microfilm Roll No. 78, accepting bid of Cox Bros. Construction Co., a co-partnership, and awarding contract for paving and otherwise improving Logan Avenue and Florence Street, within limits and as described in Resolution of Intention No. 116621, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The City Engineer reported low bid is 33.6% below the estimate.

RESOLUTION OF AWARD NO. 117670, recorded on Microfilm Roll No. 78, accepting bid of Daley Corporation, a corporation, and awarding contract for paving and otherwise improving 35th Street, Webster Avenue, Pardee Street, 36th Street and Pardee Place, within limits and as described in Resolution of Intention No. 116494, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The City Engineer reported low bid is 34.0% below the estimate.

RESOLUTION NO. 117671, recorded on Microfilm Roll No. 78, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 95 Ocean Bay Beach under Document No. 488392; approving Plat No. 2588 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 plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117672, recorded on Microfilm Roll No. 78, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alleys Blocks 3 and 4 Ocean Beach under Document No. 488394; approving Plat No. 2575 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 plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117673, recorded on Microfilm Roll No. 78, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Clove Street, Plum Street, Oliphant Street and Newell Street under Document No. 488397; approving Plat No. 2546 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 plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 117674, recorded on Microfilm Roll No. 78, for installation of street lights on 30th Street, Upas Street, Ray Street and University Avenue, within limits and as described in Resolution of Intention No. 117016, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 117675, recorded on Microfilm Roll No. 78, for the closing of the Alley lying adjacent to Lot 1 Block D Resubdivision of portion of Villa Tract, La Jolla Park, described in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 117676, recorded on Microfilm Roll No. 78, for closing portion of Myrtle Avenue, described in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 117677, recorded on Microfilm Roll No. 78, 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 in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 117678, recorded on Microfilm Roll No. 78, for paving and otherwise improving Olney Street and Felspar Street, within limits and as described in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 117679, recorded on Microfilm Roll No. 78, for closing portion of Front Street, as described in the Resolution; finding that it is not deemed necessary that any land be taken therefor, and setting out boundary of assessment district, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117680, recorded on Microfilm Roll No. 78, for paving and otherwise improving Alley Block 95 Ocean Bay Beach, within and as particularly described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117681, recorded on Microfilm Roll No. 78, for paving and otherwise improving Alleys Blocks 3 and 4 Ocean Front, within limits and as described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117682, recorded on Microfilm Roll No. 78, for paving and otherwise improving Clove Street, Plum Street, Oliphant Street and Newell Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117683, recorded on Microfilm Roll No. 78, appointing to the Board of Directors of Lemon Grove Sanitation District, Mayor John D. Butler and that as an alternate director to the Mayor, Councilman Charles C. Dail, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The Resolution states that recent annexation to The City of San Diego of area known as Rolando Tract resulted in there being included within the City a portion of Lemon Grove Sanitation District, a sanitation district organized and existing under and by virtue of Division V, Part 3, Chapter 3 (sections 4700-4859) of Health and Safety Code of State of California, which portion contains less than half of the population of the whole sanitation district; that Section 4730 of Government Code provides in such case, the Board of Directors of the Sanitation District shall be reconstituted so that it shall include presiding officer of governing body of the City, and also provides for selection of one member of the governing body as alternate director.

RESOLUTION NO. 117684, recorded on Microfilm Roll No. 78, appointing to Board of Directors of Rolando Sanitation District, Mayor John D. Butler and Councilman George Kerrigan, and that as alternate director to the Mayor, Councilman Chester E. Schneider, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The Resolution states that recent annexation of Rolando Tract resulted in there being included within the City a portion of Rolando Sanitation District, a Sanitation organized and existing under and by virtue of Division V, Part 3, Chapter 3 (Sections 4700-4859) of the Health and Safety Code of the State of California, which portion contains more than half of the population of the whole sanitation district; that Section 4730 of the Government Code provides that in such a case, the Board of Directors of the Sanitation District shall be reconstituted so that it shall include the presiding officer of the

City, and one other member thereof, and provides for selection of one member of the governing body as an alternate director to act in place of the presiding officer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117685, recorded on Microfilm Roll No. 78, establishing a parking time limit of 2 hours between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

Both sides of India Street, between Redwood Street and Spruce Street; establishing Parking Meter Zone; authorizing 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 Godfrey, adopted.

RESOLUTION NO. 117686, recorded on Microfilm Roll No. 78, authorizing and empowering the City Manager to do all the work in connection with installation and operation of an experimental garbage composting - pilot plant, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

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

RESOLUTION NO. 117687, recorded on Microfilm Roll No. 78, authorizing the City Manager to employ Daley Corporation to replace curb and sidewalk returns at northwest corner of Everts Street and Garnet, together with necessary paving patching, in connection with improvement of Everts Street between Felspar Street and Garnet Street; cost of work not to exceed \$279.44, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

The Resolution states that The City has entered into contract for Daley Corporation for paving and otherwise improving Everts Street under a 1911 Street Improvement Act proceeding; that Drawing 10997-L shows curb and sidewalks to be replaced and, necessary patching to be done by The City.

RESOLUTION NO. 117688, recorded on Microfilm Roll No. 78, authorizing and empowering City Manager for and on behalf of the City to execute lease agreement with the Templeton Foundation, a corporation, leasing to the City portion of building situated on Pueblo Lot 1264 under terms and conditions set forth in form of lease agreement filed in office of City Clerk as Document No. 488996, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117689, recorded on Microfilm Roll No. 78, authorizing and empowering City Manager to execute, for and on behalf of the City, an agreement to lease agreement, filed in office of City Clerk as Document No. 472415; description of property and terms and conditions to be set forth in form of amendment to lease filed in office of City Clerk under Document No. 488997, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

(Although the Resolution does not say so, the lease papers refer to the Junior Fire Truck Ride, Balboa Park)

RESOLUTION NO. 117690, recorded on Microfilm Roll No. 78, approving Change Order No. 15, dated April 7, 1954, heretofore filed with City Clerk as Document No. 488739, issued in connection with contract between City of San Diego and Daley Corporation for construction of Wabash Boulevard, Section B, contract contained in Document No. 470651 on file in office of City Clerk, changes amounting to increase in contract price of approximately \$6,045.00, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117691, recorded on Microfilm Roll No. 78, approving request of Ets-Hokin & Galvan, dated March 24, 1954, contained in Change Order No. 1, for extension of 45 days to and including May 28, 1954, heretofore filed with City Clerk as Document No. 488741, in which to complete contract for installation of traffic signals and safety lights on Broadway and Second Avenue, 16th Street, et al., contained in Document No. 481905; extending completion time to May 28, 1954, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117692, recorded on Microfilm Roll No. 78, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against property in East 36 feet of Lots 23 and 24 Block 8 City Heights Annex No. 1, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to State of California for delinquent taxes on the property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may

deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117693, recorded on Microfilm Roll No. 78, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against property in portion of Lot "M" La Mesa Colony, described in the Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to State of California for delinquent taxes on property be cancelled; authorizing and directing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117694, recorded on Microfilm Roll No. 78, directing City Auditor to cancel certificates of sale owned by The City of San Diego - against various properties in City Gardens, Sessors' Subdivision, Bayside, listed in the Resolution - in the Mission Bay area, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117695, recorded on Microfilm Roll No. 78, accepting gift of stoves and refrigerators from Local No. 145 San Diego Fire Fighters Association, according to document on inventory filed in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117696, recorded on Microfilm Roll No. 78, granting O. D. Arnold & Sons (owners) permission to install 6" private house sewer line on property at 6134 and 6136 El Cajon Boulevard - to be bell and spigot, hot poured joints, to be laid 1/4" or more to the foot, to run through, along and across Lot 5 La Mesa Colony (Map 346) - subject to approval of Chief Plumbing Inspector and City Manager, and upon conditions set out in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117697, recorded on Microfilm Roll No. 78, granting The Lions' Club permission to hold circus at Frontier and Rosecrans Street, April 23, 24, 25, 1954, upon payment of \$600.00 license fee, and deposit of \$500.00 with City Treasurer to guarantee required cleaning and policing of premises; subject to approval of Building Inspection Department, Fire Marshal and Health Department, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

(It is Clyde Beatty Circus, sponsored by the Lions' Club).

RESOLUTION NO. 117698, recorded on Microfilm Roll No. 78, granting Burns Drug Store, 7824 Girard Avenue, La Jolla (Al McCoy Plumbing Co) to install a foot vent on small sink in prescription counter; installation of new fixtures of modern design being made and ceiling vent would be unsightly; subject to approval of Chief Plumbing Inspector and City Manager, and upon conditions set out in Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117699, recorded on Microfilm Roll No. 78, granting Campbell Machine Co., located at foot of 8th Avenue (Gus C. Klindt, Plumbing Contractor) to install new 4" sewer line, with property of Campbell Machine Co., from toilet rooms to existing City sewer lateral at property line, with 1/8" grade per foot, which is best grade possible on account of distances and depth of present lines; subject to approval of Chief Plumbing Inspector and City Manager, and upon express conditions set out in Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117700, recorded on Microfilm Roll No. 78, granting Hertz Drive (Rent-A-Car Stations, Inc.), Barton Degen, owner (Fred A. Heilbron and Sons, Plumbing Contractor) to continue existing sewer connection on property at 2775 Pacific Highway, at minimum grade of 1/8" fall per foot at point where it runs below Santa Fe spur track; existing connection too high for greater fall, but proper operation of Plumbing will not be interfered with; subject to approval of Chief Plumbing Inspector and City Manager, upon conditions set forth in Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117701, recorded on Microfilm Roll No. 78, granting John Mesku, 2254 San Diego Avenue, San Diego 10, to install an 80-foot driveway on the westerly side of Hortensia Street, between points 17 feet and 97 feet north of northerly line of San Diego Avenue, adjacent to southerly line of Lot 4 Block 538 Old San Diego Addition, subject to condition that driveway shall need all City requirements for commercial driveways as indicated on standard drawings 24-S-B* and 30-S-B, except for variances indicated, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117702, recorded on Microfilm Roll No. 78, granting San Diego Unified School District permission to install one-piece 2" brass vent pipe from island cabinet sink in each of 2 kindergarten located at Longfellow Elementary School, 5055 July Street; subject to approval of Chief Plumbing Inspector and City Manager, and upon conditions set out in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117703, recorded on Microfilm Roll No. 78, granting The Taylor Co. (F. T. Emory Plumbing Co.) permission to install 1-1/2" brass pipe and 6 Durham fittings in 3 sink vents in Dining room and kitchen at 877 Hornblend Street, Pacific Beach - new construction - exposed position of vents, architectural and engineering design make type of installation necessary - subject to approval of Chief Plumbing Inspector and City Manager, and upon conditions set forth in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117704, recorded on Microfilm Roll No. 78, authorizing City Attorney to accept \$30.00 in full settlement of City's claim No. 36088 in amount of \$55.81 against Ruth McKay Field, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117705, recorded on Microfilm Roll No. 78, granting claim of W. A. Hubbard for Clare L. Hubbard, for refund of zoning variance application fee in sum of \$25.00, for which Clare L. Hubbard did not and now cannot receive any consideration; ordering Auditor and Comptroller to issue warrant therefor, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117706, recorded on Microfilm Roll No. 78, authorizing Leland Cook, Jr., Assistant Superintendent, Sewage Treatment Works, and Jack H. Kuhns, Chemist, Sewage Treatment Works, to attend annual meeting of Arizona Water & Sewer Works Association, to be held in Tuscon, April 22 to 24, 1954; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117707, recorded on Microfilm Roll No. 78, authorizing Eric V. Qurtly, Superintendent, Sewage Treatment Works, and Robert E. Miner, Chief Operator, Sewage Treatment Works, to attend meeting of California Sewage and Industrial Wastes Association, to be held at Sacramento, California, May 5 to 8, 1954, also to visit new East Bay Municipal Utility District's Plant at Oakland and the new North Point Plant at San Francisco; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Proposed Ordinance, which had been before the Council several times previously, and continued week-to-week to this date, approving Annexation to City of San Diego of portions of Tidelands of San Diego Bay, in County of San Diego, known and designated as "San Diego Harbor Tidelands", was presented again.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the Ordinance was continued one week - to April 27, 1954.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to final passage was dispensed with by 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. 6066 (New Series), recorded on Microfilm Roll No. 78, approving annexation to The City of San Diego of portion of Lot 40 La Mesa Colony, including Isabella Street closed adjacent thereto, in County of San Diego, State of California, known and designated as "Butterfield Tract" (Uninhabited Territory), was on motion of Councilman Burgener, 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 Kerrigan, 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. 6067 (New Series), recorded on Microfilm Roll No. 78, amending the San Diego Municipal Code by amending Section 101.0401, relating to establishment of zones within The City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, Mayor Butler.

117702 - 117707
Ord. continued
6066 N.S. - 6067 N.S.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of the ordinance 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. 6068 (New Series), recorded on Microfilm Roll No. 78, establishing regulations for use of land in area of land known as Rolando Tract, (under interim zoning), was on motion of Councilman Kerrigan, seconded by Councilman Burgener, 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 Burgener, seconded by Councilman Godfrey, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of the ordinance 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. 6069 (New Series), recorded on Microfilm Roll No. 78, appropriating \$33,000.00 from Capital Outlay Fund, for providing funds to pay City's share of cost of paving Grand Avenue, in Pacific Beach, was on motion of Councilman Burgener, 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 Burgener, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of the ordinance 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. 6070 (New Series), recorded on Microfilm Roll No. 78, appropriating \$3500.00 out of Unappropriated Balance Fund, for providing funds for installation and operation of experimental Garbage Composting-Pilot Plant, was on motion of Councilman Burgener, seconded by Councilman Wincote, 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 Burgener, seconded by Councilman Godfrey, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading of the ordinance 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. 6071 (New Series), recorded on Microfilm Roll No. 78, calling and providing for and giving notice of a Special Election to be held in territory known as "La Mesa Colony Tract No. 5", in the County of San Diego, State of California, on Tuesday, May 25, 1954, for purpose of submitting to electors residing therein the question whether the territory in said La Mesa Colony Tract No. 5 shall be annexed to, incorporated in and made a part of The City of San Diego, and that property therein shall, after annexation, be subject to taxation equally with property within The City of San Diego to pay the bonded indebtedness of the City outstanding at date of the annexation, was on motion of Councilman Burgener, 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 Godfrey, seconded by Councilman Wincote, Ordinance dedicating Lot A Valencia Park Unit No. 2, deeded to City of San Diego and naming the same Olvera Avenue, was on motion of Councilman Godfrey, seconded by Councilman Wincote, introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, Mayor Butler.

Councilman Godfrey told the Council that the County Board of Supervisors had decided to adopt the Food Handlers' Ordinance.
There was no action.

There being no further business to come before the Council, the meeting was adjourned by the Vice Mayor at the hour of 12:50 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadstram

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

6068 N.S. - 6071 N.S.
Ordinance introduced
Information re Food
Handlers Ord.

4/22/54

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, April 22, 1954

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

In the absence of the Mayor, Vice Mayor Charles C. Dail acted as Chairman. He called the meeting to order at the hour of 10:07 o'clock A.M.

The Vice Mayor welcomed to the Council meeting members of the Wilson Jr. High School Civics Class - Edgar Hebert, their accompanying teacher. He explained the Council's procedure.

The Vice Mayor welcomed Congressman Bob Wilson, members of the Housing Authority, and members of the Boys Club. (Mention of their presence will be made again, in these Minutes).

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portion of Pueblo Lot 1237 into RC and CP zones and repealing Ordinance No. 13456 insofar as it conflicts, the Clerk reported that no written protests had been received.

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

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

On motion of Councilman Dail, seconded by Councilman Kerrigan, the reading of the next ordinance in full prior to its 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. 6072 (New Series), recorded on Microfilm Roll No. 79, 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 approved February 15, 1932, insofar as the same conflicts, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Burgener, Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portions of Pueblo Lot 1785, Acre Lots 4, 5, 6, 11 Partition of Pueblo Lot 1784, Soledad Terrace, and all of Block A Nettleship Tye Tract No. 2 into "R-1B and "R-1C" Zones, and repealing Ordinance No. 119 (New Series) insofar as it conflicts, the Clerk reported that no written protests had been received.

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

No one appeared to be heard verbally, and no written protests were presented. Reading was dispensed with by not less than 4 members of the Council.

ORDINANCE NO. 6073 (New Series), recorded on Microfilm Roll No. 79, incorporating portions of Pueblo Lot 1785, Acre Lots 4, 5, 6, 11 Partition of Pueblo Lot 1784, Soledad Terrace, and all of 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) adopted January 3, 1933, insofar as the same conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Burgener, Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portions of Blocks 23, 24, 27, 28 West End Addition into R-2 Zone, and repealing Ordinance No. 12820 insofar as it conflicts, the Clerk reported that no written protests had been received.

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

No one appeared to be heard verbally, and no written protests were presented. Reading was dispensed with by not less than 4 members of the Council.

ORDINANCE NO. 6074 (New Series), recorded on Microfilm Roll No. 79, incorporating portions of Blocks 23, 24, 27, 28 West End Addition into R-2 Zone, as defined by Section 101.0406 of San Diego Municipal Code and repealing Ordinance No. 12820 approved April 28, 1930 insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote,

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

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids for construction of outfall sewer in The Muirlands (Northerly Section) in portions of West Muirlands Drive, El Camino del Canon, Muirlands Drive and El Camino del Teatro, received March 30, 1954, from 3 bidders, was presented. It recommends award to Cameron Bros. Construction Company, low bidder, in amount of \$24,723.02 - 4.9% below the estimate.

RESOLUTION NO. 117708, recorded on Microfilm Roll No. 79, accepting bid of Cameron Bros. Construction Company 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; awarding contract, authorizing and instructing the City Manager to enter into and execute a contract pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting final map of Muirlands Acres Unit No. 1 with recommendation for approval, subject to posting adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 117709, recorded on Microfilm Roll No. 79, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Fred C. Corey, Jr. and Wanda Lee Corey, for installation and completion of unfinished improvements and setting of monuments required for Muirlands Acres subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117710, recorded on Microfilm Roll No. 79, adopting map of Muirlands Acres subdivision, being subdivision of portion of Pueblo Lots 1774 and 1256, accepting on behalf of the public the public street, portion of public street and unnamed easements shown: Buckingham Drive, portion of La Jolla Mesa Drive and unnamed easements, for public purposes; street, portion of street and unnamed easements declared to be for and dedicated to public use; authorizing and directing Clerk to endorse upon map, as and for act of the Council, that they are accepted on behalf of the public; directing him to transmit the Map to the Clerk of the Board of Supervisors of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting final map of Allied Gardens Unit No. 3, recommending approval subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 117711, recorded on Microfilm Roll No. 79, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Maxson Corporation, a corporation, Borwood Corporation, a corporation, and Fineview Corporation, a corporation, for installation and completion of unfinished improvements and setting of monuments required for Allied Gardens Unit No. 3; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117712, recorded on Microfilm Roll No. 79, adopting Map of Allied Gardens Unit No. 3, and accepting public streets and unnamed easements: 50th Street, Winona Avenue, 49th Street, Estrella Avenue and Orcutt Avenue; rejecting dedication for a public street of land shown as "Reserved for Future Street"; authorizing and directing the Clerk of the City to endorse upon the map, as and for act of the Council, that the streets and easements are accepted on behalf of the public; rejecting as dedication portions marked "Reserved for Future Street"; directing City Clerk to transmit the map to the Clerk of the Board of Supervisors of County of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting final map of Muirlands Acres Unit No. 2, was presented.

RESOLUTION NO. 117713, recorded on Microfilm Roll No. 79, approving Map of Muirlands Acres Unit No. 2, being subdivision of portion of Pueblo Lot 1256; accepting on behalf of the public the public street and unnamed easements shown on the map: Calle Mahorca and unnamed easements shown for public purposes; declaring them to be public street and unnamed easements dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map as and for act of the Council that the street and unnamed easements are accepted on behalf of the public; 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 Godfrey, seconded by Councilman Schneider, adopted.

Communication from Santee School, P.O. Box 25, Santee, California, dated March 23, 1954, signed by Raymond J. Kiehl, Clerk, was transmitted. It requests permission for use of water from City of San Diego main in Mission Road, and mentioning that the City has released rights to the Edgemoore Farm for use of water for purposes other than fire protection.

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

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Communication from Agricultural-Nutrition, signed by Peter William Kaiser, 4522 Norwood Street, San Diego 15, entitled "Fluoridation, Its Function from a Vio-chemical Point of View", was presented. In brief, it urges that fluoridation program be eliminated entirely, not only in San Diego, but elsewhere, due to mass-medication theory and that a new approach be made by the Medical Profession, in the interest of Biochemical Medicine Practice.

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

Communication from Thomas Courtney Moorshead, 6276 Camino de la Costa, La Jolla, stating that he owns Lots 27 and 28 Block 38 in C Zone of La Jolla, that after reading the proposed 'SC' Zone Ordinance, he favored change from the existing zone to the proposed one.

Glenn A. Rick, City Planning Director, talked about the letter, and explained the suburban commercial zone to which it refers.

Mayor Butler entered the meeting.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the communication was referred to the Planning Department.

Communication from George J. Russ, 4620 Mission Boulevard, San Diego 9, requesting that development of Fortuna Cove and development of bathing beach in Crown Point area, was presented.

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

Copy of Resolution adopted by San Diego Newspaper Guild, signed by Omer M. Sumpter, President, 469 Spreckels Building, was presented.

It has to do with lack of adequate tourist promotion in San Diego County, and makes suggestions for handling of tourists, etc.

RESOLUTION NO. 117714, recorded on Microfilm Roll No. 79, referring to Budget Conference resolution of San Diego Newspaper Guild, filed under Document No. 489007 relative to tourist promotion, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117715, recorded on Microfilm Roll No. 79, authorizing and directing San Diego Gas & Electric Company to install 43 6000 lumen overhead street lights and 10,000 lumen center suspension overhead street lights at 3 locations - all as set forth in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117716, recorded on Microfilm Roll No. 79, authorizing and directing City Manager to enter into contract for and on behalf of The City of San Diego with Jackson & Scott, Inc., a corporation, 9325 El Cajon Boulevard, La Mesa, subdivider of Ridge View Unit No. 2, providing for installation of mains and appurtenances larger than necessary for the subdivision, to be made at request of the City, and for reimbursement by the City to the subdivider of sum of \$3472.04 for difference in cost of mains and appurtenances larger than necessary but required by the City, upon execution and delivery to the City of Quitclaim Deed conveying all of the right, title and interest of the subdivider in and to the system, was on motion of Councilman Godfrey, seconded by Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117717, recorded on Microfilm Roll No. 79, approving request of California Electric Works, dated April 5, 1954, contained in Change Order No. 1, for extension of 15 days to and including April 24, 1954, heretofore filed with City Clerk as Document No. 489010, in which to complete contract for installation of traffic signals and safety lighting at Park Boulevard and Robinson Avenue, et al., contract contained in Document No. 481829 on file in office of City Clerk; extending time to April 24, 1954, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117718, recorded on Microfilm Roll No. 79, approving Change Order No. 2, dated April 5, 1954, approving Change Order No. 2, dated April 5, 1954, heretofore filed April 5, 1954, (~~heretofore filed with City Clerk~~) as Document No. 489012, issued in connection with contract for improvement of La Jolla Boulevard, contract contained in Document No. 483917 on file in office of City Clerk, changes amounting to increase in contract price of \$100.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

(Resolution does not name contractor, but it is Daley Corporation).

RESOLUTION NO. 117719, recorded on Microfilm Roll No. 79, approving request of Daley Corporation, contained in Change Order No. 3, for extension of 30 days to and including May 31, 1954, heretofore filed with City Clerk as Document No. 489014 in which to complete contract for improvement of La Jolla Boulevard, contract contained in Document No. 483917 on file in office of City Clerk; completion time extended to May 31, 1954, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117720, recorded on Microfilm Roll No. 79, approving Change Order No. 14, dated March 30, 1954, heretofore filed with City Clerk as Document No. 489016, issued in connection with contract between City of San Diego and Daley Corporation for construction of Wabash Boulevard, Section 3, contract contained in Document No. 470651 on file in office of City Clerk; changes amounting to increase in contract price of \$609.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117721, recorded on Microfilm Roll No. 79, approving request of F. E. Young Construction Company, dated April 15, 1954, contained in Change Order No. 72, for extension of 7 days to and including April 23, 1954, heretofore filed with City Clerk as Document No. 489018, in which to complete contract for construction of San Diego Public Library, contract contained in Document No. 451108 on file in office of City Clerk; extending time of completion to April 23, 1954, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The next item on the agenda, having to do with lease on portion of Pueblo Lot 1189 Linda Vista Housing, for Boys Club, was continued to later in the meeting awaiting arrival of several individuals.

RESOLUTION NO. 117722, recorded on Microfilm Roll No. 79, authorizing the City Attorney on behalf of The City of San Diego, in action entitled "Robert J. Klitgaard; T. N. Falconer; Aloys Bohnen; Bertram Everard Winrow; Mary Bliss Winrow; William P. Sloan and Margery H. Sloan, plaintiffs vs. The City of San Diego, a municipal corporation, et al., Defendants", No. 186723", pending in Superior Court, to file stipulation that upon recordation of final map of Point Loma Gardens Subdivision, a decree may be entered quieting title against The City of San Diego to portions of Blocks 14, 15, 16 and Gage Drive formerly Bow Avenue, John Street, Jennings Street and Alleys in said blocks of Roseville Heights, described in the Decree excepting portions of Gage Drive, Jennings Street, John Street and unnamed easements dedicated on map of the subdivision, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117723, recorded on Microfilm Roll No. 79, authorizing City Auditor and Comptroller to draw warrant in sum of \$24.41 in favor of Hubert K. Eaton in satisfaction of judgment rendered against City of San Diego in Small Claims Court, San Diego Judicial District, Case No. 11070, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117724, recorded on Microfilm Roll No. 79, approving claim of Ruth J. Pitts filed in office of City Clerk under Document No. 486736 in amount of \$47.26; directing City Auditor and Comptroller to draw warrant in said sum in full payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117725, recorded on Microfilm Roll No. 78, approving claim of John L. Wilper on file in Office of City Clerk under Document No. 487741 in amount of \$30.00; directing City Auditor and Comptroller to draw warrant in said sum in full payment, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117726, recorded on Microfilm Roll No. 79, directing the City Auditor and Comptroller to draw warrant in favor of John C. Peek in amount of \$5.00 in full settlement of claim in sum of \$10.00, filed under Document No. 487376, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117727, recorded on Microfilm Roll No. 79, denying claim of Edward S. Labadie, on file in office of City Clerk under Document No. 487639, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117728, recorded on Microfilm Roll No. 79, denying claim of Albert Deane Williams on file in office of City Clerk under Document No. 487637,

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

RESOLUTION NO. 117729, recorded on Microfilm Roll No. 79, allowing bill of San Diego Chamber of Commerce, bearing date of April 16, 1954, in sum of \$1,250.00 as provided in Agreement for operation of Research Bureau to compile and evaluate statistical data; authorizing requisition to be drawn as provided in the Agreement, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117730, allowing bill of San Diego City and County Convention Bureau, bearing date April 19, 1954, in sum of \$1,120.88 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund for fiscal year 1953-54, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117731, recorded on Microfilm Roll No. 79, accepting Quitclaim Deed of Jackson & Scott, 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, subdivision named Ridge View Unit No. 2, being subdivision of portion of Lots 4 and 12 Horton's Purchase in ExpMission Lands of San Diego; 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117732, recorded on Microfilm Roll No. 79, accepting deed of Fred L. Bixler and Clarice T. Bixler, husband and wife as joint tenants, dated April 15, 1954, granting and conveying 2 parcels of land in East Half of Northeast Quarter of Section 7 Township 13 South, Range 2 West, San Bernardino Meridian, lying above 330 foot contour, described in the deed; authorizing and directing City Clerk to forward deed to Property Supervisor with direction that it be filed for record in office of County Recorder of San Diego County after all escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.
(It is in Lake Hodges area).

RESOLUTION NO. 117733, recorded on Microfilm Roll No. 79, accepting subordination agreement, executed by The Connecticut Mutual Life Insurance Company, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date April 12, 1954, submitting all right, title and interest in and to portion of Pueblo Lots 1262 and 1263, to right of way and easement for water main purposes heretofore conveyed to The City; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117734, recorded on Microfilm Roll No. 79, accepting subordination agreement, executed by Howard R. Hardin and Lula Belle Hardin, beneficiaries, and Land Title Insurance Company, trustees, bearing date February 8, 1954, wherein they subordinate all their right, title and interest in and to portion of Lots 18 and 19 Victory Manor, to right of way and easement for sewer purposes heretofore conveyed to The City; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117735, recorded on Microfilm Roll No. 79, accepting subordination agreement, executed by Home Federal Savings and Loan Association of San Diego, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date March 30, 1954, wherein parties subordinate all right, title and interest in and to portion of Lots 14 and 15 Victory Manor, to right of way and easement for sewer purposes heretofore conveyed to The City; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117736, recorded on Microfilm Roll No. 79, accepting subordination agreement, executed by The Penn Mutual Life Insurance Company, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date March 19, 1954, wherein parties subordinate all right, title and interest in and to portion of Lot 1 Block 1 Muirlands Terrace Unit No. 1, to right of way and easement for water main purposes heretofore conveyed to The City; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117737, recorded on Microfilm Roll No. 79, accepting subordination agreement, executed by Thomas Rigopoulos and Theodora Rigopoulos, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date March 2, 1954, wherein parties subordinate all right, title and interest in and to portion of Lot 14 Victory Manor, to the right of way and easement for sewer 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 the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117738, recorded on Microfilm Roll No. 79, accepting subordination agreement, executed by H. C. Shreve, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date April 6, 1954, wherein parties subordinate their right, title and interest in and to portion of Pueblo Lot 193, to right of way and easement for sewer purposes heretofore conveyed to The City; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117739, recorded on Microfilm Roll No. 79, accepting subordination agreement, executed by Silver Gate Building and Loan Association, beneficiaries, and Union Title Insurance and Trust Company, trustees, bearing date February 3, 1954, wherein parties subordinate their right, title and interest in and to portion of Lots 18 and 19 Victory Manor, to right of way and easement for sewer purposes heretofore conveyed to City of San Diego; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117740, recorded on Microfilm Roll No. 79, accepting deed of Walter H. DuPont and Josephine DuPont, bearing date April 1, 1954, conveying portion of Pueblo Lot 256; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to 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. 117741, recorded on Microfilm Roll No. 79, accepting deed of Union Title Insurance and Trust Company, bearing date April 12, 1954, conveying portion of Block "G" Starkey's Prospect Park; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to 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. 117742, recorded on Microfilm Roll No. 79, accepting deed of Frederick B. Kenyon and Donna H. Kenyon, bearing date April 8, 1954, conveying easement and right of way for street purposes in portion of Alley (closed) lying adjacent to northeasterly line of Lot 4 Block 17 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 the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117743, recorded on Microfilm Roll No. 79, accepting deed of M. Moore Jr. and Margaret Moore, bearing date April 12, 1954, conveying easement and right of way for street purposes in portion of Alley (closed) lying adjacent to northeasterly line of Lot 1 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 the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117744, recorded on Microfilm Roll No. 79, accepting deed of James H. Righenour and Vivian Righenour, bearing date April 14, 1954, conveying portion of Lots 9, 10, 11, 12 Block 4 The Dells Park; setting aside and dedicating same to public use as and for public street and naming it Wabash Boulevard; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to 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. 117745, recorded on Microfilm Roll No. 79, accepting deed of Everett J. Allen and Ruth E. Allen, bearing date February 17, 1954, conveying easement

and right of way for sewer purposes in portion of Lots 14 and 15 Victory Manor; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117746, recorded on Microfilm Roll No. 79, accepting Deed of Owen O. Feuer and Jewel L. Feuer, bearing date February 15, 1954, conveying easement and right of way for sewer purposes in portion of Lot 14 Victory Manor; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117747, recorded on Microfilm Roll No. 79, accepting Deed of John A. Reed, bearing date April 15, 1954, conveying easement and right of way for sewer purposes in portion of Bangor Street closed by Resolution No. 117354; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117748, recorded on Microfilm Roll No. 79, accepting Deed of Duane G. Stafford, James L. Minos and Tony Amantea, bearing date March 30, 1954, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 193; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117749, recorded on Microfilm Roll No. 79, accepting Deed of J. M. Teman and Elizabeth Teman, bearing date January 15, 1954, conveying easement and right of way for sewer purposes in portion of Lots 18 and 19 Victory Manor; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117750, recorded on Microfilm Roll No. 79, accepting Deed of Verne R. Read and Ethel D. Read, bearing date March 1, 1954, conveying easement and right of way for water main purposes in portion of Lot 1 Block 1 Muirlands Terrace Unit No. 1; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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

On motion of Councilman Godfrey, seconded by Councilman Schneider, the reading of the Ordinance 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 the day of its passage a written or printed copy.

ORDINANCE NO. 6075 (New Series), recorded on Microfilm Roll No. 79, appropriating \$50,805.00 from Capital Outlay Fund, for purchase of 12.66 acres of land located on Fay Avenue (for widening of Fay Avenue), was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

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

On motion of Councilman Wincote, seconded by Councilman Godfrey, the reading of the Ordinance 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 the day of its passage a written or printed copy.

ORDINANCE NO. 6076 (New Series), recorded on Microfilm Roll No. 79, appropriating \$27,000.00 from Capital Outlay Fund, for providing funds for installation of sanitary outfall sewer in northerly section of Muirlands, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

In connection with the next ordinance, it was asked of Mr. Rick if this is the usual thing. Mr. Rick replied "yes".

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 was dispensed by a vote of not less than 4 members of the Council. There was available for consideration of each member of the Council prior to the day of its pass-

117746 - 117750
6075 N.S. - 6076 N.S.
Ord. introduced; reading dispensed

age a written or printed copy.

ORDINANCE NO. 6077 (New Series), recorded on Microfilm Roll No. 79 - an interim ordinance establishing regulations governing use of land in area of land known as Waring Tract No. 2 - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

The ordinance states that it is for preservation of public peace, health, property, and safety of inhabitants, and is an emergency measure for reasons set forth in its preamble, and that it shall take effect and be in force immediately upon passage.

The City Manager requested, and was granted unanimous consent to present the next matter not listed on the agenda. He reported that it has to do with cancellation of agreement in connection with 54th Street Park property, and park development.

RESOLUTION NO. 117751, recorded on Microfilm Roll No. 79, authorizing and empowering City Manager to execute, for and on behalf of the City, an Option to Purchase and Cancellation of Lease Agreement with Henry S. Ervay, Jr., and Rochelle L. Ervay, which lease involved the easterly 4 acres of Lot 17 Lemon Villa; more particular description of property and terms and conditions to be set forth in form on file in office of City Clerk under Document No. 489181, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The City Manager requested, and was granted unanimous consent to present the next 2 matters, not listed on the agenda. He explained the Resolution and the accompanying ordinance, having to do with Federal participation upon street paving. The improvement had been before the Council previously, at which time the U.S.A. declined to participate in the improvement or cost thereof, under FPHA. He said that agreement had now been reached.

Communication from the Purchasing Agent reporting on bids received February 11, 1954, from 7 bidders for improvement of Opal Street between westerly line of Everts Street and easterly line of Dawes Street (including grading, paving and construction of curb), recommending award to Daley Corporation, low bidder, in amount of \$2,987.75 - 18.1% below the estimate.

RESOLUTION NO. 117752, recorded on Microfilm Roll No. 79, accepting bid of Daley Corporation for improvement of portion of Opal Street; awarding contract to Daley Corporation, authorizing and instructing 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 office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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 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 passage a written or printed copy.

ORDINANCE NO. 6078 (New Series), recorded on Microfilm Roll No. 79, appropriating \$3,200.00 from Capital Outlay Fund, for purpose of providing funds for improvement of Opal Street, from Everts Street to Dawes Street, was on motion of Councilman Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

The Mayor told the students who were visitors, that this was the shortest meeting on record. He informed them that the Council had held a conference prior to the meeting, and that members would go into conference again, following this meeting. Most of the matters on today's agenda were routine, and many had been considered in Conference. The larger hearings usually come on Tuesday, he stated. He added that many of the items considered had already been approved by the Council.

Councilman Kerrigan was excused.

Councilman Godfrey proposed discussion of conference items, since this was such a short meeting, for the benefit of the students. He spoke of the Trailer Park Ordinance having been referred to the City Manager and to the City Attorney for re-draft. He said that Mr. Rick, City Planning Director, wanted to know about approval for 1-way where operators would perhaps later want 2-way traffic in the Trailer Parks. He told of wanting to know what would happen.

Councilman Wincote said that Mr. Rick likes 25-foot roadways for 2-way traffic. He wondered if it would not be possible to set up the roadways for 1-way, so that they could not be changed.

Douglas D. Deaper, Deputy City Attorney, said that the Council could require compliance with what had been established. He spoke of most being 1-way streets.

There was no action.

117751 - 117752
6077 N.S. - 6078 N.S.
Trailer Park ordinance
discussion

4/22/54

The Council returned to the following matter on which action had been postponed, temporarily, as noted earlier in these minutes.

RESOLUTION NO. 117753, recorded on Microfilm Roll No. 79, authorizing and empowering City Manager to execute, for and on behalf of the City, a lease with Boys' Club of San Diego, Inc., a portion of Pueblo Lot 1189 Linda Vista Housing, for a term of 50 years at an annual rental of Fifty Dollars (\$50.00); 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. 489020; real property has value of \$5,000.00 as disclosed by report of Auditor and Comptroller, being leased for reason that City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The following persons posed for television camera pictures, and for newspaper shots:

Mayor Butler; James Robbins, member of Board of Supervisors of San Diego County; Faye Hartman, Special Representative, Federal Public Housing Administration; Irving Friedman, president of the Board of Directors of the Boys' Club; Congressman Bob Wilson; Chester Van Dusen, executive director of the Boys' Club of San Diego.

Then the Mayor presented a copy of the Resolution authorizing the lease to Mrs. Hartman and to Mr. Friedman, as all posed for pictures.

Next, the Mayor and Mr. Friedman were photographed together.

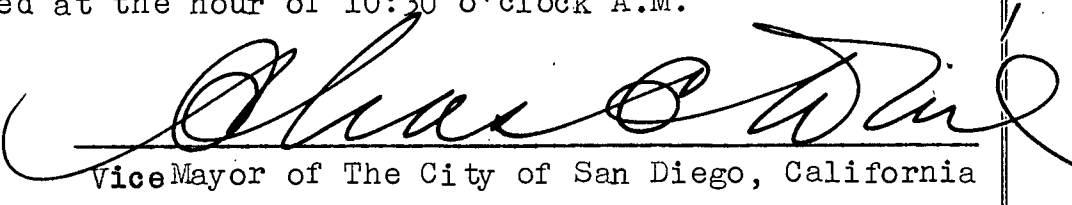
Mr. Friedman, in behalf of the Boys' Club, thanked members of the Council obtaining land for the Boys' Club, in Linda Vista.

The Mayor responded by saying that "it was a pleasure".

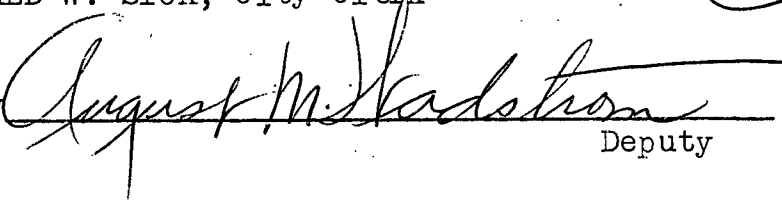
There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at the hour of 10:30 o'clock A.M.

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, Calif-
ornia, April 27, 1954

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

In the absence of Mayor Butler, Vice Mayor Charles C. Dail presided.

The Meeting was called to order by the Vice Mayor at 10:03 o'clock A.M.,
at which time Rev. Charles W. Severus, University Christian Church, was presented.
The invocation was given by Rev. Severus

The Minutes of the Regular Council Meetings of Tuesday, April 20, 1954,
and of Thursday, April 22, 1954, were presented to the Council.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for
receiving bids for Small Water Main Replacements, Group No. 12, 1953-1954 - Specifica-
tion No. 59 - the Clerk reported that 7 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:

Dan E. Pace dba Pace dba Pace Construction Company, 2041 Cleveland Avenue,
National City, Calif., accompanied by bond written by American Surety Company in the sum
of ten percent of the total sum bid, given Document No. 489379;

Cameron Bros. Construction Company, accompanied by bond written by Glens
Falls Indemnity Company of Glens Falls, New York in the sum of ten per cent of the amount
bid, given Document No. 489380;

Utility Construction Company, accompanied by bond written by United Pac-
ific Insurance Company in the sum of Ten Percent of Amount Bid, given Document No.
489381;

Walter H. Barber, an individual, accompanied by bond written by Hartford
Accident and Indemnity Company in the sum of ten percentum of amount of accompanying bid,
given Document No. 489382;

W. V. Hutchison Co., a copartnership, accompanied by bond written by
Fireman's Fund Indemnity Company in the sum of ten percentum of amount of accompanying
bid, given Document No. 489383;

W. A. Robertson, S. E. Robertson, M. L. Robertson, B. W. Robertson and
D. V. Upshaw, doing business as W. A. Robertson & Company, accompanied by bond written by
Fidelity and Deposit Company in the sum of ten percent of amount of bid, given Document
No. 489384;

Royal Pipeline Construction Company, Inc., accompanied by bond written by
United Pacific Insurance Company in the sum of ten percent of the total amount of the
attached bid, given Document No. 489385.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, 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 resurfacing Central Avenue, Euclid Avenue, Grim Avenue, Park Boulevard,
San Diego Avenue, Sunset Boulevard, University Avenue, Washington Street, 32nd Street -
Specification No. 665 - the Clerk reported that 5 bids had been received, which bids were
presented to the Council.

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

These were as follows:

Griffith Company, accompanied by bond written by National Surety Corpora-
tion in sum of six thousand dollars, given Document No. 489386;

Councilman Godfrey was excused

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 sum of 10% of
aggregate sum of the bid, given Document No. 489387;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific

Invocation
Bids

4/27/54

Indemnity Company in the sum of 10% of amount bid, given Document No. 489388;

Bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company of Glens Falls, New York, in the sum of seven thousand dollars, given Document No. 489389;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, given Document No. 489390.

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 time set for hearing on Resolution of Intention No. 117254 for removal of ornamental lighting standard shafts, transformers and luminaires from Broadway between Pacific Highway and 8th Avenue, 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 protests were filed.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 117255 for construction of street light standards, etc., in Diamond Street, and that portion be graded and Portland cement concrete sidewalk and Portland cement concrete foundations for lighting standards be constructed, etc., 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 protests were filed.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2222 for paving and otherwise improving Alley in Block 54 Ocean Beach, within limits and as described in Resolution of Intention No. 114059, 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 appeals were filed.

RESOLUTION NO. 117754, recorded on Microfilm Roll No. 79, confirming and approving Assessment No. 2222, made to cover cost and expenses of paving and otherwise improving Alley Block 54 Ocean Beach, within limits and as described in Resolution of Intention No. 114059; authorizing and directing Street Superintendent to issue 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 Assessment No. 2223 for paving and otherwise improving Alleys Blocks 15 and 42 Ocean Beach within limits and as described in Resolution of Intention No. 112504, 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 appeals were filed.

RESOLUTION NO. 117755, recorded on Microfilm Roll No. 79, confirming and approving Assessment No. 2223, made to cover cost and expenses of paving and otherwise improving Alleys Blocks 15 and 42 Ocean Beach, under Resolution of Intention No. 112504; authorizing and directing Street Superintendent to issue 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 Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, time set for hearing on furnishing electric current for lighting ornamental street lights located in San Diego Lighting District No. 2, under Resolution of Intention No. 116496, 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 protests were filed.

RESOLUTION NO. 117756, recorded on Microfilm Roll No. 79, confirming and adopting as a whole Engineer's Report and Assessment for San Diego Lighting District No. 2, filed March 22, 1954, in office of City Clerk, 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 of Preliminary Determination No. 117361 for paving and otherwise improving

Bids

Hearings

117754 - 117756

Alley in Block I Montecello, Robert E. Collins, 4568 Altadena Avenue, appeared.

Mr. Collins told the Council that he had a petition signed by 10 property owners, consisting of approximately 50%, but did not reveal its contents. He stated that about 2 years ago a petition was circulated, and defeated; then a new petition was circulated. He said that his petition owners "knew of nothing". He outlined reasons for protesting. Mr. Collins spoke of being not against the improvement, but against other things which he named. He said that there are only 2 garages on the alley, and that there are things stored in the alley; the improvement is not warranted; and did not have consideration of property owners.

The City Engineer gave a verbal report regarding the 61.5% petition for improvement - most signers being on "61st Street".

Vice Mayor Dail declared that it was necessary to have a petition of 60% to start proceedings.

Mr. Collins said that he has 2 on his petition of protest who signed the first petition. He showed the Council a plat which he declared was made from the City Engineer's records. He explained to the Council relative to property affected.

Councilman Burgener said that it looks close - roughly 50-50.

Mr. Collins spoke of people not knowing that petition was circulated.

It was moved by Councilman Schneider, seconded by Councilman Burgener to continue the hearing one week, and refer the protest to the City Engineer.

Councilman Godfrey returned.

The roll was called on the motion, which carried.

A man came to the microphone, indicating that he wished to speak on the same subject.

The action was then reconsidered.

The man for whom reconsideration was given, identified himself as T. W. Keller. Mr. Keller told of having spoken to Mr. Collins regarding desirability of having the alley paved. He said that his wife had given the petition to Mr. Collins over the back fence. Mr. Keller related that Mr. Collins was telling about the neighborhood that the improvement would cost \$500. or more. He referred to \$250. as being about top several years ago.

Councilman Kerrigan reviewed current bids.

The City Engineer said that the official estimate is about \$125. per 25-foot-lot.

The Mayor entered the meeting and took the Chair.

Councilman Dail was excused.

The Mayor said that it is up to the property owners what is desired. The arguments should be left to the next week's meeting, in accordance with the earlier action, he said.

Mr. Collins spoke again. He agreed that Mr. Keller is correct in that they did discuss the paving 2 years ago, and that Mrs. Keller did pass the petition over the back fence 2 years ago. He told of others present at this meeting who did not know of the petition, and said he would let them speak for themselves.

They did not speak.

Councilman Burgener asked if "that" is of interest.

Mr. Collins said that this is the only project considered.

The Mayor agreed that the estimate is on only this job.

Mr. Collins insisted that it would cost contractor as much to move equipment in for this one block, as for a "whole district". He said that Mr. Keller is incorrect when he advised that it had been said \$500.00 had been stated as the cost.

The motion was renewed.

RESOLUTION NO. 117757, recorded on Microfilm Roll No. 79, continuing hearing on proposed improvement of Alley Block I Montecello, under Resolution of Preliminary Determination No. 117361 until the hour of 10:00 o'clock A.M., Tuesday, May 4, 1954; referring protests to the City Engineer, 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. 117362 of Preliminary Determination for paving and otherwise improving Alley Block 46 Ocean Beach, and portion of Sunset Cliffs Boulevard, 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. 117758, recorded on Microfilm Roll No. 79, determining that proposed improvement of Alley in Block 46 Ocean Beach, under Resolution No. 117362 of Preliminary Determination is feasible and that lands to be assessed therefor 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 Kerrigan, adopted.

Councilman Dail returned

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 117363 of Preliminary Determination for construction of storm drains and appurtenances in portions of 47th 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.

Morey Levenson, attorney, representing John D. Kingery, was heard. He presented a petition of protest. He said that he is willing to file it now, to save costs, rather than wait until a later time - although it may be not the right time.

RESOLUTION NO. 117759, recorded on Microfilm Roll No. 79, continuing hearing on proposed improvement of portion of 47th Street, by constructing storm drains and

appurtenances, within limits and as described in Resolution No. 117363 of Preliminary Determination until 10:00 o'clock A.M., Tuesday, May 4, 1954; referring protests against the improvement to the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set on continued hearing on Ordinance amending San Diego Municipal Code by adding sections and amending sections, and repealing Ordinances, regulating Trailer Parks, Douglas D. Deaper, Deputy City Attorney, pointed out that the Ordinance up for consideration today is not the same one as introduced. The one on the agenda should probably be filed, in his opinion.

The hearing was postponed temporarily, awaiting Alan Firestone, from the City Attorney's office, insasmuch as he had worked on the ordinance.
It will be found again on page 61 of these Minutes.

Petition of residents requesting that the Council initiate necessary steps to complete and develop Fortuna Cove Park as proposed and planned by the City Planning Department, was presented.
Leonard Lafferty, of Pacific Beach, said that the area needs "something"; it has no park now. He handed in a new petition (which was added to the one on file.
On motion of Councilman Burgener, seconded by Councilman Kerrigan, the petitions were referred to the City Manager.

In connection with the next item, Councilman Godfrey asked why there was only one bidder. What is the price, he asked.
Orin Cope, Assistant to the City Manager, said that there being only one bidder was due to shipping costs. He said that the price is the same as the present contract - comparable to that of Los Angeles. If larger pipe is to be obtained, it has to come from Los Angeles, he said.
Communication from Purchasing Agent, bearing City Manager's stamp of approval, reporting on bids received April 21, 1954, for period of 6 months beginning May 1, 1954, for furnishing City's requirements of Centrifugally Spun Reinforced Concrete Pipe, was presented. It recommends award to American Pipe & Construction Company, and makes report similar to that given by Mr. Cope.

RESOLUTION NO. 117760, recorded on Microfilm Roll No. 79, accepting bid of American Pipe and Construction Company for furnishing requirements of Centrifugally spun reinforced Concrete Pipe for period of 6 months beginning May 1, 1954, in accordance with prices as per schedule attached; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City a contract pursuant to specifications on file in office of 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, reporting on bids received March 24, 1954, from 6 bidders, for construction of Addition No. 3 to Dog Pound at Azusa and Gaines Street; recommending award to Al E. Riley, Inc., low bidder, in amount of \$23,571.00 - 21.4% below estimate, was presented.
On motion of Councilman Godfrey, seconded by Councilman Schneider, the matter was continued to Thursday - April 29, 1954.

In connection with the next bid, and report, question was asked about reason for the sole bid.
Orin Cope, Assistant to the City Manager, told the Council that Stauffer Chemical Company is the sole manufacturer in the southwest United States.
Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids received April 20, 1954, for furnishing City's requirements of Ferric Sulfate for period of 6 months beginning May 1, 1954, was presented. It states that Stauffer Chemical Company of Los Angeles, for furnishing the produce for 6 months period beginning May 1, 1954, was the sole bidder at \$56.00 per ton, f.o.b. Alvarado Filtration Plant, plus State Sales Tax. It recommends award, in the estimated total of \$8,400.00.
RESOLUTION NO. 117761, recorded on Microfilm Roll No. 79, accepting bid of Stauffer Chemical Company for furnishing City requirements of Ferric Sulphate for period of 6 months beginning May 1, 1954; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids received April 20, 1954, from 2 bidders for furnishing City's requirements of Mechanical Joint Clay Sewer Pipe and Fittings for period of six months beginning May 1, 1954, was presented. It states there were 2 identical bids, identical with existing contract, and recommends award (decided by lot) to Industries Supply Company of San Diego.
RESOLUTION NO. 117762, recorded on Microfilm Roll No. 79, accepting bid

of Industries Supply Company of San Diego for furnishing requirements of mechanical joint clay sewer pipe and fittings at prices set out in schedule 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 office of City Clerk, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, bearing City Manager's stamp of approval, reporting on bids for repairing piling on south side of Broadway Pier, received April 9, 1954, from 3 bidders, was presented. It recommends award to R. E. Staite, low bidder, in amount of \$1945.00 - estimate was \$2600.00.

RESOLUTION NO. 117763, recorded on Microfilm Roll No. 79, accepting bid of R. E. Staite for repair of piling on south side of Broadway Pier; awarding contract, authorizing and instructing majority of members of Harbor Commission to enter into and execute contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids for furnishing one Heavy Duty Tractor-Bulldozer for Public Works Department received April 15, 1954, from 3 bidders. It recommends award to Shaw Sales & Service Company, low bidder meeting specifications: \$28,176.15 plus extra for heavy duty filter equipment @ \$108.00; plus extra for 26" track shoes @ \$41.60; totaling \$28,325.75, less trade-in of City owned TD-18 Angle Dozer, Power Control Unit and Drott Bull Claim @ \$8,401.15, or a net total of \$19,924.60 plus State Sales Tax.

RESOLUTION NO. 117764, recorded on Microfilm Roll No. 79, accepting bid of Shaw Sales & Service Company for furnishing 1 Heavy Duty Tractor-Bulldozer with extras, less trade-in of City owned Angle Dozer, Power Control Unit and Drott Bull Claim; authorizing and instructing City Manager to enter into and execute on behalf of the City the awarded contract, pursuant to specifications on file in office of City Clerk, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids for furnishing 1 Tractor Cable Control Unit received April 8, 1954, from 3 bidders, was presented. It recommends award to Shaw Sales & Service Company, low net bidder, at price of \$2,250.00 less trade-in on Isaacson Control Unit of \$1,000.00 - or net bid of \$1,250.00 plus State Sales Tax, was presented.

RESOLUTION NO. 117765, recorded on Microfilm Roll No. 79, accepting bid of Shaw Sales & Service Company for furnishing 1 Tractor Cable Control Unit, less trade-in on Isaacson Control Unit; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids for furnishing 13 Radio Transmitter-Receivers together with option to allow City to purchase up to 13 additional transmitter-receivers after July 1, 1954, received April 16 from 3 bidders, was presented. It recommends award to Motorola Communications & Electronics, Inc., low bidder, at \$345.00 per unit, terms net, plus State Sales tax. It further recommends that City accept option offered. Price of low bidder of gives \$345.00 compared with \$417.50 previously paid for similar equipment.

RESOLUTION NO. 117766, recorded on Microfilm Roll No. 79, accepting bid of Motorola Communications & Electronics, Inc., to furnish 13 Radio Transmitter-Receivers; awarding contract, authorizing and instructing City Manager to enter into and execute same on behalf of The City of San Diego, including option to purchase up to 13 additional transmitter-receivers pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on ~~bids for~~ furnishing repair parts for Tropic Water Meters as per list attached, totaling \$2,801.90 f.o.b. Brooklyn, New York, was presented. It states the parts are procurable only from Mission Pipe & Supply Company of San Diego, agents, and no benefit can be obtained by advertising.

RESOLUTION NO. 117767, recorded on Microfilm Roll No. 79, authorizing and directing Purchasing Agent to purchase in open market, without advertising for bids, Repair Parts for Tropic Water Meters, as listed above, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117768, recorded on Microfilm Roll No. 79, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain in Jamacha Road and Lots 12 to 25 Beacon Hill, between Beacon Drive and Glencoe Drive, filed in office of City Clerk as Document No. 489216; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

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RESOLUTION NO. 117769, recorded on Microfilm Roll No. 79, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of traffic signals and safety lighting systems at intersections of Mission Boulevard at Garnet Street and B Street at 9th Avenue, bearing Document No. 489217; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117770, recorded on Microfilm Roll No. 79, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of storm drain in La Jolla Shores Drive, Lots 11 and 12 Block 19 La Jolla Shores Unit No. 1, and portion of Pueblo Lot 1297, all near Camino de la Colina, bearing Document No. 489218; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on sale of miscellaneous discarded City materials on March 18 and March 27, 1954, plus Police Department surplus of bicycles and motorcycles, was presented. It states \$6,267.00 realized from the sales has been deposited with City/Treasurer in proper accounts.

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

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Minos Mar Vista, 22-lot subdivision of portion of Lot 193, in essential agreement with Tentative Map approved by Resolution 116739, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 117771, recorded on Microfilm Roll No. 79, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with L. B. Butterfield and Edna L. Butterfield, husband and wife, for installation and completion of unfinished improvements and setting of monuments required for Minos Mar Vista Subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117772, recorded on Microfilm Roll No. 79, approving and adopting Map of Minos Mar Vista Subdivision and accepting Public Street and unnamed easements shown - subdivision of portion of Pueblo Lot 193: Amiford Drive - declaring them to be public street and easements and dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map as and for act of the Council that the street and unnamed easements are accepted on behalf of the public; directing him to transmit Map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, signed by P. Q. Burton, reporting on request of Edmund B. Silva asking that his cabinet shop be ruled a permitted use in C Zone, at 4286 Midway Drive, was presented. It reports is proposed to be established on leased parcel of land 40'x40', on which are located a 18'x20' building and 20'x40' lath covered area. It states property lies on northeast side of Midway Drive partly under approach to Midway Drive bridge and adjacent to Flood Control Channel - fence company and boat building company located within a block of the property. It recommends a finding be made and that there be limitations imposed.

RESOLUTION NO. 117773, recorded on Microfilm Roll No. 79, making finding that proposed cabinet shop of Edmund B. Silva, at 4286 Midway Drive, in C Zone, is business similar to and not more obnoxious than other permitted uses in same zone and same vicinity under following conditions: not more than 2 employees; work limited to custom work such as television cabinets and furniture; total horse power limited to 3; no millwork done on premises; hours of operation between 7:30 A.M. and 7:30 P.M., no Sunday operations, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from Atchison, Topeka and Santa Fe Railway Company requesting closing of portions Bay Avenue, 27th Street and 29th Street, over certain railway tracks, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, it was referred to City Manager.

Communication from San Diego City Schools, Crown Point Elementary School, 4033 Ingraham Street, San Diego 9, dated April 21, 1954, signed by Fred C. Butzine, was presented. It favors development of Mission Bay as Recreation Center, and improvements in Fortuna Cove.

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

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Communications

Communication from San Diego Chamber of Commerce, Broadway at Columbia Street, dated April 21, 1954, signed by R. T. Blair, Jr., Secretary, Metropolitan Planning Committee, was presented. In addition to referring to the subject generally, it quotes a motion unanimously adopted: "That the City of San Diego be requested to prepare an ordinance establishing minimum size requirements for dwellings, and that the San Diego Chamber of Commerce be given an opportunity to review the proposed ordinance before adoption".

RESOLUTION NO. 117774, recorded on Microfilm Roll No. 79, referring communication from Metropolitan Planning Committee, San Diego Chamber of Commerce, Document No. 489186, re minimum size requirements for dwellings, to Council Conference, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from Thompson & Colegate, attorneys at law, 444 N. Palm Canyon Drive, Palm Canyon Drive, Palm Springs, California, was presented. It requests a hearing relative to lease by City of San Diego to W. H. Coleman, covering 223 acres in Rancho San Bernardo, relative to amortizing certain permanent improvements on the leased premises.

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

Communication from The Urban Institute, 1737 K Street, N.W., Washington 6, D.C., dated April 16, 1954, signed by Max S. Wehrly, Executive Director, was presented. The mimeographed form, addressed to "Dear Mr. Mayor" deals with downtown traffic congestion, etc.

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

Communication from San Diego Municipal Employees' Association, Inc., submitting copy of letter to Civil Service Commission to salaries, etc., in connection with the forecoming Budget, was presented.

RESOLUTION NO. 117775, recorded on Microfilm Roll No. 79, referring to Salary Conference for fiscal year 1954-1955, communication from San Diego Municipal Employees' Association, Inc., filed in office of City Clerk under Document No. 489093, submitting copy of letter to Civil Service Commission relative to salaries in connection with 1954-1955 Budget, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Hearing on proposed Ordinance amending San Diego Municipal Code by adding new sections, amending existing sections and article, repealing ordinances - all having to do with Regulating Trailer Parks - continued from earlier in this meeting - was resumed.

Douglas Deaper, Deputy City Attorney, told the Council that the Ordinance before it today is not the one which had been introduced, and said that the introduced ordinance which has been changed, should probably be filed.

Alan Firestone, Deputy City Attorney, for whom the Council was waiting to conduct the hearing, arrived. He said that the 1st change from the old draft is altered wording is in Sec. 33.2516 (b), which has added language added regarding emergency removal of trailers.

There was discussion between Morey Levenson, attorney, and Mr. Firestone.

Sec 55.07 (a) covering liquefied petroleum gas regulations had been changed from 10 gallons to 12 gallons; (e) of same section had been changed regarding unsafe uses, installations, or equipment, Mr. Firestone said. He told of change in third line of Sec 91.21 on page 6 covering "additional sum". Next he spoke of Sec. 101.0641 (b), covering occupied area as differentiating between the old and new drafts; (c) added language regarding surfacing. There is no change regarding cabanas. He corrected the answer to question as "yes". He said that it gives a wider latitude.

Councilman Godfrey spoke about (d) - awnings.

Mr. Firestone said that (f) is regarding private facilities.

Councilman Godfrey insisted that he does not want cabanas converted to living quarters. He said that at Mission Beach it would not be comfortable to sit out in the breeze. He spoke to Mrs. Marian Purdy, Mr. Levenson and Mr. Firestone regarding enclosures. He said that 25% must remain open, and added that would provide protection.

Mrs. Purdy went to Los Angeles regarding compromise on account of glass enclosures. She referred to that as a protection.

Mr. Harper, who had spoken last week in connection with the Purdy lease on Mission Bay area, passed up pictures of something which he said would be desired.

Mrs. Purdy stressed need for windbreaks.

Councilman Godfrey said that use of cabanas could result in slums.

Mr. Harper agreed that it could be objectionable. He stated that could be covered by writing in protection into the Building Ordinance, against such structures.

Councilman Godfrey, speaking about the desirable trailer park under the Mission Bay lease, emphasized that regulations have to be on a City-wide basis.

Mr. Harper restated that the situation can be controlled in the Building Ordinance. He said that Los Angeles has done it.

Councilman Kerrigan pointed out that San Diego operates under the Uniform Building Code

Mr. Harper said that it is being written in in what was understood to be "Lido".

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Communications
Trailer Parks Ordinance
Regulations hearing

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Councilman Dail was excused ; returned during hearing

Robert Dorland, Building Inspector, told the Council that the situation would probably present problems as far as the Building Department is concerned. He said that the State would not want to control cabanas. He pointed out that the City would be faced with a special privilege group, if allowed in connection with trailers, inasmuch as the City does not permit the cabanas elsewhere.

Councilman Schneider asked about coverage.

Glenn A. Rick, City Planning Director, said that is covered already.

Councilman Godfrey, referring to the photographs handed in, said that the pictures show cabanas in their best form.

Mr. Harper told the Council that it is wanted to put in at DeAnza Point what what would be a credit. It can be done, he declared.

Mr. Firestone said that the issue of whether the City is going to permit or not is not his business; it is a policy matter.

Councilman Dail said that the Council ought to decide if cabanas are to be allowed, on a basis of policy. He declared that the discussion is getting into other line, on account of the pictures viewed by the Council. He said that the subject poses difficulties of construction.

The Mayor stated that the Council ought to refer the cabanas matter to Conference - and go ahead with the ordinance without them.

Councilman Godfrey started to say something about as long as bed along side of a trailer...but did not finish the statement.

Mr. Dorland asked about how much of an addition could be permitted. He said that cabanas can't be moved on the highway. If there is an addition of over 50% the matter is covered, he stated.

Councilman Dail asked for taking out the portion for a permit.

Mr. Dorland said that cabanas would not comply with the Building Code on account of heights, light, etc.

Councilman Dail moved to strike "this" (e) from the Ordinance, and refer it to the City Attorney, the Planning Director and City Manager to work out the cabana requirements, which motion was seconded by Councilman Wincote. The vote was not taken here, but later, when it failed to carry.

Councilman Godfrey said that under the motion, it would eliminate control of cabanas.

Mr. Dorland said that new construction has to comply with the Building Code.

The Mayor pointed out that trailer people can have fence and awning.

There was discussion between Councilman Dail and Mr. Dorland.

Councilman Wincote declared that trailer living in the United States is here to stay.

Councilman Godfrey advocated trying to control before "getting junk".

Mr. Dorland spoke of being able to build up to 50%, but that new addition would have to comply with the Building Code, the same as private homes.

Councilman Godfrey asked "what control?"

Mr. Dorland referred to the cabanas as being temporary.

Councilman Dail said that what is being discussed is a policy matter, and that they could talk all day.

The Mayor observed that the matter was not essential, and that the Council could pass the Ordinance and direct regulations in the future.

Mr. Levenson spoke of the Legislature having adopted a bill regarding cabanas. Then, he referred to adoption, after rules and regulations had been determined. The City could add to the Ordinance, he said.

Mr. Deaper spoke about the Attorney being directed to work on the cabana problem. That can't be done by throwing it into the Ordinance, he said. He advised waiting to see what the State is doing; then it can be considered by the Council. It would be a simple matter to include it, according to Mr. Deaper.

Councilman Schneider spoke to Mrs. Purdy, and asked if the cabana subject was important as of today.

Mrs. Purdy replied "yes", but added that it would not be serious, if the Council proceeded with it soon. She told of some people carrying portable cabanas along with their trailers.

Councilman Wincote said that there should be something in the ordinance, to show the Council's intent.

Mr. Dorland said that cabanas in California are illegal under State law; State law does not permit them. The matter that is being covered in the future by the State was on a pressure basis to permit them, he said. He spoke of there possibly being a necessity to change the State Housing laws, on account of their use.

Councilman Kerrigan said that if the Council takes (e) out, cabanas are still illegal; if (e) is in, they are still illegal.

Mr. Firestone said that if the cabanas are portable or demountable, they may not be covered.

Councilman Dail asked why deprive of use if cabanas are attached to trailers. He asked why leave the matter in the ordinance.

Discussion was entered into between Councilmen Godfrey and Dail over control.

Councilman showed the Purdy pictures, again. He declared the structure to be discriminatory; nobody but next door to a patio can construct a cabana, he said.

The roll was called on the motion to strike "e" from the ordinance, and refer the cabana subject to the City Manager, Planning Director and City Attorney: Yeas--Councilmen Wincote, Dail. Absent--Councilmen None. Nays--Councilmen Burgener, Schneider, Kerrigan, Godfrey, Mayor Butler. (The motion lost).

The Mayor asked about meeting requirements in other respects.

Councilman Godfrey continued to speak about cabanas. He said that the Council should indicate some approval, immediately.

Councilmen Dail and Godfrey conducted a discussion between themselves. Councilman Wincote asked if one can do \$100. worth of improvement without a permit.

Mr. Dorland replied that no one can do construction without a permit, but a free one is issued under \$100.

Discussion followed between Councilman Wincote and Mr. Dorland regarding enclosing an area with awning.

Mr. Harper spoke about permits, and taxes levied on cabanas in Orange County.

Councilman Godfrey spoke of the subject having been referred to the City Attorney who could not work it out in a week, and that he is going to try.

There was discussion between Councilman Burgener and a woman who did not identify herself.

Mrs. Purdy charged that the Council was making much out of personal liberty.

Councilman Kerrigan answered that the Council can't find out what to do.

Mrs. Purdy said that elsewhere in the country the problem has been met.

The Mayor said that there should be referred for study, the subject of building cabanas.

Councilman Godfrey moved to refer to the City Manager, City Attorney and Planning Director for immediate study and finding of an early solution regarding cabanas, which motion was seconded by Councilman Wincote.

Before the roll was called, there was discussion between Councilman Dail and Councilman Godfrey regarding Councilman Godfrey's continual harping on use of refrigerator boxes for cabanas.

Councilman Godfrey replied to Councilman Dail that he likes to harp.

Mr. Levenson suggested that in (e) the following language should be used: "except as provided in the State Law, or in this Code".

Councilman Kerrigan entered into discussion with Mr. Levenson regarding use of temporary cabanas in Salinas for use of crop harvesters, or in Mission Bay.

Mr. Levenson pointed that an effort is being made to find a solution.

Councilman Dail said that if the motion is passed, it is hard to amend.

Mr. Deaper said he is worried about the suggestion. He declared that he does not know what is permitted by the State. If allowed, it would require a prohibition, and it might not permit requirement for removal, he said. He spoke of there not being a right for removal.

The roll was called on the motion, resulting in

RESOLUTION NO. 117814, recorded on Microfilm Roll No. 79 (numbered out of order) referring to the City Manager, City Attorney, and Planning Director for immediate study, and the finding of an early solution regarding cabanas in connection with the Ordinance regulating Trailer Parks. There was a clear vote.

(Before the roll was called, the question arose regarding inclusion of the reference for study to the Building Inspector, also. It was pointed out that the Building Inspection department is under the City Manager).

Councilman Schneider asked that the City Manager, et al., notify the affected people regarding cabanas. (The City Manager's office was notified of the request by the Clerk's office on April 28, 1954).

Councilman Wincote said that maybe the Council should look at "others".

Mr. Firestone said that on Sec. 101.0641, page 13 of the Ordinance, there was an addition to (a) regarding 60% and 40%. (b) regarding size (b 2) depth changed from 35 feet to 30 (c) changed to take out roadways, surfacing left; lanes; (d) hedges and fences changed.

The Mayor said that this was not the same as the ordinance introduced (which comment had been made by Douglas Deaper at the beginning of the hearing).

On motion of Councilman Dail, seconded by Councilman Kerrigan, the Ordinance previous introduced, was filed.

Councilman Godfrey spoke about not permitting a 3-year continuance of matters not allowed - as a result of a statement which had been made by Dr. Askew (Public Health Director).

Councilman Kerrigan spoke about sewer connections.

Councilman Godfrey said that there is much desirable in this ordinance. He spoke to Mr. Deaper. Mr. Firestone entered the discussion regarding the possible permits for removal of cabanas.

Councilman Godfrey declared that there are some other undesirable things.

Mr. Firestone pointed out that the City can't condone violations.

Mr. Deaper said that he will have the answer next week.

The new ordinance was introduced on motion of Mayor Butler (who was not presiding, and seconded by Councilman Schneider.

(Mayor Butler and Councilman Kerrigan had gone out during the discussion, but when they returned - as shown later in the meeting - the Mayor did not take the Chair)

RESOLUTION NO. 117776, recorded on Microfilm Roll No. 79, directing Notice of Filing of Assessment No. 2233, and of time and place of hearing thereof, for paving and otherwise improving Alley Block 3 City Heights, under Resolution of Intention No. 113379, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117777, recorded on Microfilm Roll No. 79, directing notice of filing of Assessment No. 2232, and of time and place of hearing thereof, for paving and otherwise improving Alley Block 77 City Heights, under Resolution of Inten-

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Hearing Trailer Park Regulations Ordinance
Ordinance introduced (new)

tion No. 113262, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117778, recorded on Microfilm Roll No. 79, directing notice of filing Assessment No. 2234 made to cover costs and expenses of paving and otherwise improving Alleys Block 43 W. P. Herbert's Subdivision, and of time and place of hearing thereof, under Resolution of Intention No. 113380, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117779, recorded on Microfilm Roll No. 79, directing Notice of filing Assessment No. 2231 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 11 North Shore Highlands under Resolution No. 114358, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD NO. 117780, recorded on Microfilm Roll No. 79, accepting bid of John B. Henry, and awarding contract for paving Alleys Block 199 and 220 Pacific Beach, under Resolution of Intention No. 116718, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

(The City Engineer reported in writing that low bid is 20.1% below estimate).

RESOLUTION OF AWARD NO. 117781, recorded on Microfilm Roll No. 79, accepting bid of Griffith Company and awarding contract for paving and otherwise improving Congress and Hortensia Streets, under Resolution of Intention No. 116719, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(The City Engineer reported in writing that low bid is 30.1% below estimate)

RESOLUTION OF AWARD NO. 117782, recorded on Microfilm Roll No. 79, accepting bid of R. E. Hazard Contracting Co., and awarding contract for paving and otherwise improving Wells Street under Resolution of Intention No. 116720, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The City Engineer reported in writing that low bid is 29.9% below estimate)

RESOLUTION OF AWARD NO. 117783, recorded on Microfilm Roll No. 79, 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 Wunderlin Avenue and 60th Street, under Resolution of Intention No. 116721, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(The City Engineer reported in writing that low bid is 41.2% below estimate)

RESOLUTION OF AWARD NO. 117784, recorded on Microfilm Roll No. 79, accepting bid of San Diego Gas & Electric Company for furnishing electric current for College Park Lighting District No. 1, for a period of one year from and including June 1, 1954, in accordance with Engineer's Report and Assessment filed February 5, 1954 in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted,

RESOLUTION OF AWARD NO. 117785, recorded on Microfilm Roll No. 79, accepting bid of San Diego Gas & Electric Company for furnishing electric current for Collwood Lighting District No. 1, for period of one year from and including June 1, 1954, in accordance with Engineer's Report and Assessment for Collwood Lighting District No. 1, filed February 5, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117786, recorded on Microfilm Roll No. 79, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 102 Central Park; approving Plat No. 2585 showing exterior boundaries of district included in assessment; directing 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. 117787, recorded on Microfilm Roll No. 79, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 78 Point Loma Heights; approving Plat No. 2583 showing exterior boundaries included in assessment; directing 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. 117788, recorded on Microfilm Roll No. 79, approving plans drawings, typical cross-sections, profiles and specifications for paving and otherwise improving 53rd Street, Santa Margarita Street and San Jacinto Drive; approving Plat No. 2569 showing exterior boundaries of district included in assessment; directing 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. 117789, recorded on Microfilm Roll No. 79, for paving and otherwise improving Alley Block 86 Point Loma Heights, under Resolution of Intention No. 117128, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 117790, recorded on Microfilm Roll No. 79, for furnishing electric current for lighting ornamental street lights located in San Diego Lighting District No. 1, for period of one year from and including June 15, 1954, in accordance with Engineer's Report and Assessment No. 1, filed March 12, 1954 in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 117791, recorded on Microfilm Roll No. 79, for paving and otherwise improving Thorn Street, under Resolution of Intention No. 117129, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 117792, recorded on Microfilm Roll No. 79, for paving and otherwise improving Wightman Street and Ogden Street, within limits and as described in Resolution of Intention No. 117130, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 117793, recorded on Microfilm Roll No. 79, for furnishing electric current for lighting of ornamental street lights located in Loma Portal Lighting District Number One, for period of one year from and including June 28, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117794, recorded on Microfilm Roll No. 79, for paving and otherwise improving Alley Block 102 Central Park, within limits and as described in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117795, recorded on Microfilm Roll No. 79, for paving and otherwise improving Alley Block 78 Point Loma Heights, within limits and as described in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117796, recorded on Microfilm Roll No. 79, for paving and otherwise improving 53rd Street, Santa Margarita Street, and San Jacinto Drive, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117797, recorded on Microfilm Roll No. 79, ascertaining and declaring wage scale for paving and otherwise improving Alley Block L Altadena, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117798, recorded on Microfilm Roll No. 79, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 22 Ocean Beach, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

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RESOLUTION NO. 117799, recorded on Microfilm Roll No. 79, approving diagram of property affected or benefited by work of improvement to be done on sewers in Plantano Street, Castana Street, Nogal Street, Escuela Street, Cereza Street, Imperial Avenue and Public Rights of Way; described in Resolution of Intention No. 112878, 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 Burgener, seconded by Councilman Schneider, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending that proceedings under Resolution No. 115878 for improvement of Byron Street be amended to include sewer laterals, water services, sewer encasement, cross gutters and return segments as required, was presented.

RESOLUTION NO. 117800, recorded on Microfilm Roll No. 79, adopting recommendation of City Engineer filed in office of City Clerk April 19, 1954 under Document No. 488687; authorizing City Engineer to amend proceedings for improvement of portion of Byron Street in accordance with recommendation, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from City Engineer, with City Manager's stamp of approval, submitting petition to grade and pave Alleys Blocks 222, 223, 224, 225 Mission Beach, signed by owners of 87.5% of property frontage; also petition to grade and pave Alleys Blocks 235 and 236 Mission Beach, signed by owners of 65.7% of property frontage, was presented. It recommends granting and proceedings be combined with previously ordered by Resolution 115654 - by grading, paving and installing sewer laterals and water services if required, and drainage structures.

RESOLUTION NO. 117801, recorded on Microfilm Roll No. 79, granting petitions contained in Document No. 484056 for paving and otherwise improving Alleys Blocks 222, 224, 225 Mission Beach, and Alleys Blocks 235 and 236 Mission Beach; directing 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 for various improvements; directing consolidation of assessment district with assessment district heretofore ordered by Resolution No. 115654, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for paving and otherwise improving Bellevue Avenue between Midway Street and Colima Street, signed by owners of 61.6% of property frontage; recommending that petition be combined with proceedings previously ordered by Resolution No. 114907 for improvement of Taft Avenue between Forward and Colima Streets; job to consist of grading, paving and installing water services and sewer laterals as required, and installing sidewalks on Taft Avenue, and curbs on both streets.

RESOLUTION NO. 117802, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 486660 for paving and otherwise improving Bellevue Avenue, between Midway Street and Colima Street; directing 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; directing City Engineer to consolidate assessment district with assessment district ordered by Resolution No. 114907 for improvement of portion of Taft Avenue, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for paving and otherwise improvement on Noyes Street between Reed Avenue and Grand Avenue - signed by owners of 87.5% of property frontage, was presented. It recommends combining proceedings with those previously ordered by Resolution No. 115786 for improvement of Noyes Street, Beryl Street and Academy Street.

RESOLUTION NO. 117803, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 482750 for paving and otherwise improving Noyes Street; directing 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 of paving and otherwise improving Noyes Street, and directing Engineer to consolidate assessment district with district ordered by Resolution No. 115786 for improvement of portions of Noyes Street, Beryl Street and Academy Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for sidewalks on Thorn Street easterly of Fairmount Avenue, signed by owners of 71.8% of property frontage; recommending combining with proceedings ordered under Resolution No. 113518 for improvement of Highland Avenue and Thorn Street, was presented.

RESOLUTION NO. 117804, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 476253 for installation of sidewalks on Thorn Street; directing 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; directing him to consolidate assessment district with district ordered by Resolution No. 113518 for improvement of portions of Highland Avenue and Thorn Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for installation of sidewalks on Boren Street in portion of Redwood Village Unit No. 8, signed by owners of 64.3% of property frontage - and proceedings to be under "front foot" method, was presented.

RESOLUTION NO. 117805, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 488533 for installation of sidewalks on Boren Street in portion of Redwood Village Unit No. 8; directing City Engineer to furnish plat showing exterior boundaries of district or lands to be affected and benefited and to be assessed to pay the costs, damages and expenses of sidewalks adjoining lots 920 through 922, and 926 through 956 Redwood Village Unit No. 8, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition to install sidewalks adjacent to streets in Westwood Hills Unit No. 4; petition signed by owners of 66.4% of property frontage, was presented. It recommends granting and that sidewalks be installed on portion of Grape Street and Sultan Street, portion of 54th Street, under "front foot" method.

RESOLUTION NO. 117806, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 487624 for installation of sidewalks adjacent to streets in Westwood Hills Unit No. 4; directing 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 on Grape Street between 54th Street and northeasterly line of O. D. Arnold's Westwood Hills Units Nos. 4 and 5; Sultana Street between Grape Street and Tokay Street, and portion of 54th Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for installation of street lighting system on Broadway between 8th Avenue and 12th Avenue, signed by owners of 59.4% of property frontage, was presented. It recommends granting, and that improvement extend from westerly line of 8th Avenue to easterly line of 12th Avenue if required.

RESOLUTION NO. 117807, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 485965 for street lighting system on Broadway; directing 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, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from City Engineer, with City Manager's stamp of approval, reporting on petition to install sewers to serve portion of Encanto Park Addition, signed by approximate 65% of area to be served, was presented. It recommends granting and that sewer system be installed to serve portions of Encanto Park Addition, Shaw Addition, Encanto, Edmonds Tract, Tract 1380, Encima De San Diego Addition No. 1.

RESOLUTION NO. 117808, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 488534 for installation of sewers to serve portion of Encanto Park Addition; directing City Engineer to furnish plat showing exterior boundaries or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition to improve 37th Street between north line of Logan Avenue and National Avenue, signed by owners of 83.7% of property frontage, was presented. It recommends that proceedings be combined with those previously ordered by Resolution No. 114908 for improvement of 37th Street, Newton Avenue, Boston Avenue and "A" Street, and Resolution No. 116518 for improvement of Logan Avenue - job to consist of grading, paving and installing curbs, gutters, water services and sewer laterals if required.

RESOLUTION NO. 117809, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 486659 for improvement of 37th Street; directing City Engineer to furnish description of assessment district, and plat showing exterior district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses; directing consolidation with assessment district heretofore ordered by Resolution No. 114908 for improvement of portions of 37th Street, Newton Avenue, Boston Avenue and Z Street, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117810, recorded on Microfilm Roll No. 79, ratifying, confirming and approving Amendment for Amendment of Tidelands Lease, Amendment No. 1, on file in Office of City Clerk as Document No. 489191, between The City of San Diego, as Lessor, and Edward A. Breitbard, William Breitbard, Robert Breitbard and Elfort Breitbard, co-partners, doing business under name and style of Balloon Dye Works, as Lessee; lease on file in Office of City Clerk as Document No. 461037; was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

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RESOLUTION NO. 117811, recorded on Microfilm Roll No. 79, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 1, on file in Office of City Clerk as Document No. 489194, between City of San Diego, as Lessor, and Arthur Johns, William A. Olsen and Parker S. Olsen, co-partners, doing business under name and style of Olsen-Johns Ship Chandlers, as Lessees; Lease on file in Office of City Clerk as Document No. 463588; was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117812, recorded on Microfilm Roll No. 79, ratifying, confirming and approving Agreement for Assignment, copy of which is on file in Office of City Clerk as Document No. 489188, entered into between John Crivello, Peter Crivello and Jack Showalter, a co-partnership, doing business under name and style of Pacific Marine & Industrial Maintenance, Assignor, and John C. Ek and Edith P. Ek, husband and wife, doing business as Ek Machine Shop, an individual proprietorship, Assignee; the original lease on file in Office of City Clerk as Document No. 475133; was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117813, recorded on Microfilm Roll No. 79, finding and determining the following street, pursuant to provisions of Section 2052 of Streets and Highways Code, amended by Collier-Burns Highway Act of 1947, to be Major City Streets: Adams Avenue; Wabash Boulevard; 40th Street; Ward Road; Wabash Avenue Branch; Nile Street Branch; Poplar Street Branch; Garnet Street; Balboa Avenue; Grand Avenue; Imperial Avenue; Sunset Cliffs Boulevard; Midway Drive; Ingraham Street; Ventura Boulevard; Mission Boulevard; Turquoise Street; La Jolla Boulevard; Pearl Street; Girard Avenue; Torrey Pines Road; Ardath Road; Montezuma Road; University Avenue; 30th Street; Fern Street; Lowell Street; Wabaska Drive; Washington Street; West Point Loma Boulevard; Midway Drive; B Street; C Street; Broadway; Euclid Avenue; 54th Street; Collwood Boulevard; Morena Boulevard; Weeks Street; Taylor Street - as described in detail in the Resolution, together with streets associated with them - was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The Resolution endorses and recommends the proposed System of Major City Streets to the State Division of Highways for its approval; it authorizes and directs the City Clerk to file two certified copies of the Resolution with State Division of Highways; it repeals Resolutions Nos. 105947 and 106488.

RESOLUTION NO. 117814 is shown on page 63 of these minutes.

RESOLUTION NO. 117815, recorded on Microfilm Roll No. 79, establishing parking time limit of two hours, between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted:

Both sides of Date Street, between east line of 3rd Avenue and west line of 4th Avenue; establishing a 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 Schneider, adopted.

RESOLUTION NO. 117816, recorded on Microfilm Roll No. 79, establishing parking time limit of two hours, between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted:

Both sides of El Cajon Boulevard between east line of Boundary Street and west line of 33rd 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117817, recorded on Microfilm Roll No. 79, 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 University Avenue and south line of Lincoln 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117818, recorded on Microfilm Roll No. 79, establishing parking time limit of two hours, between 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted:

Second Avenue, between north line of Ash Street and south line of Beech Street; establishing parking meter zone; directing 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117819, recorded on Microfilm Roll No. 79, authorizing and empowering City Manager to do all work in connection with construction of working space for cleaning and sorting filter sand and gravel at Torrey Pines Filter Plant, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The Resolution States that Director of Water Department has recommended the construction, that City Manager has submitted estimates for the work and has indicated that it can be done by City forces more economically than if let by contract.

RESOLUTION NO. 117820, recorded on Microfilm Roll No. 79, authorizing and empowering City Manager to do all work in connection with installation of 200 feet of 12-inch and 40 feet of 6-inch water main on University Avenue at College, Cartagena and 240 feet east of 60th Street, and moving of fire hydrant at College and University Avenues, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The Resolution states that Water Department Division of Distribution has recommended the installation, that the City Manager has submitted estimates for the work and has indicated that it can be done by City forces more economically than if let by contract.

RESOLUTION NO. 117821, recorded on Microfilm Roll No. 79, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with Lester Hook of 900 acres in Township 17 South, Ranges 4 and 5 East, in Morena Reservoir basin, for term of 10 years at annual rental of \$450.00; description of property, terms and conditions set forth in form of lease filed in office of City Clerk under Document No. 489239, which real property has value of \$70,000.00 as disclosed by report of last appraisal made by Auditor and Comptroller, leased for reason that City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117822, recorded on Microfilm Roll No. 79, authorizing and empowering City Manager to execute for and on behalf of The City of San Diego an agreement with J. R. Gregory authorizing placing 2 weigh scales in Plaza Comfort Station, in accordance with terms and conditions set forth in form of agreement on file in office of City Clerk as Document No. 489240, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117823, recorded on Microfilm Roll No. 79, authorizing and directing City Manager to execute agreement by and between City of San Diego and Frank J. Guthrie and Tom H. Haynes, co-partners, doing business as Stadium Racing Association for right to use and occupy tract at Municipal Stadium under terms and conditions set forth in form of Agreement on file in Office of City Clerk as Document No. 489241, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117824, recorded on Microfilm Roll No. 79, determining that "Normal Cost" of Balboa Avenue Outfall Sewer (as indicated on Map in City Clerk's Document No. 489444 to be borne by Clairemont Management Company is \$124,230.26 or 69.4 per cent of total sewer cost, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The Resolution says that "excess cost" to be borne by the City is \$54,844.20 or 30.6 per cent of total cost of the sewer. Also, it says that property owners within area to be served by the sewer, other than Clairemont Management Company (City Clerk's Document No. 489444) shall contribute a proportionate share of the cost: For each connection with the Balboa Avenue Outfall Sewer, each single family shall pay in Section 1, \$20.00 and in Sections 2 and 3, \$40.00 as shown on map in said Document No. 489444.

RESOLUTION NO. 117825, recorded on Microfilm Roll No. 79, authorizing and directing San Diego Gas & Electric Company to install 6000 lumen overhead street light at each of the following locations:

- Schuyler between Sea Breeze and Calle Serena
- Potomac between Sea Breeze and Calle Serena
- Calle Serena at Schuyler
- Calle Serena at Potomac
- Shafter Street at Byron Street
- Shafter Street at Canon Street
- Locust Street at Keats Street

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Miller Street at Orizaba
 Chelsea Street at Dolphin (south)
 Chelsea Street at Midway
 Chelsea Street at Forward
 Calumet Avenue at Forward
 Calumet Avenue at Midway

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

RESOLUTION NO. 117826, recorded on Microfilm Roll No. 79, authorizing and directing City Engineer to include in San Diego Lighting District No. 4 one 400 watt mercury vapor light to be installed at southeast corner of 16th Street and Broadway, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117827, recorded on Microfilm Roll No. 79, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against property described as portions of Lots 19 and 20 Wadsworth's Olive Grove, 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117828, recorded on Microfilm Roll No. 79, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against property described as portion of Pueblo Lot 256, 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 Property Supervisors to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117829, recorded on Microfilm Roll No. 79, approving request of C. B. Saunders, dated April 19, 1954, contained in Change Order No. 1, for extension of 30 days, to and including June 1, 1954, heretofore filed with City Clerk as Document No. 489355, in which to complete contract for construction of Catalina Street Standpipe Foundation, contained in Document No. 484421 on file with City Clerk; extending completion time to June 1, 1954, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117830, recorded on Microfilm Roll No. 79, granting application of Perry Black, 5049 Newport Avenue, Ocean Beach, doing business as A.B.C. Cab Company of Ocean Beach, for operation of 2 additional cabs, as recommended by Chief of Police and approved by City Manager, provided all ordinances of The City of San Diego pertaining to operation and licensing of taxicabs are complied with within periods of time prescribed therein, including subsequent inspection and approval by Police Department, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117831, recorded on Microfilm Roll No. 79, granting permission to M. G. Andrade to install 4-inch cast iron sewer line between property line and sidewalk; to be placed one foot outside property line and run in northwesterly direction, parallel to southwesterly line of Lots 13 and 14 Block 6 New Roseville Subdivision, to point of intersection with public sewer; to serve property at 2934, 2936, 2938 and 2940 Upshure (Upshur) Street; subject to approval of Chief Plumbing Inspector and City Manager and upon express conditions set forth, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117832, recorded on Microfilm Roll No. 79, granting permission to Harry J. Carvalho and John Carvalho, 4628 Adair Street, San Diego 7, to install 40-foot driveway as measured at top of full-height curb, on northerly side of Point Loma Avenue between Ebers Street and Sunset Cliffs Boulevard, adjacent to southerly 100 feet of Lots 21 to 24 inclusive Block 42 Ocean Beach on conditions set out in Resolution; rescinding Resolution No. 116916 adopted March 2, 1954, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117833, recorded on Microfilm Roll No. 79, granting revocable permit to Security Trust and Savings Bank of San Diego to install and maintain 2 underground electric conduits across Alley between 3rd Avenue and 4th Avenue, extending from

pole located on west side of Alley approximately 29 feet south of University Avenue to Drive-in bank building located at southwest corner of 4th Avenue and University Avenue, upon the conditions set forth in the resolution; directing City Clerk to transmit certified copy of the Resolution to Don C. Dickinson, Vice President, Security Trust and Savings Bank, of San Diego, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117834, recorded on Microfilm Roll No. 79, authorizing O. W. Campbell, City Manager, to attend meeting of Joint Committee on Urban Transportation Planning, to be held in Chicago, Illinois, on May 11, 1954; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117835, recorded on Microfilm Roll No. 79, authorizing Roy E. Dodson, Jr., Superintendent of Production Division, Water Department, to attend National Conference of American Water Works Association, Seattle, Washington, May 23 to 29 1954; authorizing incurring all expenses (excepting travelling expenses) necessary in connection with attendance, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117836, recorded on Microfilm Roll No. 79, authorizing James E. Reading, Traffic Engineer, to attend annual meeting of Western Section, Institute of Traffic Engineers, to be held in Portland, Oregon, May 12, 13, 14, 1954, and traffic and street lighting engineers visit in Portland, Seattle and Vancouver, for purpose of studying recent traffic control development in the Northwest; authorizing incurring all expenses in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The following ordinance, presented at several previous meetings, and continued from time until this meeting, was presented:

"Ordinance approving annexation to City of San Diego of certain portions of Tidelands of San Diego Bay, in County of San Diego, State of California, known and designated as 'San Diego Harbor Tidelands'".

On motion of Councilman Burgener, seconded by Councilman Schneider, the ordinance was continued one week - to May 4, 1954.

Ordinance, which had been continued to this meeting, amending San Diego Municipal Code by amending Sections 102.01, 102.02, 102.03, 102.12 and 102.16 thereof, and by adding new sections numbered 102.02.1, 102.02.2 and 102.02.3 - all regulating Subdivisions, was presented again.

Fred Landgraf, attorney, spoke of prior ordinance having been abandoned, and intention to introduce a new one.

Glenn A. Rick, City Planning Director, told of a new draft prepared for today's conference, but that Council had not reached it at the pre-meeting deliberations. He spoke of many suggestions made by the Realty Board which had been incorporated. He said that the Realty Board "don't want it".

Councilman Dail spoke of there being no reason to continue the matter further.

Mr. Landgraf told of the present draft of ordinance having been finished today. He said that he represented Civil Engineers and a member of the Realty Board.

George Forbes told the Council that it is dealing with basic rights. He said that no sufficient time had been given for consideration, and that he wanted the matter shelved until a proper ordinance, or there is a changed Code regarding dividing of less than 5 acres. The ordinance is dynamite, he charged. He stated that he would be happy to work with the Council, and added that he wants at least a month.

Councilman Dail referred to their being many variances pending, and that as a result there is an awkward situation.

Councilman Wincote said that there is no reason why variances should be help up (on account of the pending ordinance).

Councilman Dail spoke of property having been turned down.

Mr. Fick said that the matter will come before the Council for hearings in a couple of weeks. There is evil in continuing the custom of metes and bounds sales, he said.

Councilman Burgener read from a letter.

Mayor Butler and Councilman Kerrigan returned to the meeting - but the Mayor did not resume chairmanship.

Mr. Forbes said a month is needed,

It was moved by Councilman Burgener, to continue the ordinance a month.

Mr. Rick said that the draft before the Council is not on the docket.

On motion of Councilman Schneider, seconded by Councilman Burgener, the ordinance listed as item 61 of the agenda, was filed.

RESOLUTION NO. 117837, recorded on Microfilm Roll No. 79, referring proposed Ordinance amending San Diego Municipal Code by amending Sections 102.01, 102.02, 102.03 ,

102.12 and 102.16 thereof, and by adding new sections numbered 102.02.1, 102.02.2 and 102.02.3, all regulating Subdivisions; communication from San Diego Realty Board filed under Document No. 489391, and communication from San Diego Council of Registered Civil Engineers and Licensed Land Surveyors filed under Document No. 489392 relative to new proposed Ordinance, to Council Conference, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the next ordinance was dispensed with. There was available for consideration of each member of the Council prior to day of its final passage a written or printed copy of the ordinance.

ORDINANCE NO. 6079 (New Series), recorded on Microfilm Roll No. 79, dedicating Lot A Valencia Park Unit No. 2, deeded to the City and naming the same Olvera Avenue, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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

ORDINANCE NO. 6080 (New Series), recorded on Microfilm Roll No. 79, Ordinance appropriating \$54,845.00 out of Capital Outlay Fund of City of San Diego, for purpose of providing funds to pay City's share of cost of constructing Balboa Avenue Outfall sewer, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

There was available for consideration of each member of the Council prior to day of its final passage a written or printed copy of the ordinance, and reading was dispensed with.

Proposed Ordinance appropriating \$25,500.00 from Capital Outlay Fund for purpose of providing funds for construction of addition No. 3 at City Dog Pound, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, it was continued to the meeting of Thursday, April 29, 1954.

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

On motion of Councilman Godfrey, seconded by Councilman Schneider, the reading was dispensed with. There was available for consideration of each member of the Council prior to day of its final passage a written or printed copy of the ordinance.

ORDINANCE NO. 6081 (New Series), recorded on Microfilm Roll No. 79, establishing grade of Alley Block 2 Idyllwild, between west line of Brant Street and line parallel to and distant 220.00 feet west from west line of Brant Street, adopted.

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

On motion of Councilman Godfrey, seconded by Councilman Schneider, the reading was dispensed with. There was available for consideration of each member of the Council prior to day of its final passage a written or printed copy of the ordinance.

ORDINANCE NO. 6082 (New Series), recorded on Microfilm Roll No. 79, establishing official property line grades on Chollas Station Road between southerly boundary line of Jackson and Scott Incorporated, Addition No. 1 and Furlow Heights, Unit No. 2, and the easterly line of 54th Street; Redwood Street between easterly line of 54th Street and easterly boundary line of Hubner Knolls; Hubner Road between southeasterly line of Redwood Street and easterly boundary line of Hubner Knolls; Winlow Street between its northerly termination and northeasterly line of Chollas Station Road; Marvin Street between easterly line of 54th Street and westerly line of 55th Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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

On motion of Councilman Godfrey, seconded by Councilman Schneider, the reading was dispensed with. There was available for consideration of each member of the Council prior to day of its final passage a written or printed copy of the ordinance.

ORDINANCE NO. 6083 (New Series), recorded on Microfilm Roll No. 79, establishing grade of Euclid Avenue between southerly line of Churchward Street and westerly prolongation of north line of Manzanares Way, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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

On motion of Councilman Godfrey, seconded by Councilman Schneider, the reading was dispensed with. There was available for consideration of each member of the Council prior to day of its final passage a written or printed copy of the ordinance.

ORDINANCE NO. 6084 (New Series), recorded on Microfilm Roll No. 79, estab-

6079 N.S. - 6084 N.S.

Ord. cont to Thurs.

lishing grade of 50th Street, between northerly line of University Avenue and southwesterly line of Oak Crest Drive, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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

On motion of Councilman Godfrey, seconded by Councilman Schneider, the reading was dispensed with. There was available for consideration of each member of the Council prior to day of its final passage a written or printed copy of the ordinance.

ORDINANCE NO. 6085 (New Series), recorded on Microfilm Roll No. 79, establishing grade of Long Branch Avenue, between line parallel to and distant 440.00 feet northwesterly from northwesterly line of Abbott Street and southeasterly line of Spray Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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

On motion of Councilman Godfrey, seconded by Councilman Schneider, the reading was dispensed with. There was available for consideration of each member of the Council prior to day of its final passage a written or printed copy of the ordinance.

ORDINANCE NO. 6086 (New Series), recorded on Microfilm Roll No. 79, establishing grade of Redwood Street in City of San Diego, between southerly prolongation of west line of 52nd Street and westerly line of Furlow Heights, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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

On motion of Councilman Godfrey, seconded by Councilman Schneider, the reading was dispensed with. There was available for consideration of each member of the Council prior to day of its final passage a written or printed copy of the ordinance.

ORDINANCE NO. 6087 (New Series), recorded on Microfilm Roll No. 79, establishing grade of Spray Street, between northeasterly line of Ocean Beach Extension and northeasterly line of Brighton Avenue, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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

On motion of Councilman Godfrey, seconded by Councilman Schneider, the reading was dispensed with. There was available for consideration of each member of the Council prior to day of its final passage a written or printed copy of the ordinance.

ORDINANCE NO. 6088 (New Series), recorded on Microfilm Roll No. 79, establishing grade of Winona Avenue, between southerly line of Orange Avenue and line drawn between the intersection of the westerly line of Winona Avenue with northerly line of Polk Avenue and intersection of easterly line of Winona Avenue with northerly line of Oak Crest Drive, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

On motion of Councilman Schneider, seconded by Councilman Burgener, the ordinance amending Section 101.0502 of The San Diego Municipal Code, relating to appeal from decision of Zoning Administrator (has to do with 10-day appeal filing), was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

On motion of Councilman Schneider, seconded by Councilman Wincote, the ordinance amending Chapter IV Article 2 of The San Diego Municipal Code by amending Section 42.0105 and by adding Section 42.0105.1, which amendment and addition permit use of Bulk Milk Dispensing Devices, was introduced, by the following vote, Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

On motion of Councilman Schneider, seconded by Councilman Godfrey, Ordinance incorporating Lots F to N inclusive Block 19, Lots A & B Block 20 Las Alturas Unit No. 5, and Lots 1 to 7 inclusive Victory Manor, into M-1A Zone, as defined by Section 101.0412.1 of the Municipal Code and repealing Ordinance No. 116 (New Series) adopted January 3, 1933, insofar as it conflicts - and setting hearing for May 18, 1954 - was introduced, by the following vote, Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

6085 N.S. - 6088 N.S.
Ords introduced
Ord introduced & hearing set

The following items, which had been referred by the Council to Conference, were returned by the Council Secretary to the Clerk's office - and they were filed:

Petition for extending existing Trailer Park District, west of Morena Boulevard on the north side of San Diego River;

Communication from Planning Director relative to Trailer Park Survey;

Communication from Assemblyman Frank Luckel submitting Resolution of San Diego Hotel Association re hotel and motel leases on tax-free lands;

Communication from Mrs. Eugene Ricca requesting regulation to prohibit sale of ammunition shells to minors;

Beatrice Irwin re proposed "Balboa Pageant Project" as annual tourist attraction for San Diego; (communication)

Petition of residents for acceptance of plan evolved by Parks and Recreation and Planning Department for Mission Beach Amusement area;

Communication from Ninth District, Inc., re sale of ammunition to Minors - P.T.A.;

Appeal of Glenn O. Hellyer from Zoning Committee decision re Trailer Park at Polo Grounds, Mission Valley; includes many other related papers;

Communications favoring changing name of Sutherland Dam to Fletcher Dam;

Communication from Planning Director submitting letter from Commandant, Eleventh Naval District, suggesting height limit for buildings south of Naval Air Station at Miramar; also several other letters from affected individuals re zoning in vicinity of Miramar Airport (Kearny Mesa area)

Communication from Jerry Valero asking City to sponsor rowboat race from San Diego to New York City;

Joint Committee on Preventive Services requesting Council representation at meetings;

S.D. Jr. C. of C. communication re dates for "Harbor Days and Port and Industrial Exposition";

S.D. C. of C. communication re zone variances in Old San Diego, Mission Valley area, etc.;

S.D. Municipal Employees' Association, Inc., communication requesting submission of Charter Amendment to permit City to make health insurance available for its employees;

Communication from Normal Hts. Residents protesting closing and removal of Normal Heights Library;

Also returned by Council Secretary were copies of many resolutions of the Council referring items to Conference, unaccompanied by supporting papers.

There being no further business to come before the Council, the meeting was adjourned by the Vice Mayor (although the Mayor had returned to the meeting, but had not assumed the duties of chairman) at the hour of 12:05 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By August M. Haskins
Deputy

John D. Butler
Mayor of The City of San Diego, California

Conference references returned
by Council Secretary.

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, April 29,
1954

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

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

At the beginning of the meeting, as an unscheduled item, service awards were presented to Councilman Kerrigan and Schneider: 5 years for each.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on appeal of Crandall Condra from decision of Board of Zoning Adjustment granting permission to Anita Youngk, owner, and Mary C. and Olive Armstrong, purchasers and operators, to construct and operate convalescent nursing home; having been continued by request of Catherine Cesmat agent for both seller and buyers; the report (Finding of Facts) was presented and read in part.

During the reading, the Mayor interrupted, and referred to a letter having to do with party selling property having rescinded the escrow. Request, relative to withdrawal should be granted, he said. (The letter was not presented for the Clerk's file).

Glenn A. Rick, Planning Director, spoke of requirement for owner to sign petition for the variance. He pointed out that withdrawal had been made by the prospective purchaser.

Councilman Godfrey entered

The variance is to the property, Mr. Rick said.

The Mayor spoke of an easy way, by overruling the Planning Commission.

Councilman Wincote asked why; said he was not for or against.

Councilman Dail said that if the property goes into a new escrow, there would be a new variance request.

Mr. Rick attempted to speak, but could not be heard.

Councilman Godfrey said "who"?

Mr. Rick said that the petitioner is the owner, and that purchasers of the property were to operate the convalescent nursing home.

The Mayor explained to Councilman Godfrey, who came in late. He re-read Olive Armstrong letter, referred to in the beginning.

Mr. Rick stated to the Council that the people who proposed to buy the property are no longer interested.

The Mayor said that based on default, the variance should be denied.

Douglas D. Deaper, Deputy City Attorney, said that this is both peculiar and unusual. He said that filing would be dangerous; and that appellant has lost. Mr. Deaper suggested granting the appeal; and that petitioners can then start over; without prejudice. The variance could be instituted on the Planning Commission's own motion, without further fee, he said.

Mr. Rick pointed out that it would make an overruling of the Zoning Committee.

The Mayor stated that the point can be covered amply in the record, in that it deals with default by the interested party.

Councilman Godfrey referred to the Youngk petition for variance, handed to him by the Planning Director - not in the Clerk's file.

Mr. Condra pointed out to the Council that he was here today, after the previous hearing had been continued at the request of the agent for the Armstrongs (who were in Los Angeles due to death in the family). They have defaulted, he declared. He read from the "Finding of Facts", in the file. No convalescent nursing home is there now, according to Mr. Condra. He said that the Armstrongs are the party in interest; that escrow had not been consummated, which indicates that they are no longer interested.

Councilman Wincote said he wants to drive up and see the canyon (in which property is located) and asked others to go, also.

There was discussion between Councilman Wincote and Mr. Condra about the canyon.

Mr. Condra told the Council that it is a deep canyon, that the convalescent home would be less than 200 feet from his patio; that it was proposed to feed many persons at the location.

Councilman Dail spoke about Mr. Condra having cited from the Resolution, and the withdrawal.

Mr. Condra stated that Mrs. Youngk is interested only in selling.

Mr. Rick tried to be heard. He succeeded in breaking into the general discussion. Mr. Rick said that Mr. Condra had made a statement to Mrs. Andreen (Mona Andreen, Deputy City Attorney, who sits in with the Planning Commission), that he could get a 2 1/2 year variance for \$100.00.

Mr. Condra insisted that was not the statement he made to Mrs. Andreen. Mr. Rick said that if Mrs. Youngk has another client for the property she has lost her right.

Mr. Condra stated that the Council has no right to uphold the variance, when the matter had been withdrawn (~~when petition has been withdrawn~~) by interested party. He said that he would be content with discussion for dismissal without prejudice to either party.

Councilman Dail pointed out that both sides had agreed to the continuance of the hearing until today.

The Mayor announced that Mrs. Andreen, for whom a call had been put in, was not in the office.

Councilman Wincote said that Mrs. Cesmat was the broker, representing the Armstrongs.

Mr. Condra declared that Mrs. Youngk has never appeared personally regarding the variance request. She is ill, and cannot, he declared. Mrs. Cesmat had represented her, he stated.

(The matter was held temporarily, and will be found again on page 77 of these Minutes).

At this point, Mayor Butler welcomed 3 members of the Point Loma High members of the Point Loma High School Civics Class. He explained the procedure, briefly, and said that most of the Council's business is handled at the Tuesday meetings.

The next matter, which had been continued from the meeting of April 27, 1954, was presented again.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids for construction of Addition No. 3 to Dog Pound at Azusa and Gaines Streets, was brought before the Council. It reports that 6 bids had been received March 24, 1954, and recommends award to Al E. Riley, Inc., low bidder in amount of \$23,571.00 - 21.4% below the estimate.

RESOLUTION NO. 117839, recorded on Microfilm Roll No. 79, accepting bid of Al E. Riley, Inc., for construction of Addition No. 3 to Dog Pound at Azusa and Gaines Streets; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to plans and specifications on file in office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received April 12, 1954, for furnishing 8 typewriters; April 20, 1954, for furnishing 27 typewriters, was presented. It states bids were received at this time to anticipate price increase announced to be effective on all makes of typewriters on May 1, 1954. Trade-in of old typewriters was specified on both bids. It makes a detailed report and recommendation. The following Resolutions carry out the recommendations.

RESOLUTION NO. 117840, recorded on Microfilm Roll No. 79, accepting bid of L. B. Rudrauff Company for furnishing 7 Olivetti Typewriters @ \$148.75 each plus State Sales Tax, less trade-in of \$10.00 each on old typewriters; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117841, recorded on Microfilm Roll No. 79, accepting bid of Business Equipment Co. for furnishing 1 Royal typewriter @ \$155.00 plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117842, recorded on Microfilm Roll No. 79, accepting bid of Remington Rand, Inc., for furnishing 27 Typewriters at total net price of \$4,400.00; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, stating that Public Works Department has requirement for 1 12-to-14 yard capacity Carryall Scraper selling new for approximately \$9,500.00, was presented. It states Purchasing Agent and Superintendent of Equipment Division of Public Works have inspected construction equipment to be offered at public auction by U.S. Navy at Port Hueneme and find that 5 will be sold at auction May 4, which are to all intents and purposes now. It recommends attendance at auction and incur necessary expense in attempt to secure for the City by bid at a price satisfactory to City Manager 1 of the carryall scrapers.

RESOLUTION NO. 117843, recorded on Microfilm Roll No. 79, authorizing J. H. Shaw, Purchasing Agent, to attend auction at Port Hueneme May 4, 1954, and incur necessary expense in connection therewith, attempting to secure 1 carryall scraper at price satisfactory to City Manager, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117844, recorded on Microfilm Roll No. 79, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation

and other expense necessary or incidental for construction of sanitary sewer in East San Diego Park and Community Recreation Center, Document No. 489457; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Schneider.

A question was asked if the Resolution covered only advertising for bids. The City Manager's answer was that is the case.

See also page 76 for first part of this item.

The Council referred to the Condra appeal (continued).

Mayor Butler spoke to Mr. Condra regarding his statement to Mona Andreen. Mr. Condra replied that he has not had the opportunity to even make a statement here; discussion has been had without his having been able to make a statement. Mrs. Andreen, who had been called into the meeting, said that it had been related to her that a relative of a Zone Variance member could get a variance a zone variance for a fee.

Mr. Condra said that it had not been made ~~not~~ as a statement of criticism.

Mrs. Andreen related that she was so disturbed by the allegation, that she had called Mr. Condra back. She agreed that there had been no evidence regarding any committee member.

Mr. Condra said that the person involved had stated that he was willing to go, for a fee, to the Commission - with his influence.

Councilman Schneider spoke about five percenters, and there having been none such in San Diego. He referred to San Diego being clean, unaccustomed to that sort of thing; and that it is wanted that it be kept that way.

Councilman Dail said that Mr. Condra and the Attorney should not repeat such a thing to anyone, if they have evidence. They should not throw around evidence, he stated.

Mr. Condra said that they did not.

Councilman Wincote said that it must have been believed, or it would not have been told.

Mr. Condra said that that Mrs. Andreen thought it should be stopped.

Councilman Schneider tried to speak to the visiting boys, referring to the seriousness of the matter.

The Mayor stopped Councilman Schneider.

Councilman Schneider challenged the Mayor, and asked ^{if} he was refusing the floor.

The Mayor's reply was that he was denying Council Schneider the floor.

Councilman Schneider came back at the Mayor by saying that the presiding officer does not take part in the discussions.

Council Wincote said that it is a simple thing where there is a member who has a relative involved, to straighten out the situation. He asked Mr. Rick if he knows what it was.

Mr. Rick replied that he did not.

Mr. Condra said that he does not want to repeat the name. He told the Council that the individual should be stopped. Thought he had spoken to Mrs. Andreen in confidence. The Mayor suggested that the Council repeat the matter to the District Attorney for a check.

Mr. Condra answered that there was no objection to that.

The Mayor declared that the point was not pertinent to the hearing.

Mr. Condra referred to there being no evidence regarding this appeal.

The Mayor then referred to Mr. Condra's allegation regarding an unnamed person who could use his influence for \$10.00.

Councilman Godfrey referred to a lot of loose talk; first \$100.00 was mentioned, then \$10.00. Maybe it was \$1,000.00, he said. He said that it is a serious charge in 2 respects: maybe it is unfounded; and that it is a proper matter for Grand Jury consideration. He said he wants it to go to the Grand Jury.

The Mayor declared that it should be referred to the District Attorney's investigation staff.

Councilman Godfrey moved to refer the charge to the District Attorney's staff for investigation.

Mr. Condra spoke about "3" who should be there.

Councilman Godfrey said that the Council should go on record for the District Attorney to look into it.

Councilman Godfrey moved to refer the matter to the District Attorney for investigation, which motion was seconded by Councilman Schneider.

Councilman Schneider spoke about people coming from elsewhere in the country where such things are tolerated, and that they are willing to believe charges like this one. He repeated that San Diego does not have these things; it is a different city.

A question arose over who would present charges. The Mayor said that he would.

The motion was amended, to be as follows:

RESOLUTION NO. 117838, recorded on Microfilm Roll No. 79, requesting Mayor John D. Butler to present charges to the District Attorney as made by Crandall Condra, attorney, in connection with an alleged statement made by a relative of a Planning Commission member that he could use his influence for a fee to secure a zone variance, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

(Shown again on page 82).

Communication from Planning Commission, signed by P. J. Burton, reporting on Sunland Home Foundation petition, requesting rezoning from R-1 to R-4 of Lot 18 and

117838
Communication

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north 59.75 feet of Lot 21 Lemon Villa, was presented. It identifies property on south side of Orange Avenue between 54th and 55th Streets, surrounded by Zone R-1, except for 5-acre parcel immediately south which was zoned R-4 over Planning Commission's objections. The report states that petitioner's land is occupied by a nursing home, a C zone use granted by variance; Lot 20 to southeast is occupied by a hospital, another C Zone use granted by variance; directly to east is vacant and directly north across Orange is subdivided and built on with many single-family homes. It states across 54th Street to west is City-owned property set aside for park and recreational purposes. In addition to making a further lengthy report, it says the Planning Commission voted 3-0 to recommend rezoning to R-4 property presently R-1 zone under Ordinances 13559 and 184 (New Series). When first it came before the Commission there was a 3-0 vote; review at special meeting on April 27, 1954, the vote for recommendation was 6-0.

RESOLUTION NO. 117845, recorded on Microfilm Roll No. 79, directing City Attorney to prepare and present ordinance rezoning from R-1 to R-4, Lot 18 and portion of Lot 21 Lemon Villa, in vicinity of southeast corner of 54th Street and Orange Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on petition of United States of America, Public Housing Administration, to rezone property subdivided as Linda Vista Unit No. 2 and small portion of Pueblo Lot 1175 to the west - main purpose is readjustment of zoning lines to fit lot lines and proposed alley dedication, was presented. It states R-1, RC and C Zones are proposed. It identifies property at southwest end of Linda Vista development on southeast side of Linda Vista Road at Glidden Street. It reports that the Commission voted 3-0 to recommend rezoning, which constituted only a recommendation, but that on April 27, 1954, a special meeting reviewed the matter, and voted 6-0 to rezone.

RESOLUTION NO. 117846, recorded on Microfilm Roll No. 79, directing City Attorney to prepare and present ordinance for placing portion of Pueblo Lot 1175 and Linda Vista Unit No. 2 within R-1, RC and C Zones, in vicinity of Linda Vista Road at Glidden Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on petition to rezone from R-4 to C and CP parcel about 5900 sq. ft. in area lying at intersection of, and between Imperial Avenue and Gannett Street, was presented. Property is occupied by retail business, which sells garden supplies, commercial fertilizer, concrete blocks, etc, under Zone Variance No. 6161. Area is identified as adjacent and immediately west of 3-acre parcel of land rezoned from R-4 to C and CP in 1953. In addition to a detailed report, it states Planning Commission voted 3-0 to recommend favorably on condition that owner give up rights of vehicular access into Imperial Avenue prior to passage of ordinance, and adds that it had been reviewed at special Planning Commission meeting April 27, 1954, and vote was 6-0 to rezone.

RESOLUTION NO. 117847, recorded on Microfilm Roll No. 79, requesting City Attorney to prepare and present ordinance for rezoning portion Lot 16 Rancho Mission from R-4 to C & CP, at intersection of and between Imperial Avenue and Gannett Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by P. Q. Burton, attaching letter from the Postmaster requesting that name of Spreckels Avenue in Lomita Village, Encanto area, be changed to some other name, was presented. It states that writer had reported that house number system on Spreckels Avenue uses same numbers as in Spreckels Building, and causes considerable confusion in delivery of mail. The report says that all houses fronting on Spreckels Avenue are owned by Lomita Village or its subsidiary, and they do not oppose name change, and that all agencies concerned with street names approve request and generally agree that Salisbury Avenue is preferable to Sawtelle or Sagimore Avenue. It states that Planning Commission voted 30-0 to recommend change to "Sawtelle" Avenue, that on April 27, 1954 the Commission reviewed the matter and voted 6-0 for the recommendation.

RESOLUTION NO. 117848, recorded on Microfilm Roll No. 79, adopting recommendation of Planning Commission for changing name of Spreckels Avenue in Lomita Village to Sawtelle Avenue; directing City Attorney to prepare and present necessary Ordinance changing name, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Before the Resolution was adopted, the following took place:

Councilman Kerrigan said he had a call regarding name change, and had an objection to change (it developed that the street referred to was Arosa Street).

Councilman Wincote referred to the importance of the name Spreckels in this area, and that mail for Spreckels Building is going there.

Glenn A. Rick, Planning Director, said that a hearing would be optional. He agreed that he had received a strong protest about dropping name "Arosa".

Councilman Kerrigan said that he could not give an answer.

Councilman Wincote said that letters addressed to Spreckels should go to the street - not to the Building. The building would be shown as such.

Councilman Dail declared that it was the subdivider who named the street.

Councilman Wincote said that it would not be illogical to have a street, a park or a building named Spreckels.

Communication from Planning Commission, signed by P. Q. Burton, reporting on letter from Louis Roman for determination as to use of property at northwest corner of El Cajon Boulevard and Choctaw Drive, in a C Zone being legal. It states land is occupied by 3 buildings known as "Southland Builders' Supplies", selling material stored there also. It outlines permitted C Zone use, whereas M-1 permits under Item "building materials storage". It recommends that finding be made that on Lots 7 and 8 Acacia Park be made as outlined in the report, covered by the following Resolution.

RESOLUTION NO. 117849, recorded on Microfilm Roll No. 79, finding that use by Louis Roman of Lots 7 and 8 Acacia Park, northwest corner of El Cajon Boulevard and 117845 - 117849

Choctaw Drive, in C Zone, for retail sale of builders' supplies is business similar to and not more obnoxious than other permitted uses in same zone, and vicinity, provided that all merchandise is stored and sold entirely within buildings and that total horse power of all merchandise equipment be limited to 3, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from William Hillyer; Hillyer & Hillyer, attorneys at law, Suite 420 Bank of America Building, San Diego 1, dated April 24, 1954, was presented. Communication, addressed "Attention: Mr. Aaron W. Reese", calls attention to dangerous condition on City property - La Jolla Shores Drive, on easterly portion immediately south of 8145 La Jolla Shores Drive, by reason of high growth of weeds and shrubs on right-of-way. It declares that event of accident involving undersigned or any member of his family proximately caused by the condition, the City will be held responsible unless condition is abated.

On motion of Councilman Burgener, seconded by Councilman Schneider, it was referred to the City Manager.

Communication from Tom Hutchinson, 4761 East Mountain View Drive, San Diego 16, dated 24 April 1954, was presented. It submits copy of letter he submitted to Evening Tribune, regarding improvements in Bus and Ferry services, suggesting spot checks, etc.

On motion of Councilman Burgener, seconded by Councilman Schneider, it was referred to the City Manager.

Communication from S.D. Soroptimist Club, signed by Dr. Amorita Treganza, 706 Bk. Amer., being a resolution relative to tourist industry, was presented.

RESOLUTION NO. 117850, recorded on Microfilm Roll No. 79, referring Resolution from San Diego Soroptimist Club, filed under Document No. 489408 relative to lack of adequate Tourist Promotion, etc., to Council Conference, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from San Diego City Schools, Woodrow Wilson Junior High School, 3737 El Cajon Boulevard, San Diego 5, signed by Nancy Zitlau, second vice-president, was present. It thanks the Council, in behalf of social studies class and student cabinet for courtesy extended on visit to Council meeting and tour through Civic Center on April 22, 1954.

On motion of Councilman Schneider, seconded by Councilman Dail, it was ordered filed.

Communication from Shoreline Planning Association of California, Incorporated, re proposed diversion of moneys from oil royalty money away from recreational facilities at beaches and parks, was presented.

RESOLUTION NO. 117851, recorded on Microfilm Roll No. 79, referring to Council Conference-communication from Shoreline Planning Association of California, Inc., filed under Document No. 489453 re diversion of oil royalty money from recreation facilities at beaches and parks, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117852, recorded on Microfilm Roll No. 79, authorizing City Manager to employ Griffith Company to replace sidewalk and pavement at intersection of Thomas Avenue and Lamont Street; cost of work not to exceed \$100.52, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Winote, adopted.

The Resolution states that the company is doing work, under 1911 Street Improvement Act Proceedings, that it is necessary to replace sidewalk and pavement, and the company has offered to do work at price named, and City Manager has recommended that offer be accepted.

RESOLUTION NO. 117853, recorded on Microfilm Roll No. 79, granting permission to The American War Mothers, Chapters 14 and 68 to conduct Fourth Annual Sale of paper Carnations in certain sections of the City, including downtown district, entrance to Ferry at Market Street and Harbor Drive, East San Diego, North Park, Hillcrest, Normal Heights and Kensington Park on May 7 and 8, 1954, between 7:00 A.M. and 7:00 P.M., for purpose of raising funds to carry on welfare work, which includes aid to needy veterans and their families, and parties for hospitalized veterans at Naval Hospital, was on motion of Councilman Burgener, seconded by Councilman Winote, adopted.

RESOLUTION NO. 117854, recorded on Microfilm Roll No. 79, authorizing Harvey M. Cole, sanitary engineer, Engineer's Department, to attend 1954 California Sewage and

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Industrial Wastes Association Convention, to be held at Sacramento, California, May 6 and 7, 1954; authorizing incurring all expenses in connection (necessary) was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117855, recorded on Microfilm Roll No. 79, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiaries, and Corporation of America, trustees, bearing date April 7, 1954, wherein parties subordinate all their right, title and interest in and to portion of Lot L La Mesa Colony, to right of way and easement for street 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 the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117856, recorded on Microfilm Roll No. 79, accepting subordination agreement, executed by La Jolla Federal Savings and Loan Association, beneficiaries and Security Trust & Savings Bank of San Diego, trustees, bearing date April 16, 1954, wherein parties subordinate all right, title and interest in and to portion Lot 3 Block 17 La Jolla Hermosa, to right of way and easement for street 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 the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117857, recorded on Microfilm Roll No. 79, accepting subordination agreement, executed by Security Trust & Savings Bank of San Diego, beneficiaries, and Security Trust & Savings Bank of San Diego, trustee, bearing date April 16, 1954, wherein parties subordinate all right, title and interest in and to portion of Lot 4 Block 17 La Jolla Hermosa, to right of way and easement for street 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 the resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117858, recorded on Microfilm Roll No. 79, accepting subordination agreement, executed by South Bay Savings & Loan Association, beneficiaries, and Chula Vista Investment Company, trustees, bearing date April 21, 1954, wherein parties subordinate all right, title and interest in and to portion of Lot L La Mesa Colony, to right of way and easement for street 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 the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117859, recorded on Microfilm Roll No. 79, accepting Deed of Fred R. Lawyer and Dagmar N. Lawyer, bearing date April 23, 1954, conveying Lot 2 Block 28 Campo del Dios Unit No. 1; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to 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. 117860, recorded on Microfilm Roll No. 79, accepting Deed of Raymond B. Talbot, as Tax Collector for County of San Diego, executed April 14, 1954, conveying Pueblo Lot 1256; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117861, recorded on Microfilm Roll No. 79, accepting grant deed of May T. Nelson, bearing date April 26, 1954, conveying Lots 9, 10, 13, 14 Block 55 Sellar's Addition; authorizing and directing City Clerk to file deed for record with Registrar of Land Titles in office of County Recorder of County of San Diego, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117862, recorded on Microfilm Roll No. 79, accepting Deed of Carlos Tavares and Marjorie Claire Tavares, Robert F. Driver and Fredericka B. Driver, bearing date April 23, 1954, conveying easement and right of way for street purposes in portion of Pueblo Lots 1257 and 1262 of Pueblo Lands of San Diego; setting aside and dedicating land to public use as and for public street and naming same Nautilus Street; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117863, recorded on Microfilm Roll No. 79, accepting deed of G. O. Pittman, bearing date April 14, 1954, conveying portion of Lot 256 of Pueblo Lands of San Diego; setting aside and dedicating land to public use as and for public street; naming it Morena Boulevard; 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 Wincote, adopted.

RESOLUTION NO. 117864, recorded on Microfilm Roll No. 79, accepting deed of Adolph Abrams and Anna Marie Abrams, conveying easement and right of way for street purposes in portion of Lot L La Mesa Colony; setting aside and dedicating land to public use as and for public street and naming same 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 Wincote, adopted.

RESOLUTION NO. 117865, recorded on Microfilm Roll No. 79, accepting deed of Department of Veterans Affairs, Division of Farm and Home Purchase, State of California, and Bernard A. Gates and Burnice M. Gates, conveying portion of Lot L La Mesa Colony, dated March 30, 1954; setting aside and dedicating land to public use as and for public street and naming same 70th Street; authorizing and directing City Clerk to transmit deed, together with certified copy of Resolution in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117866, recorded on Microfilm Roll No. 79, accepting deed of Emily Morse and Paul Richie, bearing date April 1, 1954, conveying easement and right of way for street purposes in portion of Lot 11 Blethen Subdivision; setting aside and dedicating the land to the public use as and for public street, and naming same 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 the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117867, recorded on Microfilm Roll No. 79, accepting deed of Arthur J. Tracey and Kathryn W. Tracey, bearing date March 23, 1954, conveying easement and right of way for street purposes in portion of Lot L La Mesa Colony; setting aside and dedicating the land to the 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 the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117868, recorded on Microfilm Roll No. 79, accepting deed of Robert A. Williksen and Lela L. Williksen, bearing date April 2, 1954, conveying easement and right of way for street purposes in portion Lot 19 Blethen Subdivision; setting aside and dedicating land 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 the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117869, recorded on Microfilm Roll No. 79, accepting deed of Department of Veterans Affairs of The State of California, bearing date April 5, 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 the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117870, recorded on Microfilm Roll No. 79, accepting deed of Vern Page and Jewell Page, bearing date April 22, 1954, conveying easement and right of way for storm drain purposes in portion of Lots 4, 5, 6, 7, 8, 9 Block 28 Fairmount Addition; authorizing and directing City Clerk to file deed for record in office of County Recorder, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The next matter was continued to this meeting from the previous meeting:
On motion of Councilman Wincote, seconded by Councilman Godfrey, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the reading of the ordinance 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

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day of passage a written or printed copy.

ORDINANCE NO. 6089 (New Series), recorded on Microfilm Roll No. 79, appropriating \$25,500.00 from Capital Outlay Fund for providing funds for construction of Addition No. 3 at City Dog Pound, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

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

RESOLUTION NO. 117871, recorded on Microfilm Roll No. 79, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for moving San Diego Public Library, bearing Document No. 489599; authorizing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

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

RESOLUTION NO. 117872, recorded on Microfilm Roll No. 79, authorizing R. C. Dorland, Director of Building Inspection, to attend meeting of Unified Building Code Changes Committee, in San Francisco, April 30 and May 1, 1954; authorizing incurring of all expenses necessary in connection with the trip, was adopted.

Glenn A. Rick referred back to the first item on today's agenda - continued hearing on Crandall Condra appeal. He said that if persons to whom variance had been granted are denied permit for the convalescent home at 3704 Tenth Avenue, it would overruling the Zoning Committee, which had held a hearing as provided by City regulations. He stressed that he does not want to create any more commotion than there has been on the subject. He said that if Anita Youngk, owner, withdraws from the variance, and the case (the Armstrongs, purchasers, have withdrawn) it would wipe out.

The Mayor said that if the appeal is filed, it would be tantamount to granting. Councilman Godfrey agreed.

Douglas D. Deaper, Deputy City Attorney, said that filing is dangerous.

Councilman Godfrey moved to continue one week.

Councilman Wincote again asked the Council to drive by the property and look at it. It may be logical for such an operation, he said. He indicated that he would be ready to vote next week.

Councilman Burgener asked what position the City is in.

The Mayor said that it would not necessitate Mr. Condra's appearance.

Mr. Condra spoke of no case having been made. He said that there are only 2 alternatives: overrule the other side, or dismiss the case.

Councilman Godfrey (who had moved to continue the hearing one week) said that it would not be of any injury to continue it. He said that Mr. Rick has a point.

Dave South, Zoning Administrator, reported that several trials had resulted in being unable to reach Mrs. Youngk. Having apparently been in touch with one of the Misses Armstrong, he said Miss Armstrong stated that Mrs. Youngk has withdrawn.

Mr. Deaper said that the variance had been granted, and that it is now beyond the Planning Commission's jurisdiction. It is in the Council's hands, now, he added. He said that if Mrs. Youngk joints in the variance withdrawal, it is moot. He said that the Council could grant the appeal, or continue hearing to Tuesday.

Councilman Wincote seconded the motion to continue the motion one week. He stated that if Mrs. Youngk withdraws, there is no need for Mr. Condra to re-appear.

Councilman Dail stated that he opposed a continuance.

The roll was called on the motion to continue the hearing, resulting in the following vote: Yeas--Councilmen Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen Burgener, Schneider, Dail. Absent--None.

(The motion carried - and the hearing was continued one week).

This was shown on pages 75 and 77, also).

There being no further business to come before the Council at this time, the meeting was adjourned by the Mayor at the hour of 11:00 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

117871 - 117872

6089 N.S.

Condra appeal hearing (again)

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, May 4, 1954

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Absent---Councilmen None
Clerk----Fred W. Sick

Mayor Butler presented Rt. Rev. Monsignor Luke Deignan, of St. Didacus Church, Normal Heights.

Monsignor Deignan gave the invocation.

The Minutes of the Regular Council Meetings of Tuesday, April 27, 1954, and Thursday, April 29, 1954, were presented by the Clerk.

On motion of Councilman Burgener, seconded by Councilman Godfrey, 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 latest time set for receiving bids for construction of Sewer Replacement - Chamoune Avenue to Landis, to Euclid Avenue to Trojan Avenue (W.O. 20773) - Specification No. 398 - 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:

Walter H. Barber and H. R. Breeden, as joint Venturers, 7309 El Cajon Boulevard, La Mesa, accompanied by bond written by Hartford Accident and Indemnity Company in sum of 10% of the amount of the accompanying bid, given Document No. 489817;
Marvin J. Baxter, accompanied by bond written by American Surety Company of New York in the sum of 10% of the amount of the bid, given Document No. 489818;
Charles J. Dorfman, accompanied by bond written by General Casualty Company of America in the sum of 10% of the amount of the bid, given Document No. 489819;
Cameron Bros. Construction Company, accompanied by bond written by Glens Falls Indemnity Company in the sum of 10% of the amount bid, given Document No. 489820;
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, given Document No. 489821;
L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of 10% of amount of bid, given Document No. 489822;
On motion of Councilman Kerrigan, seconded by Councilman Schneider, the bids were referred to the City Attorney and City Manager for report and recommendation.

A majority of the members of the Council executed undertaking for street lighting with San Diego Gas & Electric Company in Mission Beach Lighting District No. 1.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for Lincoln Avenue from Normal Street to Idaho Street, and 39th Street from Thorn Street to Juniper Street - Water Mains - Specification No. 88 - the Clerk reported that 9 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:

Cameron Bros. Construction Company, accompanied by bond written by Glens Falls Indemnity Company in the sum of 10% of the amount bid, given Document No. 489823;
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, given Document No. 489824;
Edward C. Losch, Wilson M. Chapman, Harry B. Davis and Edwin F. Hibberd, doing business as E. C. Losch Company, accompanied by bond written by Fidelity and Deposit Company of Maryland in the sum of 10% of the amount of the bid, given Document No. 489825;
W. V. Hutchison Co., a copartnership, 6225 Federal, San Diego 14, accompanied by bond written by Fireman's Fund Indemnity Company in the sum of 10% of the amount of the accompanying bid, given Document No. 489826;
Royal Pipeline Construction Co., Inc., accompanied by bond written by The Home Indemnity Company in the sum of 10% of bid, given Document No. 489827;
Utility Construction Company, accompanied by bond written by United Pacific Insurance Company in the sum of 10% of amount bid, given Document No. 489828;
Walter H. Barber, an individual, 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, given Document No. 489829;

Minutes approved &
signed
Bids

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W. A. Robertson, S. E. Robertson, W. L. Robertson, S. W. Robertson and D. V. Upshaw, doing business as W. A. Robertson & Company, accompanied by bond written by Fidelity and Deposit Company of Maryland in sum of 10% of the amount of the bid, given Document No. 489830;

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. 489831.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, 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 Birch Street, under Resolution of Intention No. 116894, the Clerk reported that 7 bids had been received, which 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 \$900.00, given Document No. 489844;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1,000.00, given Document No. 489845;

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, given Document No. 489846;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$800.00, given Document No. 489847;

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$920.00, given Document No. 489848;

Morris Van Meter, accompanied by bond written by Maryland Casualty Company in the sum of \$750.00, given Document No. 489849;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$800.00, given Document No. 489850.

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 latest time set for receiving bids for paving and otherwise improving Camino Del Collado, under Resolution of Intention No. 116895, the Clerk reported that 7 bids had been received, which 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. 489834;

Daley Corporation, accompanied by bond written by Glenn Falls Indemnity Company in the sum of \$1,000.00, given Document No. 489835;

V. R. Dennis, an individual doing business as V. R. Dennis Construction Co. in the sum of \$800.00, given Document No. 489836;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$700.00, given Document No. 489837;

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$702.00, given Document No. 489838;

Morris Van Meter, accompanied by bond written by Maryland Casualty Company in the sum of \$650.00, given Document No. 489839;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$700.00, given Document No. 489840;

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

The Mayor announced, after the opening and declaring of bids, that bids are to be opened by the Purchasing Agent in the future, on Fridays.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 117357 for paving and otherwise improving Commercial Street, the Clerk reported that no 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 Schneider, 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. 117358 for paving and otherwise improving Jamacha Road and Flicker Street, the Clerk reported that no protests had been received.

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

Bids
Hearings

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 Resolution Ordering Work.

After the hearing had been conducted, Councilman Dail said that a neighborhood paper had printed a story to the effect that the Council had taken confiscatory action. He told of his having called to the paper to correct the story printed within a black box.

There was discussion between Councilman Dail and an unidentified man.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 117359 for paving and otherwise improving Mohawk Street, 71st Street and 72nd 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 Schneider, 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 Assessment No. 2225 for paving and otherwise improving Alley Block 178 Pacific Beach, under Resolution of Intention No. 113263, the Clerk reported that no written appeals had been presented.

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

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

RESOLUTION NO. 117873, recorded on Microfilm Roll No. 79, confirming and approving The Street Superintendent's Assessment No. 2225 made to cover cost and expenses of paving and otherwise improving Alley Block 178 Pacific Beach, under Resolution of Intention No. 113263; confirming and approving the Assessment; authorizing and directing Street Superintendent to attach his warrant and issue 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 Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2224 for paving and otherwise improving El Paseo Grande, Calle Clara, Vallecitos, Calle Frescota, Camino Del Oro, Alley in Block 9 La Jolla Shores Unit No. 1; Alley Block 12 La Jolla Shores Unit No. 1, Southerly Alley Block 34 La Jolla Shores Unit No. 6, La Vereda and Public land being portion of Kellogg Park, the Clerk reported that written appeals had been received from Earl G. Strohl, Laura G. W. Nordhoff, Mary C. Kendrick, E. L. Losee, Merle A. Diven, which were presented to the Council.

The City Engineer, asked for a report, told the Council of a 2% appeal, for various reasons: previous assessment, notification or use, not equitable, legality and grounds for assessment.

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

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

RESOLUTION NO. 117874, recorded on Microfilm Roll No. 79, overruling and denying appeals of Mr. and Mrs. Earl G. Strohl, Laura G. W. Nordhoff, Mary C. Kendrick, E. E. Losee, Merle A. Diven, from Street Superintendent's Assessment No. 2224 made to cover costs and expenses of work of 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, under Resolution of Intention No. 112024; overruling and denying all other appeals; confirming and approving Assessment No. 2224; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law; directing him to file in his office the 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 Assessment No. 2226 made to cover cost and expenses of paving and otherwise improving Russell Street under Resolution of Intention No. 113000, the Clerk reported that no 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. 117875, recorded on Microfilm Roll No. 79, confirming and approving Street Superintendent's Assessment No. 2226 made to cover cost and expenses of paving and otherwise improving Russell Street, under Resolution of Intention No. 113000; authorizing and directing Street Superintendent to attach his warrant and issue 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 Burgener, adopted.

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The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 117469 of Preliminary Determination for installing sewers in Ollie Street, Camulos Street, Liberty Street and Venus 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.

RESOLUTION NO. 117876, recorded on Microfilm Roll No. 79, determining that proposed improvement of Ollie Street, Camulos Street, Liberty Street and Venus Street within limits and as described in Resolution No. 117469 of Preliminary Determination is feasible and that lands to be assessed therefor will be able to carry burden of such 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Resolution of Preliminary Determination No. 117361 for paving and otherwise improving Alley Block I Montecello, the City Engineer reported a 42.6% (area) protest, with an original 61.5% (frontage) petition for the work. He spoke of there having been changes in mind, when members of the Council questioned the percentage.

The Mayor pointed out that the Council will go along with the majority in its wishes.

The City Engineer said that the project had been submitted on frontage - a Council policy. The protest, however, is based on the State law, he stated.

Robert E. Collins said that when the notices were posted it was the first that he and others knew of proposal to do the work. He spoke of there being 2 schools of thought: some don't want the work; some don't want asphalt. He referred to the City's policy of not using asphalt in the alleys.

The Mayor agreed, and explained the reasons for the policy.

Mr. Collins said that the people who had asked him to represent them had done nothing. He withdrew his protest. He said that he had spoken to property owners over the week-end, and they admitted having done nothing.

RESOLUTION NO. 117877, recorded on Microfilm Roll No. 79, overruling and denying protests against paving and otherwise improving Alley Block I Montecello; determining that improvement within limits and as described in Resolution No. 117361 of Preliminary Determination is feasible and that lands to be assessed therefor will be able to carry burden of such 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; overruling and denying all other protests, 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 continued hearing on Resolution of Preliminary Determination No. 117363 for storm drains and appurtenances in portions of 47th Street, et al, Morey Levenson, attorney, referred to the protest which had been handed in last week.

The City Engineer reported, verbally, that there is a 84% petition of protest.

RESOLUTION NO. 117878, recorded on Microfilm Roll No. 79, sustaining protest of Edwin F. Griebel, et al, against proposed storm drain at 47th Street and Market Street, under Resolution No. 117363 of Preliminary Determination; abandoning proceedings taken thereunder, 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 proposed annexation known as "Steinbaum Tract", the Clerk reported that no written protests had been received.

E. L. Freeland, engineer said it was recommended, and he read from a document regarding right of way and access rights to the State, before annexation. He stated that the State proposes widening of Alvarado Road, and acquisition of right of way. Mr. Freeland said that the State is working with his clients, but has made no negotiations. He said that his client wants removal of condition.

Councilman Schneider stated that the City Manager recommends leaving in.

Mr. Freeland said that if the State takes, the owners who are his clients will have no access.

The City Manager said that the matter was presented, and that he knew nothing beyond that.

Mr. Freeland said that the State was not ready. He stated that he had a deed with him for right of way (which he did not file). He said that there is no disagreement with the State over right of way price. He told the Council that fraternity houses want to build.

The City Manager asked Mr. Freeland if was desired that the matter be held.

Mr. Freeland's reply was that the property owners don't want to give the property free.

The City Manager requested that the matter be held to Thursday.

Mr. Freeland said that would be O.K.

Councilman Godfrey moved to continue the hearing to Thursday (May 6, 1954). Mr. Freeland said that there is a question of time involved. He stated that there was no difficulty with the State. Councilman Schneider seconded the motion to continue the hearing. Mr. Freeland told the Council that the State asks for more property. The roll was called on the motion, and the hearing continued to Thursday of this week.

Communication from C. D. Denver, 1430 W. Redwood, being petition which reads: "I want my property zoned R1C, and I will have to waive the \$50.00 fee", was presented.

The City Manager said that it should be referred to him and to the City Attorney.

Councilman Kerrigan said that the Planning Director had spoken to the Council in conference on the subject.

Councilman Schneider moved to refer the petition to the City Planning Department and to the City Attorney, which motion was seconded by Councilman Kerrigan.

Mr. Denver spoke regarding the problem. Mrs. Lee stopped him, he said.

Councilman Wincote said that it is a question of refund.

Councilman Kerrigan said that the Planning Commission did not agree.

The Mayor read the petition.

Mr. Denver said that no one had asked him; that it was put in "B".

Councilman Kerrigan spoke of wanting to set in motion regarding RC. The Council has the right to request the Planning Commission to initiate proceedings, he said. The matter was continued temporarily. (See page 90)

Communication from Dane D. Higley, Chairman Protem, attaching petitions submitted as evidence that there is a tremendous amount of interest in promotion of 18 hole tournament size golf course in Mission Bay area, was presented. It says, among other things that there is no intention of stopping inauguration of proposed 9 hole course.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the Mayor was requested to answer and to explain the situation.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received April 26, 1954, from 5 bidders for furnishing 1500 feet of copper tubing and various fittings, was presented.

It recommends award to Mission Pipe and Supply Company, low bidder, for total sum of \$1819.25 including tax and discount of 1/2 of 15% on tubing and 2% on fittings.

RESOLUTION NO. 117879, recorded on Microfilm Roll No. 79, accepting bid of Mission Pipe and Supply Company for furnishing copper tubing and various fittings; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for preparation of exterior surfaces and application of two coats of paint to buildings of Central Police Station at Market and Pacific Highway, received April 20, 1954, from 12 bidders, was presented.

It recommends award to Helge Hultgren, Incorporated, low bidder, in amount of \$6769.00.

RESOLUTION NO. 117880, recorded on Microfilm Roll No. 79, accepting bid of Helge Hultgren, Incorporated, for painting exterior surfaces and application of 2 coats of paint to buildings of Central Police Station; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for Small Water Main Replacements, Group 12, received from 7 bidders on April 27, 1954, was presented.

It recommends award to Royal Pipeline Construction Company, low bidder, in amount of \$144,749.90 - water dept. estimate was \$152,446.00.

RESOLUTION NO. 117881, recorded on Microfilm Roll No. 79, accepting bid of Royal Pipeline Construction Company for Small Water Main Replacements; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing Laboratory Equipment for Municipal Sewage Treatment Plant, received April 2, 1954, from 7 bidders, was presented.

It states that prior to a recommendation of award, low bidder has by telegram requested that his bid be withdrawn, stating that he failed to include cost of installation in bid price - low bid was \$5,312.00. It says that bid in amount of approximately \$5,700.00 was second low was received several days after bid opening, it could not be given consideration. The report makes several statements, recommends rejection and re-advertising.

RESOLUTION NO. 117882, recorded on Microfilm Roll No. 79, rejecting all

bids received April 2, 1954, for furnishing Laboratory Equipment for Municipal Sewage Treatment plant, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117883, recorded on Microfilm Roll No. 79, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for resurfacing of (III) Arenas, Monte Vista to La Jolla Blvd., Arenas, La Jolla to Alley W. of Eads; Camino del Collado; El Paseo Grande to La Jolla Shores Dr.; Camino del Reposo, El Paseo Grande to La Jolla Shores Dr.; Exchange Pl., Virginia Way to Country Club Dr.; Fern Glen, La Jolla Blvd. to Alley W. of Eads; Ivanhoe, Silverado to Prospect, etc., bearing Document No. 489700; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117884, recorded on Microfilm Roll No. 79, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Small Water Main Replacements, Group No. 13, bearing Document No. 489701; authorizing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117885, recorded on Microfilm Roll No. 79, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of Traffic Signals and Safety Lighting Systems at Intersections of 5th Avenue at G Street, 6th Avenue at F Street, 8th, 9th and 12th Avenues at E Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117886, recorded on Microfilm Roll No. 79, authorizing and directing the Purchasing Agent to advertise for sale and sell automotive equipment belonging to the City of San Diego, which is no longer desirable for use or retention by the City - as listed in the Resolution - directing that all expenses in connection with the sale shall be deducted from proceeds received from the sale, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117887, recorded on Microfilm Roll No. 79, authorizing and directing the Purchasing Agent to advertise for sale and sell scrap metal, copper wire and lead cable belonging to the Fire Department, which is no longer desirable for use or retention by the City - as listed in the Resolution - directing that all expenses in connection with the sale shall be deducted from proceeds received from the sale, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension to portion of San Diego Municipal Code insofar as it relates to Tentative and Final Maps of the subdivision, was presented.

RESOLUTION NO. 117888, recorded on Microfilm Roll No. 79, suspending Sections 102.07-2, 102.07-5, 102.11-2, 102.11-1, 102.12-8, 102.16-8, 102.18, 102.17-c of San Diego Municipal Code insofar as they relate to Tentative and Final Subdivision Maps of Valle Granado Units 1, 2, 3 & 4, a subdivision of portion of Lot 30 Wadsworth's Olive Grove and Lots 3 & 4 Ex-Mission Lands, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for subdivision of portion of Lot 30 Wadsworth's Olive Grove and Lots 3 & 4 Ex-Mission Lands, into 41 lots fronting on Home Avenue on each side of Fairmount, subject to 10 conditions, was presented.

RESOLUTION NO. 117889, recorded on Microfilm Roll No. 79, approving Tentative Map of Valle Granado Units 1, 2, 3, & 4, a subdivision of portion of Lot 30 Wadsworth's Olive Grove and Lots 3 & 4 Ex-Mission Lands, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from City Engineer, with Assistant to City Manager's stamp of approval, stating that Resolution No. 115162 granted petition to grade and install sewers, water mains and storm drains in Floral Terrace Subdivision, was presented. It recommends that since the subdivision is unimproved, the Resolution be rescinded.

The Mayor asked how many in the audience were present on this subject.

In response, a large group of persons arose.

The City Engineer pointed out that there is vacant land; that there is an outfall which cost about \$15,000.00, which would be outside the assessment district. He questioned if the 1911 Act should be used as proceedings on unimproved property.

Councilman Burgener spoke to the property owners present.

Alfred A. DePauli said that quite a number of people want the district improved. He stated that they are at loggerheads regarding the status of the project. It has come out that there are not enough signatures for the work, he said.

The Mayor said it should have been called to someone's attention that the property is unimproved.

Councilman Burgener pointed out that contractors who do the work sell the bonds, and that on unimproved property it would result in high cost for bids and improvements.

Mr. DePauli said that many have been encouraged to proceed with attempt to have the improvement made. Property owners have been told that they can't build on account of having no water. They want sewers, too, he said. Mr. DePauli asked what the recourse is; property owners can't get permits to build because the improvements are not in, and they can't get the improvements because the property is not developed.

Councilman Schneider spoke to Mr. DePauli regarding bid for the work, on account of no improvements.

Mr. DePauli asked why the City permitted property owners to carry on, (presumably with the petition for the improvements). He said that property owners had sincerely purchased their property, and asked why not let them improve it.

The Mayor pointed out that the property should have been improved by the subdivider - as is done now. He said that the situation would be similar to the "Mattoon Act" in the 1920's. The Mayor said that the City has a policy not to improve under the 1911 Act, on such property.

Councilman Burgener asked if any investigation had been made.

The City Engineer said that he had just learned of the policy. He said that he had worked out a just lay-out.

Mr. DePauli referred to there being 300 or 400 lots. He said that the property was subdivided, and authorized, years ago. Somebody stuck their necks out and bought - then sold, he said. He advised the Council that there was no misrepresentation, in the sale of the property to the present owners. They knew there was no water, no sewer, no streets, he said. He had been told that the property owners could have the work done under the 1911 Act, or that they could form a corporation and do the improving themselves.

Councilman Dail, who spoke of 300 or 400 lots asked if there was a 51% petition.

The City Engineer replied "yes".

Councilman Dail told of the paving having been dropped out. He said he could not see why the area is not developed; the value is there.

The City Engineer told the Council that estimates have not been worked out yet, but that he felt it would be around \$750. per lot for portion of the work - for a 50-foot lot, he added. He declared that it is a bona fide, plotted subdivision.

There was discussion between various Councilmen and Mr. DePauli.

Mr. DePauli spoke of wanting to build, and re-iterated that he can't get permits until the water is available. He understands that has to clear first, Mr. DePauli said.

Councilman Wincote asked if the terrain is flat, or canyon.

Mr. DePauli replied that there is one canyon - the property goes on a slope.

Councilman Wincote said that the City problem is to get through; there should be a determination on the cost first. Contractors bid twice as much on another job on account of a canyon, he said.

Councilman Burgener moved ~~that-moved~~ that the City Manager have made an estimate for sewer and water - in a week. The motion was originally City Engineer, but changed to Manager.

Councilman Dail said that the property owners have to start somewhere. This is the only procedure, according to him. Apparently they can't do the work on a cash basis, so it should go through on the 1911 act.

Councilman Burgener moved to continue the matter 1 week, and refer it to the City Manager and City Engineer.

Councilman Wincote declared that 1 week is a horse-back thing; a firm estimate is needed.

The Mayor asked now much time is needed.

Nothing is done at this time, according to the City Engineer.

The City Manager said that he wants to work it out first, so that there would be no protests against the cost later.

Councilman Dail said that proceedings are set out in the Act.

A woman, who identified herself only as McAvoy, said that she can get signers.

A man, who did not identify himself, asked that if it is not under a 1911 Act, why not under another.

There was discussion between Councilman Burgener and the previous speaker. Councilman Godfrey thought it might be well for the people to get more signatures in 3 weeks.

M. A. Robertus said that he had not signed, either. He said that people are more concerned with the Council's attitude. If the Council disapproves, all the property owners would have worthless property, according to him. It may cost an additional amount to improve, but people are willing to approve what he termed a "feasible" amount.

Councilman Dail discussed with Mr. Robertus the raw land.

Mr. Robertus pointed out that it is valuable property - view property. He stated that it is about all there is left for building. He told of the Engineer working on plans to improve.

The Mayor said that the City had been put in the present position account of activities of a "hot salesman".

Communication - which led to an unscheduled hearing.

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Mr. Robertus stated that the property is well worth what was paid for it - including improvements.

The Mayor said that would be a good thing for the proceeding.

Mr. Robertus said that it would be quite a process to redesign the layout, in order to improve it. owner

Councilman Kerrigan said that property/might want to know also regarding sidewalks and drains - perhaps even paving.

RESOLUTION NO. 117890, recorded on Microfilm Roll No. 79, continuing City Engineer's recommendation for rescinding Resolution No. 115162 which granted petition to grade and install sewers, water mains and storm drains in Floral Terrace Subdivision, a period of 3 weeks - to May 25, 1954 - and refer the matter to the City Manager and to the City Engineer for a report on cost of such a project, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

After the Resolution was adopted, Ben Moore told the Council that a trust still owns much of the property, and would be pleased and willing to bear its share of the cost. The trust is willing to pay, he said.

Others kept coming forward and talking on the same thing, but their names were not given and their comments were not recorded.

Communication from The Lions Club of San Diego, signed by William Sample, Jr., president, was presented. It was in the form of a Resolution, adopted April 27, 1954, and address given as 1250 Sixth Avenue (The San Diego Club). The Resolution deals with the vital importance of the tourist industry to all of San Diego County, the sharp decrease in the 1953 dollar volume in this County, while it increase in other sections of Southern California. It states that organized efforts to promote the tourist trade are scattered and uncoordinated. It asks that various agencies interested and affected undertake discussions and investigations to determine where responsibility lies for lack of adequate tourist promotion in San Diego County.

RESOLUTION NO. 117939, recorded on Microfilm Roll No. 79, referring communication from The Lions Club of San Diego adopted April 27, 1954, submitted under signature of William Sample Jr., president, having to do with the tourist industry in San Diego, to Budget Conference; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The next matter, continued temporarily, appears on page 87, also.

Glenn Rick said that Mr. Denver owns 3 lots: 1 in the City; 2 in the County. He spoke of a protest which had been raised by Mrs. Lee, in previous effort to re-zone, in that she did not like what was proposed to the Council. It was referred back to the Planning Commission, and Mrs. Lee took out a petition for what she wanted. He stated that Mr. Denver had agreed to the proposal - and that he did not speak. Others oppose, he said. Mr. Denver wants R-1C and M-1A, according to Mr. Rick. If his 30 acres or portion is placed... (he was interrupted), there would be a justification, he said. Mr. Rick said that he does not know if the petition is still alive. Mr. Denver does not want a building permit, but the zoning, according to Mr. Rick. He spoke of the Commission having recommended interim zone on the Mesa. Mr. Denver wants out of R-1B, and it is a legal question, according to Mr. Rick.

Douglas Deaper, Deputy City Attorney, said that the matter had been referred to the Planning Commission and to the City Attorney, already.

Mr. Rick said that if Mr. Denver initiates petition to re-zone, he would have to file the petition and pay the fee.

Councilman Kerrigan asked if the Planning Commission would be willing to help one day (The Commission meets tomorrow).

Mr. Denver said that it has to be 2 days.

Mr. Deaper asked "what about the key map"?

Mr. Rick said that there is a question of fee; that there would 60 or 90 days regarding jurisdiction.

Councilman Godfrey advocated that the Attorney check before noon what can be done.

Mr. Rick said that if the Council sponsors..... (but was interrupted, again).

Councilman Godfrey spoke of having time, within the law.

Mr. Rick said that the Planning Commission has recommended against the proposal and request. He asked if it would be helpful if the department picks out this particular item and acts tomorrow. If action is wanted today, the Council would have to order him to take action to take the matter away from the Planning Commission, Mr. Rick said.

Mr. Denver said that the property should have remained in R-1C.

It was held again, and will be found on page 98 of these Minutes.

RESOLUTION NO. 117891, recorded on Microfilm Roll No. 79, directing notice of filing of Assessment No. 2235 and of the time and place of hearing thereof, for the paving and otherwise improving of Rose Street, Hobart Street, Stewart Street, Millar Street, Catoctin Drive, 63rd Street, Pembroke Drive and Public Rights of Way, under Resolution of Intention No. 111366, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117892, recorded on Microfilm Roll No. 79, directing notice of filing of assessment and of the time and place of hearing thereof - No. 2236 -

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for paving and otherwise improving Alleys in Blocks 5 and 24 Ocean Beach, under Resolution of Intention No. 112753, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117893, recorded on Microfilm Roll No. 79, directing notice of filing of Assessment No. 2237 and of the time and place of hearing thereof, for paving and otherwise improving E Street, under Resolution of Intention No. 113381, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117894, recorded on Microfilm Roll No. 79, approving Plat No. 2581 showing exterior boundaries of district to be included in assessment for work and improvement upon Alley Block 56 Ocean Beach; directing City Clerk to file plat in office of City Engineer upon passage of resolution of intention, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117895, recorded on Microfilm Roll No. 79, approving Plat No. 2566 showing exterior boundaries of district to be included in assessment for work and improvement upon Grand Avenue; directing City Clerk to file plat in office of City Engineer upon passage of resolution of intention, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117896, recorded on Microfilm Roll No. 79, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Russ Boulevard, 25th Street and 26th Street, under Document No. 489253; approving Plat No. 2592 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 plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 117897, recorded on Microfilm Roll No. 79, for ornamental lighting in Broadway, under Resolution of Intention No. 117254, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 117898, recorded on Microfilm Roll No. 79, for ornamental lighting in Diamond Street and Cass Street, under Resolution of Intention No. 117255, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 117899, recorded on Microfilm Roll No. 79, for furnishing electric current for lighting ornamental street lights located in San Diego Lighting District No. 2, for period of one year from and including July 1, 1954, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117900, recorded on Microfilm Roll No. 79, directing notice inviting sealed proposals for furnishing electric current for lighting ornamental street lights located in San Diego Lighting District No. 1, for period of one year from and including June 15, 1954, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 117901, for paving and otherwise improving Alley Block L Altadena, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 117902, for paving and otherwise improving Alley Block 22 Ocean Beach, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 117903, for closing portion of Marilou Road; deeming that it is not necessary that any land be taken therefor; setting out exterior boundaries of district to be assessed, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

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RESOLUTION OF PRELIMINARY DETERMINATION NO. 117904, recorded on Microfilm Roll No. 79, for paving and otherwise improving Alley Block 56 Ocean Beach, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117905, recorded on Microfilm Roll No. 79, for paving and otherwise improving Grand Avenue, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 117906, recorded on Microfilm Roll No. 79, for paving and otherwise improving Russ Boulevard, 25th Street and 26th Street, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117907, recorded on Microfilm Roll No. 79, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 46 Ocean Beach, and Sunset Cliffs Boulevard, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117908, recorded on Microfilm Roll No. 79, directing City Engineer to furnish Council with diagram of property affected and benefited by work and improvement on paving Alleys Block 45 W. P. Herbert's Subdivision, under Resolution No. 115391, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117909, recorded on Microfilm Roll No. 79, directing City Engineer to furnish Council with diagram of property affected and benefited by work and improvement on paving Alley Block 50 Ocean Beach, under Resolution of Intention No. 116055, and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117910, recorded on Microfilm Roll No. 79, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Del Rey Street, under Resolution No. 116056, and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117911, recorded on Microfilm Roll No. 79, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving 54th Street, Blackton Drive, 55th Street, et al., under Resolution of Intention No. 115896, and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117912, recorded on Microfilm Roll No. 79, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on storm drains in Streamview Drive, 54th Street and Public Right of Way, under Resolution of Intention No. 115496, and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117913, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 476902 for paving and otherwise improving Alley Block 4 Carmel Heights; directing 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, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117914, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 486799 for paving and otherwise improving Alley Block F Montclair and Block 14 City Heights; directing 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, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending that Resolution No. 99918 granting petitions and ordering district formed

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Communication

to pave and otherwise improve Alley Block 2 Idyllwild, Pennsylvania Avenue and Godsall Lane; recommending that proceedings be amended to include drainage structures, guard fences, head walls, and retaining walls with hand rails as required, was presented.

RESOLUTION NO. 117915, recorded on Microfilm Roll No. 79, adopting recommendation of City Engineer, filed in office of City Clerk April 26, 1954 under Document No. 489258; authorizing City Engineer to amend proceedings for improvement of Alley Block 2 Idyllwild, Pennsylvania Avenue and Godsall Lane in accordance with his recommendation, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117916, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 487627 for paving and otherwise improving Alley Block 2 Ocean View and Block 5 Ocean Beach Park; directing 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, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117917, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 485946 for paving and otherwise improving Alley Block 4 Sunset Crest; directing 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, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117918, recorded on Microfilm Roll No. 79, granting petition for paving and otherwise improving Alley in and westerly of Block 4 West Teralta and adjoining Chaddock's Subdivision; directing 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, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117919, recorded on Microfilm Roll No. 79, granting petition for paving and otherwise improving Boston Avenue; directing 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, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117920, recorded on Microfilm Roll No. 79, granting petition for paving and otherwise improving Dawes Street; directing City Engineer to furnish description of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117921, recorded on Microfilm Roll No. 79, granting petition for paving and otherwise improving Delta Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be assessed to pay costs, damages and expenses, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117922, recorded on Microfilm Roll No. 79, granting petition for paving and otherwise improving La Dorna Street; directing City Engineer to furnish description of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117923, recorded on Microfilm Roll No. 79, granting petition for paving and otherwise improving Lauretta Street, Riley Street, Eureka Street, Goshen Street, Fresno Street and Hueneme Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be assessed to pay costs, damages and expenses, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117924, recorded on Microfilm Roll No. 79, granting permission to owners of Pan American Trailer Court to install culvert at Main Street in "The Highlands", in accordance with Document No. 489078, on conditions set forth in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117925, recorded on Microfilm Roll No. 79, declaring that in accordance with Section 5243 of the Streets and Highways Code, all of any proposals or bids for works of improvement to be constructed under procedures of Improvement Act of

1911 (Division 7 of the Streets and Highways Code of the State of California) may be opened, examined and declared by the Purchasing Agent of The City of San Diego, provided that, where bids are opened as authorized by said Resolution, such officer shall open, examine and declare the proposals or bids at a public meeting, called by him, and that the Notice Inviting Bids shall state the time and place of the public meeting and the name of such officer, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117926, recorded on Microfilm Roll No. 79, consenting to the detachment from The City of San Diego of land in the south half of the northwest one-quarter of Lot 65 Ex-Mission Lands, according to Map No. 283, as fully described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The Resolution states that petition was filed with the Council of City of National City asking that territory be annexed to City of National City; that the territory is situated within boundaries of The City of San Diego and under Section 35304 of Government Code of the State of California, the consent of legislative body of The City of San Diego to detachment of territory from City of San Diego must be first obtained.

RESOLUTION NO. 117927, recorded on Microfilm Roll No. 79, declaring the following streets to be Through Highways:

48TH STREET, between southerly line of El Cajon Boulevard and north line of University Avenue;

HYACINTH DRIVE, between Chatsworth Boulevard and Oleander Drive;

BOREN STREET between Hughes Street and Streamview Drive;

HUGHES STREET between its westerly termination and Boren Street;

MACAULAY STREET between Rosecrans Street and northwesterly line of Evergreen Street;

authorizing and directing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117928, recorded on Microfilm Roll No. 79, establishing parking time limit of two hours, between 8:00 a.m., and 6:00 p.m., Sundays and holidays excepted:

Both sides of India Street between north line of Juniper Street and south line of Kalmia 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117929, recorded on Microfilm Roll No. 79, authorizing and directing Property Supervisor to advertise for at least 5 days in official newspaper of The City sale at public auction of Lot 17 Block B Swan's Second Addition; reason for sale is that same is no longer needed for City purposes; that City has heretofore caused appraisal to be made by qualified real estate appraiser and value as determined is \$250.00; stating that minimum amount which Council will consider for sale is \$250.00; reserving right to reject any and all bids at the public auction; that all expenses in connection sale of the property shall be deducted from proceeds received, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117930, recorded on Microfilm Roll No. 79, finding and determining that standard lien provision set forth on page 3 - in connection with Agreement for additional paving on Clairemont Drive and Clairemont Mesa Boulevard in subdivisions known as Clairemont Manor Units Nos. 1, 2, 3 and Clairemont Units Nos. 9, 10, 15, executed on 20th day of January, 1954, filed with City Clerk as Document No. 483930 - ("...and five (5) days shall have elapsed after the expiration of the period within which liens may be filed under the provisions of Title IV, Part 3 of the Code of Civil Procedure of the State of California.") has no application to the subject matter of the agreement for reason that City is not thereby securing performance of work but merely agreeing to contribute a share of cost of certain work if performed by others, that no liens or stop notices could be filed against or with the City by reason of performance of said work, and that standard lien provision was inadvertently inserted in the agreement; waiving the requirements; directing Auditor and Comptroller to make payment in accordance with terms of agreement after acceptance of additional paving without regard to above quoted lien provisions, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117931, recorded on Microfilm Roll No. 79, finding and determining that standard lien provision set forth on page 2 - in connection with 5 days having elapsed after expiration of period within which liens may be filed under the provisions of Title IV, Part 3 of the Code of Civil Procedure of the State of California.) - has no application to subject matter of agreement in connection with Agreement for additional paving on Clairemont Drive and Huxley Street in connection with subdivisions known

as Clairemont Units Nos. 5, 6, 7, 9, executed on 20th day of February, 1953, heretofore filed with City Clerk as Document No. 464376; for reason that City is not thereby securing performance of work but merely agreeing to contribute share of cost of certain work if performed by others, that no liens or stop notices could be filed against or with the City by reason of performance of the work, and that standard lien provision was inadvertently inserted in the agreement; waiving above quoted lien provisions; directing Auditor and Comptroller to make payment in accordance with terms of the agreement after acceptance of the additional paving without regard to above quoted lien provisions, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117932, recorded on Microfilm Roll No. 79, authorizing San Diego Gas & Electric Company to install (10) 6000 lumen overhead street lights on public ways in Allied Gardens Unit No. 2 Subdivision, at locations shown on map attached to City Manager's recommendation, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117933, recorded on Microfilm Roll No. 79, authorizing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at 28th Street and G Street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117934, recorded on Microfilm Roll No. 79, authorizing Property Supervisor to issue requisition and make expenditure in sum of \$166.00 from Major Property Purchases Fund (210-2) for deposit and filing fees in connection with case of City of San Diego v. Steiger, for condemnation of land through portions of Pueblo Lot 183, for storm drain purposes, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117935, recorded on Microfilm Roll No. 79, authorizing Richard Gallagher, Director of Public Works, to attend Conference of Municipal Finance Officers' Association, to be held in San Francisco, California, May 23 through May 27, 1954; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Resolution authorizing Mayor and City Clerk to execute quitclaim deed to Ralph Claric and Ralph F. Claric, father & son, on land in Dells Park and in G. H. Crippens' Addition - exchange of lands - was presented.

The Mayor requested continuance for one week.

On motion of Councilman Schneider, seconded by Councilman Wincote, the Resolution was continued one week - to May 11, 1954.

Attached to the Resolution was request from Property Dept. (signed "Barnett") requesting that the Resolution be not adopted at this meeting.

Proposed Ordinance, which had been continued from several previous Council meetings, was presented.

It approves annexation to The City of San Diego of certain portions of Tidelands of San Diego Bay, in County of San Diego, State of California, known and designated as "San Diego Harbor Tidelands".

On motion of Councilman Burgener, seconded by Councilman Schneider, it was continued one week.

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

ORDINANCE NO. 6090 (New Series), recorded on Microfilm Roll No. 79, amending Chapter IV, Article 2 of The San Diego Municipal Code by amending Section 42.0105 thereof and by adding thereto Section 42.0105.1, which amendment and addition permit use of Bulk Milk Dispensing Devices, 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 Burgener, seconded by Councilman Godfrey, the reading of the next ordinance in full 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.

117932 - 117935
Res. continued
Ord. continued
6090 N.S.

cil prior to day of passage a written or printed copy.

ORDINANCE NO. 6091 (New Series), recorded on Microfilm Roll No. 79, amending Section 101.0502 of The San Diego Municipal Code, relating to appeal from decision of Zoning Administrator, 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 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. 6092 (New Series), recorded on Microfilm Roll No. 79, amending San Diego Municipal Code by adding the following new sections: 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 4909 (New Series) - Regulating Trailer Parks - 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 Schneider, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Schneider, 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 passage a written or printed copy.

ORDINANCE NO. 6093 (New Series), recorded on Microfilm Roll No. 79, appropriating \$140,000.00 out of Capital Outlay Fund, for providing funds to pay assessments against City-owned property for installation of Sewer and Water Mains in the Camp Kearney District, 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 Burgener, seconded by Councilman Kerrigan, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, 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 passage a written or printed copy.

ORDINANCE NO. 6094 (New Series), recorded on Microfilm Roll No. 79, establishing Grade of Alley Block 15 Fairmount Addition to City Heights, and Block 2 Mountain View, between northerly line of Wightman Street and southerly line of University Avenue, 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 Burgener, seconded by Councilman Kerrigan, 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 passage a written or printed copy.

ORDINANCE NO. 6095 (New Series), recorded on Microfilm Roll No. 79, establishing Grade of Bernadine Place between its southeasterly termination at Vale Way and southerly line of Trojan Avenue, 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 Burgener, seconded by Councilman Kerrigan, 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 passage a written or printed copy.

ORDINANCE NO. 6096 (New Series), recorded on Microfilm Roll No. 79, establishing grade of Bonita Drive, between southerly line of Olvera Avenue and southeasterly prolongation of southwesterly line of Lot 50 Block 23 Valencia Park Unit No. 2, 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 Burgener, seconded by Councilman Kerrigan, 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 passage a written or printed copy.

ORDINANCE NO. 6097 (New Series), recorded on Microfilm Roll No. 79, establishing grade of 45th Street between northerly line of Ocean View Boulevard and northerly line of T 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 Kerrigan, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, 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 passage a written or printed copy.

ORDINANCE NO. 6098 (New Series), recorded on Microfilm Roll No. 79, establishing grade of 54th Street between southerly line of Trojan Avenue and southerly line of Orange Avenue, 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 Burgener, seconded by Councilman Kerrigan, 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 passage a written or printed copy.

ORDINANCE NO. 6099 (New Series), recorded on Microfilm Roll No. 79, establishing grade of Olvera Avenue, between southerly prolongation of westerly line of Lot 9 Block 15 Valencia Park Unit No. 2, and westerly line of 58th Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--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 Burgener, seconded by Councilman Kerrigan, 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 passage a written or printed copy.

ORDINANCE NO. 6100 (New Series), recorded on Microfilm Roll No. 79, establishing grade of Sharron Place, between easterly prolongation of southerly line of Trojan Avenue and easterly prolongation of northerly line of Vale Way, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--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 Burgener, seconded by Councilman Kerrigan, 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 passage a written or printed copy.

ORDINANCE NO. 6101 (New Series), recorded on Microfilm Roll No. 79, establishing grade of Vale Way between its northwesterly termination at Bernadine Place and easterly line of Richmond Hills Subdivision, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas--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 Wincote, Ordinance authorizing City Manager to execute lease covering portions of Pueblo Lots 1326 and 1330 of the Pueblo Lands of San Diego, was presented.

RESOLUTION NO. 117936, recorded on Microfilm Roll No. 79, approving request of F. E. Young Construction Company, dated April 30, 1954, for extension of 7

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days, to and including April 30, 1954, heretofore filed with the City Clerk, in which to complete contract for construction of San Diego Public Library, contract contained in Document No. 451108 on file in office of City Clerk; extending completion time to April 30, 1954, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

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

It was "An Ordinance amending Chapter IV of the San Diego Municipal Code by amending Sections 41.01.2, 41.09, 41.10, 42.0106, 42.0137; by adding thereto Sections 41.01.18, 41.12, 41.13, 41.35, and 42.0151; by renumbering certain sections; and repealing Section 41.17 Regulating Food Handlers".

Councilman Dail pointed out that the Ordinance, proposed, does not contain legislation regarding poultry. The ordinance presented is weak, if it does not regulate poultry handling on the City level, he stated.

The Mayor answered that he assumed that will be worked out.

Councilman Dail spoke of State regulation on meat packers, and referred to there being a "worse job".

Councilman Godfrey declared that there is no regulation on food handlers, now.

Councilman Dail charged that this is a flimsy ordinance.

The Mayor stated that Douglas D. Deaper, Deputy City Attorney, says that it can be sustained.

Mr. Deaper referred to there being a clause in the Code.

J. Maher, attorney, was heard. He spoke about copies of a letter which had apparently been handed to individual members of the Council (but the Clerk was not given one). He referred to the legislation proposed being called an enabling act. He said that the City should be careful to see if it is just to all. He insisted that the ordinance had been written and proposed by the County. "The tail is wagging the dog", according to him. He stated that the City is more involved than the County.

This matter was held, temporarily, to return to an earlier matter which had been postponed.

*

During an interruption in the Food Handling Ordinance matter, the Council returned to the Denver petition which had been shown on pages 87 and 90.

Glenn A. Rick, City Planning Director, reported that City Attorney DuPaul says that the matter is in the commission's hands, and that recommendation has been referred to the City Attorney.

The roll was called on the motion, and the petition of C. D. Denver was referred to the City Attorney and to the Planning Commission.

*

Councilman said that the City requested legislation on food handling. Section 13 of the California Chiropractor Act was quoted by Mr. Maher. He said that the California law covers chiropractors regarding examination and taking of blood tests. He charged that the Council would be abridging rights when it prohibits chiropractors. They can do all the examinations required under the ordinance, according to the speaker.

The Mayor referred to where they go on standards prescribed.

Mr. Maher told the Council that physicians are too busy to give their time to the examinations, and that they do not need the business.

There was discussion between various members of the Council and Mr. Maher regarding qualifications. There are requirements for the County Laboratory to make the serological tests, according to Mr. Maher. He stated that many laboratories are licensed to do such work, and there is no need for the County to jump in and say that it is their business, according to Mr. Maher. He informed the Council that he was not speaking for the laboratories, but for the chiropractors. He maintained that prospective food handlers should have the right to go to chiropractors for the necessary examinations.

Councilman Schneider was excused.

Mr. Maher told the Council that chiropractors can sign death certificates.

The Mayor said that it is necessary to go further than this Council, regarding M.D.'s and Chiropractors.

Mr. Maher said that the most important phase has to do with blood diseases. He said that there is strong feeling regarding M.D.'s and Attorneys in the professional fields.

In the meantime, during this discussion, the Council had telephoned for Dr. J. B. Askew, health officer.

The Mayor spoke to Dr. Askew regarding blood tests by the Board of Health laboratory.

Mr. Askew referred to previous examination having been required (under an old ordinance prior to consolidation of City-County Health Departments), and costs having borne by the department laboratory. He stated that Dr. Picard's laboratory did provide test for 50¢ regarding the serological tests. Dr. Askew said that it is for the reason of uniformity in processing reports that the present system is provided.

The Mayor referred to provision for examination by an M.D. or a surgeon.

The question arose on that point, through discussion from Mr. Maher, over licenses for physicians and surgeons. Mr. Maher objected to term regarding elimination of chiropractors.

Next, Dr. Barringer should explain regarding the chiropractor's education, according to Mr. Maher.

Dr. Barringer spoke about skin diseases, and that the State law requires

Hearing

Pet. reference to Plan. & Atty.

the same time for dermitology, and that qualification by the State law is the same requirement - under State law. He said that chiropractors require 4,200 hours of schooling over 4 years. There is now a pre-chiropractors' course, he said. He stated that they can use all diagnostic methods needed, including the drawing of blood.

Discussion was held between Councilman Wincote and Dr. Barringer, regarding time involved in the education.

Dr. Askew entered the discussion, upon Council request, by stating that some schools permit less than 4 years - if they can work faster. He had a copy of a letter addressed to Adm. Ray Tarbuck (member of the Board of Health), which he read. The same words are used as appeared in the 1938 ordinance, Dr. Askew related. It has been the same from the start, he stated. He said that they subject will be taken up at the Friday meeting (of the Board).

Councilman Godfrey said that the point is that what is adopted by the Board of Health is what will be in the ordinance. It could be amended, he stated.

Councilman Godfrey moved to refer the subject to the County Board of Health for recommendation to the Council, which motion was seconded by Councilman Burgener.

Dr. Barringer agreed that the Board of Health should act. Does the Council can pass the ordinance now - then amend it.

Councilman Godfrey replied "right", and added that he is a member of the Board of Health.

Mr. Maher declared that it is a tremendous job to amend an ordinance, once adopted.

Councilman Godfrey stated that many things have been amended - including the constitution of the United States. He wanted it adopted now, since it is of interest to the bulk of the citizens of San Diego. Interested persons have the opportunity for a fair hearing; the Council is not unfair or a dishonest body, he said.

Councilman Dail pointed out the difficulty in amending an ordinance. He said that it is becoming a regular procedure every day to adopt something, then try to amend it.

Councilman Godfrey said that if an amendment is offered, it will be adopted, if it is fair. He said that M.D.'s are only 2 out of 7 members on the Board of Health.

Councilman Wincote said that he was telling Dr. Barringer that he will not get anywhere with his plea.

The Mayor declared that the appeal should have been made to the Board of Supervisors, or to the Board of Health - not to the City Council.

Dr. Barringer said that this method was suggested; that interested persons did not want to go over anyone's head.

Councilman Godfrey asked about the County ordinance.

Mr. Deaper replied that it is identical to the one proposed here.

Councilman Dail said that the City does not have to conform to the County ordinance. On compensation insurance, all practitioners shall participate, according to him. They should be treated in the ordinance. He won't go for it, he stated.

On the motion to refer the subject of chiropractors, the following resolution was introduced.

RESOLUTION NO. 117937, recorded on Microfilm Roll No. 79, referring to the County Board of Health for recommendation to the Council, the matter of Chiropractors participating in making physical examination for food handlers, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Nays--Councilman Dail. Absent--Councilman Schneider.

On motion of Councilman Godfrey, seconded by Councilman Burgener, the Ordinance was introduced, by motion of Councilman Godfrey, seconded by Councilman Burgener, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilman Dail. Absent--Councilman Schneider.

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

It was an ordinance amending San Diego Municipal Code by adding a new section to be known as and numbered Section 101.0615 'Regulating Living Space - Dwellings.

Councilman Kerrigan moved to introduce the ordinance.

H. K. Heilman presented a letter of objection. He spoke regarding need to keep away from shacks in R-1 and R-2 Zones, but the Council is going into every piece of property. One week is a short time, he said.

Councilman Dail said that the Council could pass an emergency ordinance. He said that, however, there will be one week between introduction and adoption.

Mr. Heilman spoke of the situation having been as of now for 50 or 60 years. He instisted that the Council does not have to put out the fires today. There are City laws which are not right regarding bedrooms.

The Mayor said that the Council will allow persons to be heard next week.

Councilman Dail seconded by motion to introduce the ordinance.

Alan R. Essery, Building Contractor, said that the proposition was not fair, that interested persons had not had an opportunity to consider. He spoke in behalf of economically unfortunate, the poor, lame and blind, pensioners, and others who need low cost housing who had not been heard.

The Mayor said that they may have an opportunity.

Mr. Allen asked that the matter appear on the agenda, in the regular way - not presented under Unanimous Consent.

Councilman Dail told of the Council giving a break, in that the Ordinance could be adopted today.

Mr. Heilman said that he was not aware of the situation; many people did

117937

Ord. introduced

(food handlers)

U.C. & discussion (minimum area for houses)

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5/6/54

not understand. He said that there is need for 2 weeks to consider the Ordinance. He said that he needs time to buy space in the papers; the Council is trying to "choke" things down people's throats. There are only one-sided papers here, and his side of the issue can't be presented except through buying advertising, Mr. Heilman said.
There was discussion between Councilman Dail and Mr. Heilman.
The Mayor said that the Council will listen to people interested next week.
Mr. Heilman re-iterated that there is "not a fire".
The Mayor repeated that there will be a hearing next week.
Councilman Burgener said he would not object to 2 weeks.
The Mayor said don't hold the hearing now!
Councilman Wincote pointed out that the matter is going to come up next week, and that the Ordinance can be continued.
On motion of Councilman Kerrigan, seconded by Councilman Dail, the ordinance was introduced - with Councilman Schneider absent for the roll call.

The City Manager requested, and was granted, unanimous consent to present the next matter, not on the agenda.
RESOLUTION NO. 117938, recorded on Microfilm Roll No. 79, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expenses necessary or incidental for construction of Rest Room and Staff Building at 4096 - 54th Street, on East San Diego Park and Recreation Area, filed as Document No. 489833; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117939 is shown on page 90 of these Minutes.

There being no further business to come before the Council at this time, the meeting was adjourned by Mayor Butler at the hour of 12:28 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,
Thursday, May 6,
1954

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

The Regular Meeting was called to order by Mayor Butler at the hour of 10:03 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued from 2 previous meetings on appeal of Crandall Condra from decision of the Board of Zoning Adjustment granting permission to Anita Youngk, owner, and Mary C. and Olive Armstrong, purchasers, to construct and operate convalescent nursing home, with maximum of 30 single rooms, on Lot 7 Block 5 La Canada Villa Tract, 3704 Tenth Avenue, in Zone R-1, subject to conditions listed, the Mayor made a statement. He said that it had been verified that Mrs. Youngk has withdrawn (as the Armstrongs had, earlier). He said that the matter should be referred back to the Planning Commission on account of the close working with the Commission.

Councilman Godfrey entered.

117938 - 117939
Hearing

Glenn A. Rick, City Planning Director, said that he will recommend to the Zoning Adjustment Board action in connection with the withdrawal. He said that he does not have the Board record to show that it had been overruled, since it had held a hearing on the variance request.

There was discussion between Councilman Wincote and Mr. Condra over the method of handling the appeal and the variance.

Councilman Wincote declared that Mrs. Youngk has as many rights as Mr. Condra.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the entire matter was referred to the Zoning Adjustment Board.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing continued from May 4, it was resumed.

The City Manager spoke of negotiations with the State College and with E. L. Freeland, engineer, regarding street widening. He spoke of developing a tract on top of the hill, and that it is the desire to expedite the annexation as rapidly as possible. He said that property to be exchanged had been agreed to, and that he had a letter from the College to the effect that it feels additional conferences are necessary between representatives of the Steinbaum interests and representatives of the College to clarify some details concerning the proposed annexation. It requested that official action concerning annexation be delayed until there is further communication from the College concerning the proposal. The communication, signed by James J. Hunter, Jr., Executive Dean, and dated May 5, 1954, was addressed to O. W. Campbell, City Manager. The Manager said that the Council can hold the hearing, then close it. The matter can be referred to the City Attorney for ordinance - to be held until completed, according to him. He stated that the State College is interested in 2 matters: trading property, and in fraternity row which is a private deal.. The City Manager stated that the College had found that it could not purchase property for the purpose of fraternity houses.

Councilman Wincote said that he thought the City should not make acquisition of property contingent on anything. He said that he was impressed by the City Manager's statement regarding savings. He thought maybe request should be made for payment, in the case of all annexations. He wondered if the City should arrive at an annexation charge.

The City Manager replied that is being worked out.

Douglas D. Deaper, Deputy City Attorney, said that on the Steinbaum Tract the Council has to proceed under the State law - or it has nothing.

The Clerk reported that no protests had been received.

The Mayor wondered about request to continue the hearing.

Mr. Deaper reviewed requirements under the State law. He said that people who are negotiating with the State have to realize necessity for promptness. If they cannot come to any conclusion, the matter should be dropped, he said.

The Mayor advocated closing the hearing, in view of there being no protests.

Councilman Schneider moved to close the hearing.

Mr. Deaper said that if the Council were to wait for a month after closing the hearing, there would be a highly suspect act. He re-iterated that the State law has to be followed. The more the matter is delayed, the more expose there is.

The roll was called on the motion to close the hearing - made by Councilman Burgener - and the hearing was closed.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the matter was referred to the City Attorney for ordinance.

During the previously-mentioned hearing on Steinbaum Tract annexation, the question of charge in connection with annexation was made. During the discussion, the next Resolution was adopted, but it was listed at this point, so as not to cause an interruption in the minutes of the hearing.

RESOLUTION NO. 117940, recorded on Microfilm Roll No. 79, referring to Council Conference the question of establishing a surcharge in connection with annexations, and the City Manager's staff requested to make a check with relation to the subject and submit findings to the Conference, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117941, recorded on Microfilm Roll No. 79, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Laboratory Equipment for the Sewage Treatment Plant, in accordance with Document No. 489815 on file in the office of the City Clerk, 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 Municipal Code in connection with Bayberry (formerly Bay Park Vista Unit 4), subdivision of portions of Lots 13, 15, 16 and all of 14 Eureka Lemon Tract, was presented.

RESOLUTION NO. 117942, recorded on Microfilm Roll No. 79, suspending Sections 102.16-8, 102.18, 102.17-c of the Municipal Code in connection with Tentative Map of Bayberry, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

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Communication from Planning Commission, signed by Harry C. Haelsig, recommending reapproval of Tentative Map of Bayberry, subdivision of portions of Lots 13, 15, 16, and all of 14 Eureka Lemon Tract, subject to 11 conditions, was presented.

RESOLUTION NO. 117943, recorded on Microfilm Roll No. 79, approving Tentative subdivision map of Bayberry, formerly known as Bay Park Vista Unit No. 4, subject to conditions set out in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of 3 sections of the Municipal Code in connection with Revised Tentative Map of Clairemont Unit No. 4, was presented.

RESOLUTION NO. 117944, recorded on Microfilm Roll No. 79, suspending Sections 102.18, 102.17-c, 102.12-8 of San Diego Municipal Code in connection with revised Tentative Map of Clairemont Unit No. 14, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of revised Tentative Map of Clairemont Unit No. 14, subject to minor corrections, and on 10 conditions, was presented.

RESOLUTION NO. 117945, recorded on Microfilm Roll No. 79, approving Revised Tentative Map of Clairemont Unit No. 14, subdivision of portions of Pueblo Lots 1238 and 1239 into 159 lots, subject to conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Church of the Holy Spirit, 5204 Maple Street, San Diego 5, California, signed by Reverend Jos. P. O'Leary, Pastor, dated Apr. 30, 1954, was presented. It asks for repeal of Section 3 of Ordinance No. 5668 (New Series). It states that section calls for adoption of subdivision map before zone ordinance may take effect. The communication says that property in question is located in vicinity of 55th Street and Seifert Street, and is site of new church and parochial school. Also, it reports that "we" are ready to build and that it is desired that building permit be issued but not have time to prepare the map required. It states that in view of the fact that offer has been made and the City has accepted and dedicated land to widen Seifert Street and 55th Street in accordance with requirements of City departments, and that there is no need for filing subdivision map.

It was pointed out that Fr. O'Leary was present.

The Mayor spoke to the Planning Director regarding the request.

Mr. Rick, the Director, replied that it would be proper to delete Section 3. He spoke of having had many months to file, but that there has been a change in priests. He pointed out that Fr. O'Leary did not know of the condition relative to Section 3.

Father O'Leary spoke of having the streets graded out, and that there is a plan to pave - 36 feet wide, with sidewalks to come later.

Mr. Rick referred to there being no proper identification.

Asked who was to do the contracting, Fr. O'Leary replied that he is, and that he will sublet contracts.

On motion of Councilman Schneider, seconded by Councilman Burgener, the communication was referred to the City Attorney for elimination of Section 3 of Ordinance No. 5668 (New Series), covering Lot 3 C. C. Seaman's Subdivision being zoned into "R-2" Zone.

Communication from Boys' Club of San Diego, incorporated, 2930 Marcy Avenue, San Diego 13, dated April 27, 1954, signed by Irving E. Friedman, president, was presented. It thanks the Council on behalf of the Board of Trustees and the boys of San Diego for completing lease on portion of Pueblo Lot 1189 in Linda Vista so that it becomes possible to proceed with building a Boys' Club.

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

Communication from Asbestos Products Company, P.O. Box 988 - 1780 Kettner Boulevard - San Diego 12, California, dated May 3, 1954, was presented. The letter, signed by Wm. F. Steigerwald, states that the signer is owner of Lots 29 and 30 Block 30 in C Zone of La Jolla, and favors changing La Jolla C Zone to SC Zone. It states that he would sign a petition for the purpose of changing to the proposed zone.

On motion of Councilman Burgener, seconded by Councilman Scheider, it was ordered filed.

Communication from Elizabeth C. Fleet, (Mrs. Girton Fleet), 7667 Pepita Way, Post Office Box 479, La Jolla, dated April 29, 1954, was presented. It states that as a long-time property owner in La Jolla she is interested in maintaining the present restrictions, and that she favors changing the present La Jolla C Zone into a Suburban C Zone.

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

Communication from Lloyd L. Lee, president, San Diego Building Contractors Association requesting continuance of hearing on Ordinance Regulating Subdivisions, was presented. It also requests that they be advised of date of postponed hearing.

RESOLUTION NO. 117947, recorded on Microfilm Roll No. 79, referring to Council Conference communication from San Diego Building Contractors Association requesting postponement for at least 30 days hearing scheduled for May 4 on proposed subdivision ordinance, was on Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from San Diego County Water Authority, 314-321 Land Title Building, signed by Fred A. Heilbron, Chairman of the Board, dated May 3, 1954, was presented. It states that the Authority Board is arranging a trip over the Colorado River Aqueduct.

The Mayor read regarding the trip.

Councilman Dail said it is an interesting trip; he has taken it.

Councilman Wincote agreed; so has he taken it.

Councilman Kerrigan stated that he is going.

Councilman Wincote was excused.

RESOLUTION NO. 117948, recorded on Microfilm Roll No. 79, authorizing City Manager to enter into contract with Ed Fletcher Company, on behalf of The City of San Diego, wherein Ed Fletcher Company will agree to give to the City forthwith an option to purchase over a period of five years any one or more of five parcels of land (on San Dieguito River) more particularly described in the option; and further authorize City to use any or all of the parcels of land during term of the contract for water development purposes, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

Resolution states City Manager has recommended that City enter into agreement, to be secured by the City for development of additional supply of water for use of City and its inhabitants.

Asked questions about the proposal, the City Manager explained it to the members of the Council, substantially as set out in the Resolution.

Communication from City Engineer, with City Manager's stamp of approval, reporting completion of Clairemont Unit No. 5 subdivision, was presented. It states that all charges owed the City have been paid, and that \$476,805 bond of Glens Falls Indemnity Company posted may be released since water mains and appurtenances have been quitclaimed.

RESOLUTION NO. 117949, recorded on Microfilm Roll No. 79, authorizing City Manager to accept work on behalf of The City of San Diego in Clairemont Unit No. 5 Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from City Engineer, with City Manager's stamp of approval, reporting completion of Clairemont Unit No. 6 subdivision, was presented. It states that all charges owed the City have been paid, and that \$176,000 bond of Glens Falls Indemnity Company posted may be released since water mains and appurtenances have been quitclaimed.

RESOLUTION NO. 117950, recorded on Microfilm Roll No. 79, authorizing City Manager to accept work on behalf of The City of San Diego in Clairemont Unit No. 6 Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117951, recorded on Microfilm Roll No. 79, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego, a contract with Clairemont Company, a co-partnership, for installation and completion of unfinished improvements and setting of monuments required for Clairemont Point Subdivision; directing the City Engineer to present an ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117952, recorded on Microfilm Roll No. 79, adopting Map of Clairemont Point Subdivision, being subdivision of portion of the North half of Lot 7 of Eureka Lemon Tract, together with portion of Baker Street adjoining Lot 7 on the north as vacated and closed to public use; accepting on behalf of the public unnamed easements shown on the map for public purposes; declaring the easements to be easements and dedicated to public use; authorizing and directing the Clerk to endorse upon the map, as and for the act of the Council, that the unnamed easements are accepted on behalf of the public; 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 Dail, adopted.

RESOLUTION NO. 117953, recorded on Microfilm Roll No. 79, authorizing John McQuilken, City Auditor and Comptroller, to attend the Mayors' and Councilmen's Institute, to be held in Santa Barbara, California, June 3 and 4, 1954; authorizing the incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 117954, recorded on Microfilm Roll No. 79, authorizing and empowering the City Manager to construct incidental tanks, urinals and miscellaneous facilities at Lower Otay, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The Resolution states that Director of the Water Department has recommended the installation, that the City Manager has submitted estimates for construction and has indicated that it can be done by City forces more economically than if let by contract.

RESOLUTION NO. 117955, recorded on Microfilm Roll No. 79, authorizing and empowering the City Manager to do all the work in connection with installation of an 8-inch pipeline with 6-inch 2-way fire hydrant and meter vault to house 4-inch meter with back-flow protector and detector check valve for Mission Valley Country Club, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The Resolution states that Director of the Water Department has recommended the installation, that the City Manager has submitted estimated for the work, and has indicated that it can be done by City forces more economically than if let by contract.

RESOLUTION NO. 117956, recorded on Microfilm Roll No. 79, granting request of Lo-Fare Cab permission to withdraw 6 taxicabs from the Streets, under Section 72.01 of the Municipal Code, request filed in writing with City Clerk as Document No. 489964, effective when and if the Company returns to the Police Department identification card and metal tab signifying approval of the particular vehicles as taxicabs until such time as new cards and tabs may be issued to vehicles qualifying as taxicabs, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 117957, recorded on Microfilm Roll No. 79, granting permission to San Diego Unit 6 American Legion Auxiliary for the San Diego Auxiliaries of the American Legion, to conduct annual sale of poppies on streets of The City of San Diego May 28 and 29, 1954, for purpose of raising funds to replenish welfare treasury of American Legion for continuance of rehabilitation work among needy veterans and their families, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117958, recorded on Microfilm Roll No. 79, granting permission to Mallory & Wood Barber Shop (By George L. Mallory, owner), and Deacon Plumbing Co., to transfer vent assembly from 2828 University Avenue, to new location at 2910 University Avenue - proposed assembly will be entirely exposed in Barber Shop at 2910 University Avenue - subject to approval of Chief Plumbing Inspector and City Manager, and upon conditions contained in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 117959, recorded on Microfilm Roll No. 79, accepting subordination agreement, executed by Carl E. Dewey and Beatrice L. Dewey, beneficiaries, and Securities Trust & Savings Bank of San Diego, trustees, bearing date April 22, 1954, wherein the parties subordinate all their right, title and interest in and to portion of Pueblo Lot 1788, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117960, recorded on Microfilm Roll No. 79, accepting subordination agreement, executed by Home Federal Savings and Loan Association, beneficiaries, and Southern Title and Trust Company, trustee, bearing date April 21, 1954, wherein they subordinate all their right, title and interest in and to a portion of Lot 19 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117961, recorded on Microfilm Roll No. 79, accepting deed of Robert LeRoy Shrum and Leases Shrum, bearing date April 14, 1954, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 1788; 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. 117962, recorded on Microfilm Roll No. 79, accepting subordination agreement, executed by Silver Gate Building and Loan Association, beneficiaries, and Union Title Insurance and Trust Company, trustees, bearing date April 22, 1954, wherein the parties subordinate all their right, title and interest in and to portion of Lot 17 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117963, recorded on Microfilm Roll No. 79, accepting deed of San Diego Gas & Electric Company, bearing date April 26, 1954, conveying portion of West Half of Northeast Quarter of Pueblo Lot 1152; authorizing and directing City Clerk to file the deed for record in office of 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. 117964, recorded on Microfilm Roll No. 79, accepting deed of Hugo J. Raithel and Agnes B. Raithel, bearing date January 28, 1954, conveying easement and right of way for sewer purposes in portion of Lot 17 Victory Manor; authorizing and directing City Clerk to file the deed for record in office of 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. 117965, recorded on Microfilm Roll No. 79, accepting deed of Jesus E. Rincon and Carmen C. Rincon, bearing date January 30, 1954, conveying easement and right of way for sewer purposes in portion of Lot 19 Victory Manor; authorizing and directing the City Clerk to file the deed for record in 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.

Councilman Wincote returned

On motion of Councilman Schneider, seconded by Councilman Godfrey, Ordinance incorporating portion of Lot 18 and portion of Lot 21 Lemon Villa into R-4 Zone, as defined by Section 101.0408 of the San Diego Municipal Code and repealing Ordinance No. 13559 adopted July 11, 1932, and Ordinance No. 184 (New Series) adopted March 20, 1933, insofar as they conflict, was introduced - and hearing set for May 27, 1954.

On motion of Councilman Godfrey, seconded by Councilman Burgener, Ordinance incorporating portion of Pueblo Lot 1175 and Linda Vista Unit No. 2 into R-1 Zone, RC Zone and C Zone, as defined by Sections 101.0405, 101.0409 and 101.0411 respectively of the San Diego Municipal Code and repealing Ordinance No. 13457 approved February 15, 1932, and ordinance No. 3729 (New Series) adopted May 4, 1948, insofar as they conflict, was introduced - and hearing set for May 27, 1954.

On motion of Councilman Burgener, seconded by Councilman Godfrey, Ordinance incorporating portion of Lot 16 Rancho Mission into CP Zone and C Zone, as defined by Sections 101.0410 and 101.0411 of the San Diego Municipal Code and repealing Ordinance No. 116 (New Series), adopted January 3, 1933, insofar as it conflicts, was introduced - and hearing set for May 27, 1954.

RESOLUTION NO. 117966, recorded on Microfilm Roll No. 79, electing Councilman Charles B. Wincote to serve as Vice Mayor of The City of San Diego, succeeding Councilman Charles C. Dail, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Councilman Schneider moved, and Councilman Godfrey seconded the motion to thank Councilman Charles C. Dail for his services as Vice Mayor. The roll was not called or Resolution numbered, inasmuch as the question was not called for.

It was intimated that the matter was not to be acted upon at this time, and the Clerk assumed that a resolution prepared by the City Attorney would be presented.

RESOLUTION NO. 117967, recorded on Microfilm Roll No. 79, accepting deed of James H. Rightenour and Vivian Rightenour, bearing date April 14, 1954, conveying

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Ords introduced, and
hearings set

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portion of Lots 9, 10, 11, 12 Block 4 The Dells Park; setting aside and dedicating the land to the public use as and for public street and naming it Wabash Boulevard; authorizing and Directing City Clerk to transmit the deed, together with certified copy of the Resolution, to the City Properties Department for recording when escrow instructions have been complied with; rescinding Resolution No. 117744 passed and adopted April 22, 1954; was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted. *escrow*

The Mayor said that the Harbor Department had left recommendations regarding salaries, and that the Commission would not have to come to tonight's salary hearing.

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At the hour of 10:33 o'clock A.M. the Council took a recess until 11:00 A.M. - or later.

Upon reconvening, at the hour of 12:02 o'clock Noon, the roll call showed the following:

Present--Councilmen Burgener, Dail, Godfrey, Mayor Butler.

Absent---Councilmen Schneider, Kerrigan

Clerk----Fred W. Sick

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(This discussion was carried on before the recess).

In connection with the next matter, Planning Director Glenn A. Rick told the Council that he had a letter regarding approval - which he filed. The letter, from the Planning Commission, signed by P. Q. Burton, was presented. It states that on May 5, 1954, the Planning Commission reconsidered previous action of denial on proposed rezoning of The Highlands-New Riverside area, which had previously been referred back to the Planning Commission - Commission's denial is contained in Document No. 486857. The communication says that the Commission discussed with the owner of Lot 38 The Highlands his particular situation and were persuaded that substantial justice would be done and that no harm to surrounding property would result if that portion of his lot designated R-1C on original zoning pattern be rezoned to R-1. It reports that the Commission voted 4-1 to recommend that approximately 1/2 of the lot as shown on drawing No. B-598 be zoned R-1C; that it constitutes a report but not a recommendation. The property is now zoned under an interim zone Ordinance No. 5890.

Douglas D. Deaper, Deputy City Attorney, said that all the Council can do is introduce the ordinance.

Councilman Godfrey advocated passage of a Resolution indicating the Council's intention to adopt such an ordinance - to help Mr. Denver in securing financing.

Mr. Deaper said that a resolution direction preparation of an ordinance would be proper. He advised that it could be done for tonight.

Councilman Wincote said that the Council can recess, then act today if the Ordinance is ready.

On motion of Councilman Wincote, seconded by Councilman Dail, Ordinance incorporating portion of Lot 38 The Highlands into R-1C Zone; repealing Ordinance No. 5890 (New Series) insofar as the same conflicts, was introduced, by the following vote, to-wit: Yeas--Councilmen Burgener, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Schneider, Kerrigan.

The Council recessed immediately upon introduction of the ordinance, until the hour of 7:00 o'clock P.M. (for the Salary hearing)

Upon reconvening, at the hour of 7:09 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

The meeting was called to order by Mayor Butler, stating the purpose of the meeting is to consider the recommendation of the Civil Service Commission on the 1954-1955 classification and compensation schedule for City employees.

The Mayor recognized Miss Mary Harvey, representing the San Diego Municipal Employees', Inc. She read from a detailed statement concerning the Civil Service Commission's salary recommendations for the fiscal year 1954-1955. Mayor Butler requested that the reading of the statement be shortened as each member of the Council had a copy of the statement and could study it in connection with the salary considerations. Councilman Dail wanted to make said study, during salary considerations by the Council. Councilmen Schneider and Kerrigan wanted to read the recommendations at their convenience. Miss Harvey then read the list of classes recommended by the San Diego Municipal Employees', Inc. for salary raise. Councilman Schneider asked Miss Harvey about the request for increase

in salary for the Tabulating Equipment Operator and Key Punch Operator, asking if they were highly skilled. She reported that they were. Said recommendation was filed for the record.

The Mayor then recognized Otto Hahn representing the San Diego County and Municipal Employees, Local Number 127. Mr. Hahn requested permission to have Mr. Ray W. Shukraft representing the San Diego Fire Department, speak. Mr. Shukraft was recognized by the Mayor. Mr. Shukraft urged consideration of the previously requested 5% raise for the Fire Fighters, stating that three cities outside of the San Diego area have given raises since the April 10th request for 5% by the Fire Fighters.

Mr. Hahn then spoke. He agreed with the statement filed by the San Diego Municipal Employees', Inc., on the Civil Service Commission's salary recommendation. Mentioned the lack of time between the Civil Service recommendation and this meeting tonight to analyze said Civil Service Commission's salary recommendation. He filed a communication in that connection for the record.

John Quimby, Secretary of the Central Labor Council, was introduced by Otto Hahn. The Mayor recognized Mr. Quimby. Mr. Quimby spoke on behalf of the Fire Fighters request for a 5% salary increase and other fringe benefits. He also spoke on behalf of the Local 127's request for a blanket increase in salary for all employees and special recognition of specific groups.

Morey Collins, Secretary of the Electrical Union, was introduced by Otto Hahn. The Mayor recognized Mr. Collins. Mr. Collins spoke on behalf of Electricians. Stated that the Civil Service has recommended NO salary increase for Electricians. He made a comparison of the Electricians working for the City and those working for the San Diego School System; State Forestry; San Diego State College; Union-Tribune Publishing Company; Marston's; U.S. Grant Hotel and others. Stated they are receiving the prevailing rate of pay for Electricians. The City pays at the top of the bracket being \$417.00.

Lester Morell, International Secretary of the Electrical Workers, was introduced by Mr. Morey Collins. The Mayor recognized Mr. Morell. Mr. Morell verified the statements made by Mr. Collins and Mr. Hahn on the request for pay recognition of the Electrical Workers and pointed out the need of such recognition because of the highly technical nature of their work.

Mr. Hahn then stated that this concluded their presentation of statements and facts.

Mrs. Estelle Henderson spoke at this time. Requested City Council give consideration to employees' request for 5% raise in salary.

Bill Krooskos, Assistant Civil Engineer in the Harbor Department was recognized by the Mayor. He spoke particularly on Engineers working for the City of San Diego. Calvin Brown, Associate Engineer of the Water Engineer's Department presented some graphs to the Council showing salaries paid Engineers over the State of California. Mr. Krooskos pointed out on the graphs the differences in salaries paid Engineers over the State and salaries paid the Engineers working for the City of San Diego. Said graphs were filed for the record.

Berlyn Cook, Police Department representative was recognized by the Mayor. He requested consideration be given to the Police Department personnel. Requested adjustments on paid holidays and vacation of twenty days.

Mrs. Charlotte A. MacLennan, Police Matron spoke at this time, asking for a step increase for Police Women. Stated that the women work the same shifts and do the same work as the Patrolmen.

The Mayor asked if a representative of the Budget Office wished to speak. Mr. Loren McCannan stated that the letter filed with each Councilman was self-explanatory.

John C. Leppart, a representative of the San Diego Taxpayers' Association spoke at this time on the methods of comparison of City wages and wages paid by private employers and by other public agencies. A letter from said Association was filed for the record.

Mayor Butler asked for statements from interested City Employees.

Ellen Murray, Senior Clerk in the Water Commercial Department, spoke on behalf of Grace Sloan, George Poole and herself. Asked the Council to note the differences in the recommendations for Field Men and Supervisors in the department. She filed a letter with each Councilman but no letter for the record.

Clark M. Foote, Jr. spoke on behalf of himself as Assistant City Clerk. A statement from Mr. Foote was filed for the record.

Earl A. Wentworth, President of the San Diego Municipal Employees' Association, Inc., urged the Council to give favorable consideration to the employee's request for a 5% raise in salary.

Mary Billick, Secretary in the Police Department asked consideration be given to her letter, which she had previously filed with the Mayor.

At this time the meeting was declared adjourned at 9:05 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.

5/11/54

REGULAR MEETING

Chamber of the Council of The City of San Diego, Tuesday,
May 11, 1954

Present---Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.
Absent---Councilmen None
Clerk----Fred W. Sick

The Mayor announced that the invocation, according to the Council's custom, would be observed through silent prayer in the absence of a minister. At the Mayor's direction, all arose.

Service awards were made by the Mayor, to the following City employees, honoring their long-time service:
Walter Quinn, Sr., member of the Sanitation Division of the Public Works Department - 35 years;
Roy L. Hasha, General Foreman for the Water Distribution Division at La Jolla, - 30 years;
William Amos Spillers, construction and maintenance man in the Water Distribution Division - 25 years;
S. H. Shawver, Captain in the Fire Department - 20 years;
Graham Roland, Captain in the Detective Division of the Police Department - 20 years.
The Mayor invited the men to his office for coffee, and for a press photographs.

The Minutes of the Council for the meetings of Tuesday, May 4, 1954, and of Thursday, May 6, 1954, were presented by the Clerk
On motion of Councilman Godfrey, seconded by Councilman Schneider, 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 ornamental street lighting construction in 30th Street, Upas Street, Ray Street and University Avenue, under Resolution of Intention No. 117674, the Clerk reported that 3 bids had been received, which were presented to the Council.
On motion made and seconded, they were publicly opened and declared.
The bids were as follows:
California Electric Works, accompanied by bond written by Pacific Indemnity Company in the sum of \$2,000.00, given Document No. 490182;
Ets-Hokin & Galvan, accompanied by bond written by Federal Insurance Company in the sum of \$3,000.00, given Document No. 490183;
J. M. Burkhart dba Chula Vista Electric Company, accompanied by bond written by American Surety Company of New York in the sum of \$1,748.40, given Document No. 490184.

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 time set for hearing on Resolution of Intention No. 117456 for paving and otherwise improving Alleys Block 66 Resubdivision of Blocks 39 and 56 Normal Heights, the Clerk reported that written protests had been received from George & Hazel Eaton, Lawrence & Jessie M. Strakon, which were presented by the Clerk.

The City Engineer reported a 5.7% protest on area.
The Mayor inquired if any interested affected property owners were present to be heard.

No one appeared to be heard, and no additional protests were presented.
RESOLUTION NO. 117968, recorded on Microfilm Roll No. 79, overruling and denying protest of Lawrence and Jessie M. Strakon, George and Hazel Eaton, against improvement of Alleys Block 66 Resubdivision of Blocks 39 and 56 Normal Heights, under Resolution of Intention No. 117465; overruling and denying all other protests; 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 Resolution Ordering Work.

Service awards
117968
Bids

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 117466 for paving and otherwise improving Quimby 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 Burgener, 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. 117467 for 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 reported that a written protest had been received from Mrs. Alyce R. Hyde, which was presented to the Council.

The City Engineer reported a protest of 1.5% based on statement of no need.

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. 117969, recorded on Microfilm Roll No. 79, overruling and denying protest of Alyce R. Hyde against 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 Intention No. 117467; 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, 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. 117468 for installation of sewer mains and appurtenances in Maple Street, Laurel Street, 44th Street, Alleys in Swan's Addition and Swan's Second Addition; 45th Street, Highlands Avenue, Public Rights of Way, Olive Street and Fairmount Avenue, 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 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 the Street Superintendent's Assessment No. 2227 made to cover the cost and expenses of paving and otherwise improving 37th Street under Resolution of Intention No. 112141, 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. 117970, recorded on Microfilm Roll No. 79, confirming and approving the Street Superintendent's Assessment No. 2227 made to cover cost and expenses of paving and otherwise improving 37th Street, T Street and Jewell Drive, under Resolution of Intention No. 112141; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in manner and form provided by law; directing to record it in his office, 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. 2228 made to cover costs and expenses of paving and otherwise improving Alley Block 139 University Heights, Tyler Avenue and Public Rights of Way, under Resolution of Intention No. 112879, the Clerk reported that no written appeals had been received.

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

A man whose name was either Belched or Belcher, appeared (his name did not appear as owner on the assessment list for the property he mentioned), and asked about the cost in connection with Lots 38 and 39.

The City Engineer gave the inquirer the information.

Councilman Kerrigan was excused.

The previously-mentioned speaker spoke about paving being broken, and about the drain having been closed.

The City Engineer spoke about a gully where there was a corrugated culvert, which has been filed in by property owners.

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Councilman Kerrigan returned to the meeting.

The City Engineer showed to the Council a plat of the improvement, and property involved. He agreed that there is no benefit from the culvert, in that it had been filled up after the job was finished.

Charles Taylor said that the drain had been put in the center of his property, that Mr. Belched(?) would not fill in his property.

Mr. Belched (?) said that he wants the alley fixed.

Asked about the crack, Mr. Taylor replied that it is not near his drain.

The City Engineer, asked for a report, said that it is not a serious crack.

Mr. Dennis, representing the contractor, said that he had examined the crack down the center of the alley, which he said resulted from soil expansion and contraction.

The Mayor referred to the City's responsibility, and said that if it cracks more, it will be corrected.

Mr. Belched (?) said that it means nothing to property owners who pay, if the drain does not drain the property.

Councilman Burgener spoke to Mr. Belched (?). He stated, also, that the City will correct the situation if the alley is not servicable.

Mr. Belched (?) said that the City Engineer failed....

Councilman Schneider addressed the speaker regarding the soil, and stated that the City Engineer had done the best possible. He referred to expense being possibly met by the City.

Mr. Belched (?) said that the work called for had not been done.

Councilman Wincote said that the City cannot control the crack, on account of the soil condition.

The appellant said that the dirt is going to wash down from the hill.

RESOLUTION NO. 117971, recorded on Microfilm Roll No. 79, requesting the City Engineer to investigate and report on the drainage in connection with public improvement under Assessment No. 2228 made in connection with paving and otherwise improving Alley Block 139 University Heights, Tyler Avenue and Public Rights of Way, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117972, confirming and approving the Street Superintendent's Assessment No. 2228 made to cover the costs and expenses of the paving and otherwise improving the Alley in Block 139 University Heights; Tyler Avenue and Public Rights of Way, under Resolution of Intention No. 112879; overruling and denying all other appeals; 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing of electric current for the lighting of ornamental street lights located in San Diego Lighting District No. 3, for a period of one year from and including July 16, 1954, the Clerk reported that no written protests had been presented.

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

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

RESOLUTION NO. 117973, recorded on Microfilm Roll No. 79, confirming the proposed assessment for furnishing electric current for lighting San Diego Lighting District No. 3, contained in Engineer's Report and Assessment filed in the office of the City Clerk April 2, 1954; adopting the report as a whole, 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. 117572 of Preliminary Determination for paving and otherwise improving Alleys in Block 3 Alhambra Park, 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 verbally, and no written protests were presented.

RESOLUTION NO. 117974, recorded on Microfilm Roll No. 79, determining that the improvements in the Alleys Block 3 Alhambra Park, provided in Resolution No. 117572 of Preliminary Determination, is feasible and that lands to be assessed therefor 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 Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 117573 of Preliminary Determination for paving and otherwise improving Alleys in Block 12 Normal Heights, the City Engineer reported a written protest of 48.5%.

Mrs. Eugene Buysse said that it was she who had submitted the protest.

The Mayor pointed out that it was not a majority protest.

The City Engineer said that the protest was on an area basis, whereas the original protest calling for the work was on frontage. He said that there is still a majority of frontage for the work. He showed a plat.

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Mrs. Buysse maintained that only 2 have use for the alley.
The Mayor pointed out that there is still a majority of frontage on the alley in favor of its improvement.

Councilman Dail said that the frontage gets the brunt of the bill.

Mrs. Richard W. Nelson said that she was in favor, for 3 reasons, which she enumerated:

1. It provides a protection; the alley is the only way out for some;
2. Improvement would increase the property value;
3. There would be usability of the alley if improved.

N. D. Zinck asked what benefit there would be. There are not 2 cars a year which use the alley.

Councilman Dail said that it is an odd-shaped alley.

The City Engineer, answering questions about the assessment, said that it would be 80% on frontage; 20% on area.

Councilman Dail entered into discussion with the City Engineer regarding the assessment, and spoke of an unusual breakdown.

Councilman Godfrey asked about the assessment estimate on Lots 21 & 22.

Willard Olson, of the City Engineer's office replied about \$20.00 or \$25.00.

Mrs. Buysse said that she had been told by the Engineer's office that it would be perhaps \$30.00.

Mr. Olson spoke to the Council, relative to Lot 8, which he said would be not over \$300.00.

Mr. Zinck asked if somebody would put that on paper and sign it.

Mr. Olson replied that Mr. Zinck can ask for an estimate, and that the answer will be given in writing.

Mr. Zinck said that he does not like the "way have gone about it".

Councilman Godfrey said that the engineer is governed by State law, but that he is not trying to withhold information about a probable assessment.

Councilman Schneider spoke directly to Mr. Zinck.

There was discussion between the City Engineer and individual councilmen.

Next, there was discussion between Councilmen.

Mr. Zinck asked if it was necessary to pave both alleys. One alley has no value, according to him.

Mrs. Madeleine G. Easterday said that she had hardly ever seen anyone use the alley.

Mrs. Nelson told of "everyone having thrown trash" in the alley. Would the City consider one alley, she asked.

Mrs. Buysse said that Mrs. Nelson needs the alley: she has 2 Cadillacs, 1 Chevrolet and a boat.

Mrs. Elora G. Hubbard asked how much taxes would go up on account of the paving. She said she signed the protest.

Councilman Godfrey showed a map to Mrs. Hubbard.

Councilman Schneider told Mrs. Hubbard that the value of the building would go up slightly.

Mrs. Buysse said that the area is R-1 property, that truck owners want the paving, that every one who signed has a truck.

Glenn K. Haffly favored the paving. He said that it is an impassable alley, that autos and trucks bog down. It is a dust problem, he said said that there are dozens and dozens of cars each day.

RESOLUTION NO. 117975, recorded on Microfilm Roll No. 79, overruling and denying protests of Mrs. Eugene Buysse et al, N. D. Zinck, Mrs. Madeleine G. Easterday and Mrs. Elora G. Hubbard, against proposed improvement of Alleys in Block 12 Normal Heights, under Resolution of Preliminary Determination No. 117573; overruling and denying all other protests, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

Mrs. Buysse said that Mrs. Nelson and Mr. Haffly want the zone changed.

RESOLUTION NO. 117976, recorded on Microfilm Roll No. 79, determining that improvement of Alleys in Block 12 Normal Heights, under Resolution No. 117573 of Preliminary Determination is feasible and that lands to be assessed therefor will be able to carry 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, the time set for hearing on Resolution No. 117574 of Preliminary Determination for paving and otherwise improving 67th Street, Mohawk Street, Bowman Lane, 68th Street, Saranac Street and Public Right of Way, the Clerk reported that no written protests had been received.

An unidentified man asked about the cost.

Councilman Dail referred to bid costs, and stated that unusually low bids, less than estimates are being received.

The same man said that there is a question of type.

An unidentified woman said she had no protest, but asked what work was to be done.

Mr. Olson replied it would be an intersection to affect her.

RESOLUTION NO. 117977, recorded on Microfilm Roll No. 79, determining that improvement of 67th Street, Mohawk Street, Bowman Lane, 68th Street, Saranac Street and Public Right of Way, within limits and as described in Resolution No. 117574 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 Dail, seconded by Councilman Schneider, adopted.

A man, who did not identify himself either, spoke about tree removal and the cost, permits for their removal, etc. He said that a right of way had been given.

Mr. Olson stated that the tree removal would be included in the bid cost.

Petition for annexation to the City of San Diego of territory known as "Rolando Tract No. 2", was presented.

On motion of Councilman Schneider, seconded by Councilman Burgener, it was referred to the City Manager.

Communication from the Purchasing Agent, with the Assistant to City Manager's stamp of approval, reporting on bids received for furnishing resuscitators and extra cylinders, received from 4 bidders, was presented. It states identical bids were received, and it was decided by lot to award to California Fire Equipment, Incorporated, at price of \$420.00 for 4 resuscitators, and \$35.00 each for 4 extra cylinders, plus sales tax, terms 2% - 20 days.

RESOLUTION NO. 117978, recorded on Microfilm Roll No. 79, accepting bid of California Fire Equipment, Incorporated, to furnish 4 resuscitators and 4 extra cylinders - for Civil Defense - 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 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 300 reinforced concrete fire rings 48" in diameter, received from 2 bidders, was presented. It recommended award to American Pipe and Construction Company, low bidder, at \$10.50 each, less discount of 5%, plus sales tax.

RESOLUTION NO. 117979, recorded on Microfilm Roll No. 79, accepting bid of American Pipe and Construction Company for furnishing 300 reinforced concrete fire rings 48" in diameter; 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 the Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for construction of 2 houses and garages - at Torrey Pines Filter Plant and Lower Otay Reservoir for Water Department, received April 27, 1954, from 4 bidders, was presented. It recommended award to Al E. Riley, low bidder, in the amount of \$12,892.00 for both houses - estimate was \$8,500.00 each.

RESOLUTION NO. 117980, recorded on Microfilm Roll No. 79, accepting bid of Al E. Riley for construction of 2 houses and garages - at Torrey Pines Filter Plant and Lower Otay Reservoir - 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 Dail, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117981, recorded on Microfilm Roll No. 79, rescinding Resolution No. 117769 for installation of Traffic Signals at intersections of Mission Boulevard at Garnet Street, and B Street at 9th Avenue, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 117982, recorded on Microfilm Roll No. 79, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of Traffic Signals at intersections of Mission Boulevard at Garnet Street, and B Street at 9th Avenue, bearing Document No. 490088; authorizing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117983, recorded on Microfilm Roll No. 79, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Painting Exterior Surfaces of 5 Elevated Tanks and 1 Standpipe, bearing Document No. 490087; 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 suspension of 4 sections of the Municipal Code in connection with Fleetridge Unit No. 3, was presented.

RESOLUTION NO. 117984, recorded on Microfilm Roll No. 79, suspending Sections 102.12-8, 102.1608, 102.18, 102.17-c of the San Diego Municipal Code in connection

with Tentative Map of Fleetridge Unit No. 3, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Fleetridge Unit No. 3 - resubdivision of Lots 165-168 inclusive of Fleetridge Unit No. 2 - for 4 lots to be located at Garrison Street and Garrison Place to be divided into 5, subject to 4 conditions, was presented.

RESOLUTION NO. 117985, recorded on Microfilm Roll No. 79, approving Tentative Map of Fleetridge Unit No. 3, subject to conditions contained in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Spindrift - in compliance with Tentative Map approved by Resolution No. 115699 - except that minor amendment to setback line on Lots 4 and 5 adjacent to Lowry Terrace, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 117986, recorded on Microfilm Roll No. 79, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with W. D. Johnson, Jr. and Susan G. Johnson, husband and wife, for installation and completion of unfinished improvements and setting of monuments required for Spindrift subdivision; directing the City Engineer to present an ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 117987, recorded on Microfilm Roll No. 79, adopting Map of Spindrift Subdivision, being subdivision of portion of Pueblo Lot 1286; accepting on behalf of the public unnamed easements shown for public purposes, declaring them to be dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that they are accepted on behalf of the public; directing 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 Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on petition of San Diego Unified School District proposing to rezone from R-1 to R-2 a 10-acre parcel of land surrounded on 3 sides by Fairmount Park in Zone R-1 and on south by Marilou Park in Zone R-2 - accessible by way of Rowan Street and Colonial Avenue leading off of Rowan Street, was presented. It states that proposed school site lies north of Federal Boulevard and Home Avenue, east of Wabash Freeway and south of Lexington Park. The report states that there was a 4-0 vote on recommendation.

RESOLUTION NO. 117988, recorded on Microfilm Roll No. 79, requesting the City Attorney to prepare and present the necessary ordinance for rezoning from R-1 Zone to R-2 of portion Lot 9 Ex-Mission Lands, upon which hearing will be set, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on petition of San Diego Unified School District asking that 11.1-acre parcel of land be rezoned from R-1 to R-2 for new elementary school site - near Chollas Reservoir - south of tier of residential lots located on south side of Redwood Street between Juanita Street and 60th Street. The report states that there was a 4-0 vote on the recommendation.

RESOLUTION NO. 117989, recorded on Microfilm Roll No. 79, requesting the City Attorney to prepare and present the necessary ordinance for rezoning from R-1 to R-2 Zone of portion S.1/2 NE 1/4 Sec 34, TWP. 16 S., R2W, S.B.B.M, near Redwood and 60th Streets, upon which hearing will be set, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Glenn A. Rick, submitting papers relative to the Old School House in Old Town, upon which request had been made to report on authenticity of the school, and recommend a suitable site, was presented. It states that item of authenticity is fully covered in accompanying report from Ben F. Dixon, Curator, S.D. Historical Society, Junipero Serra Museum. Also, it says that inasmuch as the structure is located on Mason Street on public property near site where built, and there appears to be no more appropriate spot to locate the building, it recommends that it remain where it is.

RESOLUTION NO. 117990, recorded on Microfilm Roll No. 79, referring to Council Conference communication from the Planning Director relative to school building in Old Town area, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Manager reporting on petition of George Todd for acceptance of portion of Block 3 Buena Vista Tract for street purposes, was presented. It states matter has been reviewed by the Planning Commission, and after obtaining recom-

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mendations of various departments, with result that on April 27, 1954, the Commission unanimously voted to recommend acceptance of the street through filing of subdivision map. It states that petitioner has been advised by copy of the letter that he should contact the Planning Department relative to the proposed subdivision map.

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

Petition of P. J. Fazio for cabaret license at 3815 - 30th Street, known as Club Manhattan, was presented together with recommendations for approval.

RESOLUTION NO. 117991, recorded on Microfilm Roll No. 79, granting permission to P. J. Fazio to conduct cabaret with paid entertainment at 3815 30th 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 Kerrigan, adopted.

Petition of S. H. McIntosh for cabaret license at 647 Market Street, known as McDini's Cafe, was presented together with recommendation for approval.

RESOLUTION NO. 117992, recorded on Microfilm Roll No. 79, granting permission to S. H. McIntosh to conduct cabaret with paid entertainment at McDini's Cafe, 647 Market 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 Wincote, adopted.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, reporting on petition to close Addison Street between east line of Shafter Street and Mean High Tide Line, was presented. It states that Addison southeasterly from Shafter is surfaced and used for access and parking space for adjacent property; there is a 10" sewer and a 6" water main in portion of Addison, both of which could be extended to serve property in the tidelands adjacent to Anchorage Lane (an improved street on tidelands parallel to Shafter Street). The report says that closing the portion of Addison would be in conflict with Section 102.04 of the Municipal Code which requires "those streets leading to said bay front or ocean front shall run and be open to the mean high tide line". It recommends denial of the petition.

The report was read to the Council by the Clerk

RESOLUTION NO. 117993, recorded on Microfilm Roll No. 79, denying petition to close Addison Street between east line of Shafter Street and Mean High Tide Line, as recommended by the Street Superintendent, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Copy of communication from Mrs. Joan A. Aldrich, 5434 Dwight St., San Diego 5, dated May 6, 1954 - addressed to Chairman of the State Board of Equalization, was presented. It is relative to her protest against issuance of a license to Edmund J. DeMars, 3821 Mission Blvd., San Diego 9. The protest lists the several reasons why a license should not be granted.

RESOLUTION NO. 117994, recorded on Microfilm Roll No. 79, referring to the City Manager communication from Mrs. Joan A. Aldrich, 5434 Dwight Street, protesting issuance of liquor license to Edmund J. DeMars, 3821 Mission Boulevard, for report, and for preparation of protest if it is within the formula established by the Council, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

At this time the Council returned to item 6 on the agenda (sewers in Klauber Avenue, Pierino Drive, et al., at the request of a man who did not give his name. He spoke about 6% bonds, etc.

Councilman Godfrey told the man that he could make a payment in cash if he desired, to avoid the interest charges on bonds.

There was no action.

Copy of communication from San Diego Public Safety Committee, Room 216, at 525 E Street, San Diego 1, dated May 4, 1954, signed by Ronald T. Strong, secretary, was presented. Original was addressed to Commandant, Eleventh Naval District, opposing establishment of official pick-up stations for hitch hikers.

On motion of Councilman Burgener, seconded by Councilman Wincote, it was ordered filed.

Communication from Thomas L. Shepherd, architect, 7466 Girard Avenue, La Jolla, urging enforcement of sign control in the La Jolla area, was presented. It states that recently-erected signs have evidently been approved which are so offensively ugly that the area property values are damaged. Among other things, it urges proper legislation to protect the community.

RESOLUTION NO. 117995, recorded on Microfilm Roll No. 79, referring to Council Conference communication from Thomas L. Shepherd, 7466 Girard Avenue, La Jolla,

requesting legislation to regulate signs in La Jolla area, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117996, recorded on Microfilm Roll No. 79, directing notice of filing of Assessment No. 2239 and of the time and place of hearing thereof, made to cover costs and expenses of work done upon paving and otherwise improving Alley Block 4 Eastgate, under Resolution of Intention No. 113132, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117997, recorded on Microfilm Roll No. 79, directing notice of filing of Assessment No. 2240 and of the time and place of hearing thereof, made to cover costs and expenses of work done upon paving and otherwise improving Alley Block 63 University Heights, and Meade Avenue, under Resolution of Intention No. 114359, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 117998, recorded on Microfilm Roll No. 79, directing notice of filing of Assessment No. 2238 and of the time and place of hearing thereof, made to cover costs and expenses of work done upon paving and otherwise improving Island Avenue, under Resolution of Intention No. 112505, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD NO. 117999, recorded on Microfilm Roll No. 79, accepting bid of V. R. Dennis, an individual doing business under the firm name and style of V. R. Dennis Construction Co., for paving and otherwise improving Birch Street, under Resolution of Intention No. 116894, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The City Engineer reported that low bid is 24.9% below the estimate.

RESOLUTION OF AWARD NO. 118000, recorded on Microfilm Roll No. 79, accepting bid of Griffith Company, a corporation, and awarding contract for paving and otherwise improving Camino del Collado, under Resolution of Intention No. 116895, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The City Engineer reported that low bid is 18.5% below the estimate.

RESOLUTION NO. 118001, recorded on Microfilm Roll No. 79, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Byron Street, under Document No. 489735; approving Plat No. 2587 showing exterior boundaries of district to be included in assessment; directing the City Clerk upon passage of resolution of intention to file the plat in the office of the City Engineer, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118002, recorded on Microfilm Roll No. 79, approving plans, drawings, typical cross-sections, profiles and specifications for sewers in Myrtle Avenue, Alley Block 8 Bungalow Park Addition, under Document No. 489737; approving Plat No. 2597 showing exterior boundaries of district to be included in assessment; directing the City Clerk upon passage of resolution of intention to file the plat in the office of the City Engineer, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118003, recorded on Microfilm Roll No. 79, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Thorn Street, under Document No. 489739; approving Plat No. 2580 showing exterior boundaries of district to be included in assessment; directing the City Clerk upon passage of resolution of intention to file the plat in the office of the City Engineer, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 118004, recorded on Microfilm Roll No. 79, for paving and otherwise improving Commercial Street, under Resolution of Intention No. 117357, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 118005, recorded on Microfilm Roll No. 79, for paving and otherwise improving Jamacha Road and Flicker Street, under Resolution of

Intention No. 117358, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 118006, recorded on Microfilm Roll No. 79, for paving and otherwise improving Mohawk Street, 71st Street and 72nd Street, under Resolution of Intention No. 117359, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 118007, recorded on Microfilm Roll No. 79, for closing Bessemer Street, described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118008, recorded on Microfilm Roll No. 79, directing notice inviting sealed proposals for furnishing electric current for lighting ornamental street lights located in San Diego Lighting District No. 2, for period of one year from and including July 1, 1954, under Engineer's Report and Assessment filed March 22, 1954 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 118009, recorded on Microfilm Roll No. 79, for furnishing electric current for lighting ornamental street lights located in Pacific Beach Lighting District Number One, for period of one year from and including September 1, 1954, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118010, recorded on Microfilm Roll No. 79, for paving and otherwise improving Byron Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118011, recorded on Microfilm Roll No. 79, for sewers in Myrtle Avenue and Alley Block 8 Bungalow Park Addition, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118012, recorded on Microfilm Roll No. 79, for paving and otherwise improving Thorn Street and Highland Avenue, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118013, recorded on Microfilm Roll No. 79, ascertaining and declaring wage scale for paving and otherwise improving Alley Block I Montecello, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118014, recorded on Microfilm Roll No. 79, ascertaining and declaring wage scale for sewer mains in Ollie Street, Camulos Street, Liberty Street and Venus Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118015, recorded on Microfilm Roll No. 79, approving diagram of the property affected or benefited by the work of improvement to be done on paving 40th Street and Thorn Street, under Resolution of Intention No. 113752, and to be assessed to pay the expenses thereof; directing the City Clerk to certify fact and date thereof and deliver it to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118016, recorded on Microfilm Roll No. 79, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving East & West and North & South Alleys Block 55 Normal Heights, described in Resolution of Intention No. 115259 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118017, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 487284 for paving and otherwise improving Alley Block 9 Ocean

Beach Park; directing 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 of grading, paving, installation of sewers if required, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118018, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 485945 for paving and otherwise improving Alley Block 247 Pacific Beach; directing City Engineer to furnish Council with 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 of grading, paving and installation of sewer laterals and drainage structures as required, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118019, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 487374, for paving and otherwise improving Alleys in Block 262 Pacific Beach; directing 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 of grading, paving, and installation of drainage structures and sewer laterals if required, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118020, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 485944 for paving and otherwise improving Alley Block 13 Swan's Addition; 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 of grading, paving and installation of sewer laterals and drainage structures if required, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118021, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 485565 for grading and paving and otherwise improving Electric Avenue; directing the City Engineer to furnish description of the assessment district, and a plat showing exterior boundaries of district or lands to be affected and benefited by and to be assessed to pay costs, damages and expenses of grading, paving and installation of curbs, sidewalks and water services and sewer laterals if required, on Electric Avenue, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118022, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 487192 for grading and paving and installation of curbs and sidewalks on 40th Street; directing 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 of the grading, paving and installation of curbs, sidewalks and water services if required, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118023, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 486661 for paving and otherwise improving Missouri Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be assessed to pay costs, damages and expenses of grading, paving and installation of curbs, sidewalks, and sewer laterals and water services as required, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118024, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 487283 for paving and otherwise improving Pyncheon Street; directing 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 of grading, paving, installation of curbs, drainage structures and water services as required, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118025, recorded on Microfilm Roll No. 79, granting petition contained in Document No. 487375 for paving and otherwise improving 69th Street; directing 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 of grading, paving, and installation of curbs, gutters and water services if required, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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RESOLUTION NO. 118026, recorded on Microfilm Roll No. 79, declaring bid submitted by Daley Corporation for re-surfacing Central, Orange to Myrtle; Euclid, Monroe to South of Thorn; Grim, University to Redwood; Park Boulevard, University to El Cajon; San Diego, Conde to Taylor; Sunset Boulevard, Ft. Stockton to Witherby; University, 5th to Albatross; Washington, 5th to 6th; and 32nd, Ivy to University, to be the lowest bid received and that Daley Corporation is the lowest, responsible and reliable bidder; rejecting all bids received except said bid, awarding contract at unit prices set forth in the bid, which amount to total estimated sum of \$53,766.16; authorizing and empowering City Manager to execute, for and on behalf of the City, a contract upon execution by Daley Corporation of the contract, and upon execution, delivery, filing and approval of binds required, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118027, recorded on Microfilm Roll No. 79, declaring an "Intersection Stop: Aero Drive and Afton Road, affecting all west-bound traffic on Aero Drive, and eastbound straight ahead traffic on Aero Drive; Directing 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. 118028, recorded on Microfilm Roll No. 79, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen over-head street light at each of 33 locations - listed in the Resolution - was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118029, recorded on Microfilm Roll No. 79, authorizing and empowering the City Manager to do all the work in connection with installation of 650 feet of 6-inch water main on Winona Avenue, from Polk Avenue to Orange Avenue, and abandonment of 2-inch sub-standard water main in Alley Block 28 Fairmount Addition, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted. The Resolution states that the Water Department has recommended the installation, that the City Manager has submitted estimates for the work, and has indicated that it can be done by City forces more economically than if let by contract.

RESOLUTION NO. 118030, recorded on Microfilm Roll No. 79, authorizing City Manager to accept work on behalf of The City of San Diego - improvement required to be done under Agreement, Document No. 458308 - in O. D. Arnold Heights Unit No. 1 Subdivision, and to execute Notice of completion and have it recorded, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted. Resolution states that work and improvement has been completed to satisfaction and approval of the City Engineer.

RESOLUTION NO. 118031, recorded on Microfilm Roll No. 79, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego an agreement between the City and San Diego & Arizona Eastern Railway Company, wherein and whereby the Railway Company permits the City to construct, reconstruct, maintain and operate an 8-inch cast iron, Class 150 pipe for conveying sewage beneath property of the Company, from point in the Company's northerly right of way line to point in southerly right of way line and crossing not less than 6 feet below base of ties in the company's main line track at Engineer Station 257 plus 20, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118032, recorded on Microfilm Roll No. 79, authorizing and empowering the City Manager to execute, for and on behalf of the City, a lease with Hans Starr of portion of Rancho San Bernardo, being tract of land designated "M. Barnett" on Licensed Surveyor's Map No. 180, for term of 9 years at annual rental of \$900.00; real property has value of \$15,000.00 as disclosed by report of last appraisal made by Auditor and Comptroller, leased for reason that the City will derive revenue not otherwise obtainable, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118033, recorded on Microfilm Roll No. 79, approving Change Order No. 1, dated April 9, 1954, heretofore filed with the City Clerk as Document No. 490116, issued in connection with contract between City and R. E. Hazard Contracting Co. for improvement of Harbor Drive; changes amounting to increase in contract price of approximately \$141.68, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118034, recorded on Microfilm Roll No. 79, approving Change Order No. 2, dated April 23, 1954, heretofore filed with the City Clerk as Document No.

490118, issued in connection with contract between the City and R. E. Hazard Constracting Co., for improvement of Harbor Drive; changes amounting to increase in contract price of \$289,06, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118035, recorded on Microfilm Roll No. 79, directing the Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion of Lot "A" La Mesa Colony, together with portion of westerly half of Reservoir Drive as vacated and closed, 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118036, recorded on Microfilm Roll No. 79, 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 Soledad Terrace, 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118037, recorded on Microfilm Roll No. 79, 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 Soledad Terrace, 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118038, recorded on Microfilm Roll No. 79, directing the Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion of Lot 30 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118039, recorded on Microfilm Roll No. 79, approving claim of James L. Beeman, on file in office of City Clerk under Document No. 488588 in amount of \$17.79; directing City Auditor to draw his warrant in favor of James L. Beeman in said amount in full payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118040, recorded on Microfilm Roll No. 79, approving claim of Mrs. Rhoda Bibly, on file in office of City Clerk under Document No. 487638 in amount of \$13.00; directing City Auditor to draw his warrant in favor of Mrs. Rhoda Bibly in said amount in full payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118041, recorded on Microfilm Roll No. 79, approving claim of Frederick Buffington, on file in office of City Clerk under Document No. 488411 in amount of \$8.75; directing City Auditor to draw his warrant in favor of Frederick Buffington in said amount in full payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118042, recorded on Microfilm Roll No. 79, approving claim of Bessie M. Crouch, on file in office of City Clerk under Document No. 487645 in amount of \$40.61; directing City Auditor to draw his warrant in favor of Bessie M. Crouch in said amount in full payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118043, recorded on Microfilm Roll No. 79, approving claim of Guaranty Chevrolet, on file in office of City Clerk under Document No. 489403 in the amount of \$39.71; directing City Auditor to draw his warrant in favor of Guaranty Chevrolet in said amount in full payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118044, recorded on Microfilm Roll No. 79, approving claim of Mrs. Albert Southern, on file in office of City Clerk under Document No. 489414 in the amount of \$20.52; directing City Auditor to draw his warrant in favor of Mrs. Albert Southern in said amount in full payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118045, recorded on Microfilm Roll No. 79, denying claim of Guy W. Bailey, on file in Office of City Clerk under Document No. 489402, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118046, recorded on Microfilm Roll No. 79, denying claim of Helen R. Bennington, on file in Office of City Clerk under Document No. 488582, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118047, recorded on Microfilm Roll No. 79, denying claim of Ian D. Burman, on file in the Office of the City Clerk under Document No. 488586, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118048, recorded on Microfilm Roll No. 79, denying claim of Norman P. Davis, on file in the Office of the City Clerk under Document No. 485964, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118049, recorded on Microfilm Roll No. 79, denying claim of Mrs. Mary M. Durant, on file in the Office of the City Clerk under Document No. 487738, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118050, recorded on Microfilm Roll No. 79, denying claim of John R. Edwards, on file in the Office of the City Clerk under Document No. 488860, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118051, recorded on Microfilm Roll No. 79, denying claim of Martha Heskett, on file in the Office of the City Clerk under Document No. 487928, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118052, recorded on Microfilm Roll No. 79, denying claim of Max Leopold, on file in the Office of the City Clerk under Document No. 488585, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118053, recorded on Microfilm Roll No. 79, denying claim of Florence A. McCabe, on file in the Office of the City Clerk under Document No. 488244, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118054, recorded on Microfilm Roll No. 79, denying claim of Lester O. McIntosh, Sr., on file in the Office of the City Clerk under Document No. 485275, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118055, recorded on Microfilm Roll No. 79, denying claim of Mrs. Charles L. Shrum, on file in the Office of the City Clerk under Document No. 488288, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118056, recorded on Microfilm Roll No. 79, denying claim of Star Beverage Company, on file in the office of the City Clerk under Document No. 488484, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118057, recorded on Microfilm Roll No. 79, denying claim of Mary V. Swenson, on file in the office of the City Clerk under Document No. 489183, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118058, recorded on Microfilm Roll No. 79, denying claims of Union Tribune Publishing Company, filed in office of City Clerk under Documents No'd 487049 and 487050, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118059, recorded on Microfilm Roll No. 79, denying claim of Ernest Warren, on file in office of City Clerk under Document No. 488243, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118060, recorded on Microfilm Roll No. 79, authorizing V. M. Capesius, of the Building Inspection Department, to attend a course at University of Southern California in Methods for Training Technical Personnel (Building Department Administration), June 14 to 19, inclusive, 1954; authorizing incurring all expenses in connection with his attendance, including tuition fee, cost of text books, etc., was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118061, recorded on Microfilm Roll No. 79, authorizing Robert Ely, Battalion Chief (Master Mechanic), in the Fire Department, as a member of the Hydrants, Valve and Nozzle Committee of the National Fire Protection Association, to attend the 58th Annual Meeting of National Fire Protection Association, to be held in Washington, D.C., May 17 to 21, inclusive, 1954; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118062, recorded on Microfilm Roll No. 79, authorizing and empowering 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 Ralph Claric and Ralph F. Claric, father and son, portions of Lots 9 and 10 Block 4 Dells Park, portions of Lots 20, 21, 22, 23, 24 Block 1 G. H. Crippen's Addition; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be delivered to the grantees upon receipt by the City of deed conveying property required by the City (for Wabash Freeway), was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted. Property is to be in exchange, with \$750.00 determined to be the value of portions to be exchanged.

RESOLUTION NO. 118063, recorded on Microfilm Roll No. 79, authorizing and empowering 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 Harry L. Foster and George H. Foster portions of strip or parcel of land 40 feet in width, more or less, through Blocks 266 and 289 San Diego Land and Town Company's South Chollas Addition; directing the City Clerk to deliver deed to Property Supervisor with instructions that it be delivered to Harry L. Foster and George H. Foster, when Property Supervisor shall have received the sum of \$750.00 together with grant deed from Harry L. Foster and George H. Foster conveying to the City portion of Lots 11 to 24 inclusive Block 266 South Chollas Addition, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118064, recorded on Microfilm Roll No. 79, authorizing and empowering 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 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 the Rancho Mission of San Diego; authorizing and directing the City Clerk to deliver the deed to the Property Supervisor with instructions to deliver it to the San Diego Unified School District when he shall have received the sum of \$22,500.00; rescinding Resolution No. 117167, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118065, recorded on Microfilm Roll No. 79, vacating easement for right of way for drainage structures and appurtenances acquired in Pueblo Lot 1782 - dated May 3, 1930, recorded in Book 1780 page 289 of Deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The Resolution says that since acquisition it has never been used, nor has the easement been used for purpose for which acquired for 5 consecutive years next preceding proposed vacation, that it is unnecessary for present or prospective public use; that from and after date of vacation, title to the land previously subject to the easement shall revert to owners of the land free from the rights of the public. It directs the City Clerk to cause certified copy of the Resolution, attested under seal, to be recorded in office of County Recorder of County of San Diego.

RESOLUTION NO. 118066, recorded on Microfilm Roll No. 79, vacating easement and right of way for construction and maintenance of drainage structures and appurtenances in portion of Pueblo Lot 1782, lying 6 feet on each side of a line described in the Resolution - acquired by deed dated May 3, 1930, recorded in Book 1774 page 319 of Deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The Resolution states that since acquisition it has never been used, nor has the easement been used for purpose for which it was acquired for 5 consecutive years next preceding proposed vacation, that it is unnecessary for present or prospective public use. It states that from and after date of vacation, title to the land previously subject to easement shall revert to owners of the land free from rights of the public. It authorizes and directs the City Clerk to cause a certified copy of the Resolution, attested by him under seal, to be recorded in office of County Recorder of San Diego County.

RESOLUTION NO. 118067, recorded on Microfilm Roll No. 79, 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 claiming to Union Title Insurance and Trust Company, a corporation, an easement and right of way for construction, operation and maintenance of drainage structures in portion of Pueblo Lot 1782; authorizing and directing City Clerk to deliver the deed to the Property Supervisor with instructions that it be delivered to the grantee upon receipt by the City of deed conveying property as required by the City (portion of Lot 5 of Pueblo Lot 1782 for storm drain purposes), was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

It states that value of both parcels are \$100.00 each.

Proposed Ordinance approving annexation to 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", was presented.

The Ordinance, which had been continued from week-to-week, since February 16, 1954, was continued for one more week, on motion of Councilman Godfrey, seconded by Councilman Schneider.

On motion of Councilman Burgener, seconded by Councilman Godfrey, 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. 6102, recorded on Microfilm Roll No. 79, authorizing City Manager to execute lease covering portions of Pueblo Lots 1326 and 1330 - form of lease filed in office of City Clerk under Document No. 490213; real property has value of \$65,000.00, leased to Department of Agriculture as public service to aid the United States in carrying on experiments in horticulture - was on motion of Councilman of Councilman Burgener, seconded by Councilman Godfrey, by the following vote; Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None Absent--Councilmen None. - adopted

The ordinance, which had been introduced May 4, 1954, on which an unscheduled hearing had been held, regulating food handlers, was presented again.

Dr. Barringer, who had spoken at the date of introduction, appeared again.

Councilman Godfrey stated that the Board of Health thought if it studied the matter it should be next meeting. He stated that the Board will make a careful study rather than just pass over the issue on chiropractors making examinations, as had been brought up last week. He said that Dr. Askew, Director of Public Health, did not make a recommendation on the point.

Dr. Barringer said that he is still of the opinion that the Board of Health will say "no". He told the Council that the Board of Supervisors will not put the matter on its agenda. If it is kept waiting, it will be found that the ordinance cannot be amended - after ruling had been against the chiropractors. Dr. Barringer said that Mrs. Fisher (member of the Board of Health) had moved to include chiropractors for food examinations in the ordinance, but that it had not been seconded.

Councilman Godfrey contended that the chiropractors had received fair treatment. He said that he wants to make a fair study, and pointed out that there was no motion against the chiropractors.

Dr. Barringer's report to that remark was that it would have been poor politics to move for an action against the chiropractors.

Councilman Schneider said that the base services regarding examinations are as determined by the Board of Health and by the Board of Supervisors. He stated that the Council conforms, ordinarily.

Councilman Wincote said that the City would be governed by the County ordinance (since the County performs the Public Health services).

Councilman Godfrey stated that the Supervisors want a recommendation from the Health Board.

Councilman Dail said that the Council recognizes that things will be done, which are not in the ordinance. He pointed out, as he had last week, that poultry handlers had been left out. It was his contention, that the Council too often passes ordinances, with the idea that they can be amended later.

Councilman Dail then moved to "include poultry handlers in the ordinance".

There was no second.

Councilman Wincote spoke of having 2 ordinances. He said that the City

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Ord. continued

6102 N.S.

Food Handlers Ord. discussion

should conform; it would be a mistake to put into the Ordinance Councilman Dail's proposal, when the County does not.

Councilman Godfrey said that he had made the motion to take up the matter by the Board of Health, in June.

Dr. Barringer spoke of a problem. He said that the problem is of qualification. He told the Council that a man had flown here, who is a member of the State Board of Chiropractors, and that he should be heard.

An unclear statement was made by Councilman Godfrey about hope given to the Board.

Dr. Simpson, who did not give his first name or initials, representing the State Board of Examiners (chiropractors), of Sacramento, spoke. He referred to Section 7, which was assumed to be a State regulation. He said that chiropractors have to make similar examinations on all patients, and named them. He maintained that there is no question regarding their qualifications to do so. He related the examinations and reports required. He said that the State Board requires that all doctors do as required of them. Dr. Simpson spoke of having wider requirements than provided in the ordinance.

Motion was made by Councilman Wincote, seconded by Councilman Schneider, to dispense with the reading and adopt -

ORDINANCE NO. 6103 (New Series) amending Chapter IV of the San Diego Municipal Code by amending Sections 41.01.2, 41.09, 41.10, 42.0106, 42.0137; by adding thereto Sections 41.01.18, 41.12, 41.13, 41.35 and 42.0151; by renumbering certain sections; and repealing Section 41.17 regulating Food Handlers, was adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilman Dail. Absent--None.

The Ordinance, which had been introduced on May 4, 1954 - presented at that meeting under unanimous consent - amending the San Diego Municipal Code by adding a new section to be known as and numbered Section 101.0615 Regulating Living Floor Space - dwellings - was brought before the Council again as listed on the agenda.

The Mayor spoke about the Attorney and the Planning Director having made recommendations to the Conference today regarding amendments to the ordinance which had been introduced. He said that the Council will continue the matter in Conference, before hearing on the Ordinance. He said that it will be safe to say that it will be amended before being introduced.

Mr. Westover, who did not give his name or initials, said that it is difficult to determine what is proposed. He said that what is enacted would apply to the entire City, not only to a few people. He maintained that the ordinance is touchy on many points, and that he is almost compelled to say that it is an unnecessary ordinance.

The Mayor spoke to Mr. Westover, and stated that the Council is aware of the situation. H. W. Heilman asked if "have to start over"?

There was discussion between Councilman Dail and Mr. Heilman over a printed, headed "NOTICE - Voters - Residents - Property Owners - Your Attention Is Called to the Ordinance Now Being Acted Upon by the City Council Pertaining to: Regulation on minimum exterior measurements of houses and duplex"....and goes on to make statements and urges attendance to protect personal rights at this meeting. Discussion followed between Councilman Dail and Mr. Heilman about the hearing.

Councilman Dail said that Mr. Heilman was not gagged, and that he was predudicing his case by his conduct.

Mr. Heilman said that he has the right to defend himself against Councilman Dail.

The Mayor said that the Council does not have the full recommendation.

Mr. Heilman said that he had only 4 days, and that all are affected on districts.

Councilman Burgener spoke of knowing that the objections are, and of having problem.

Mr. Heilman said he wanted time.

Glenn A. Rick, City Planning Director, stated that the ordinance introduced last week had been hurriedly prepared. He said that it was changed, in Conference. He spoke of there having been some objections to the language used in the ordinance. He told of having had discussion with the Attorney's office over the changes. He added that there has been drawn up a re-draft. The new draft changes some of the objections, regarding buildings altered or converted. He re-iterated there having been changes, and that the ordinance introduced and now before the Council does not apply.

Councilman Godfrey spoke to Mr. Rick regarding converting buildings.

Mr. Rick pointed out that it would not be retroactive. He spoke of paragraph (b) regarding size of dwellings, that if there was provision for 550 square feet of area there could be built 225 on each floor - which he declared to be absurd. He spoke of eliminating that on account of complaint. He declared that there is a wrong interpretation. Mr. Rick said that 300 feet could be dropped to 250 feet for motel or apartment. Most exceed that, however, he said. Mr. Rick said that Mr. Heilman had made objection to the 250 feet in apartment, on account of health. He said that people in apartments do not usually have children. The new ordinance eliminates some of the objections, he stated. San Diego might have to adopt a housing code, as other cities have done, he told the Council. It is going to take time to analyze the situation, he said, and then referred to the protests.

Councilman Burgener referred to the last phrase in the preamble as being important.

Councilman Wincote maintained that the Council should file the first ordinance, inasmuch as there are conflicts.

Councilman Burgener moved to file the ordinance introduced last week, which motion was seconded by Councilman Wincote.

Councilman Dail spoke to Douglas D. Deaper, Deputy City Attorney about this ordinance, and a new one.

The roll was called on the motion, and the ordinance which had been introduced, was filed.

Mr. Rick said that the language in the proposed ordinance had been taken from an adjudicated ordinance.

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Councilman Dail moved to draw a new ordinance, and set a hearing thereon for 2 weeks, which motion was seconded by Councilman Schneider.

Councilman Burgener asked if there would be a hearing. (That was included in the motion).

Councilman Wincote stated that the ordinance will be changed again. He advocated that both be filed, and that the subject be referred to Conference.

Councilman Godfrey said that people are here now, regarding item 73 on today's agenda. He said that the item has been filed; the Council cannot have a hearing, because it has no ordinance. He said that the Council will endeavor to have a draft of a new ordinance for 2 weeks from today.

Mr. Heilman said that he does not want trouble with Councilman Dail. He said that City Attorney J. F. DuPaul has stated that there is no reason for sudden adoption and having an emergency ordinance. He contended that anybody building anything should have 35 days.

A speaker, whose name was understood to be Keith Garrett, of 4048 Manzanita, appeared. He stated that he lives in a house of 360 square feet, and that his home is an asset to the area. He said that he has 30x18 ft. in size. He spoke of having more glass than the average house. Mr. Garrett spoke of the construction and of the attractiveness of the place. A small home is not necessarily sub-standard, he declared.

The Mayor agreed that there are always exceptions, and that this whole thing had started on account of a problem which had been brought to the attention, of a group of small houses being constructed next to another, whose owner urged the Council to take some action to halt the work.

Councilman Burgener referred to the only place where "substandard" is used, is in the handbill which Mr. Heilman had had printed and distributed.

There was discussion between Councilman Burgener and Mr. Garrett.

Mr. Garrett said that it is not necessary to have large edifices as residences.

Councilman Kerrigan was excused.

Councilman Wincote spoke regarding Mr. Garrett's comments. He said that there are hundreds, thousands, who can't live in Garrett houses.

Councilman Wincote said that people came down today, regarding the ordinance which would come up in 2 weeks.

Councilman Dail moved to reconsider the motion to file, but he withdrew it.

Councilman Dail spoke of need for having something to discuss. He maintained that it is a point of order. There is a lot of time spent on discussion, when there is nothing before the Council - the proposed Ordinance having been filed. He contended that the Council is behind most of the time, on account of these discussions. Arguments on the Ordinance are out, he said. He told the Mayor that he has to leave, and said that the Council should have a break between 12 and 2 - like the courts.

There was general discussion between various members of the Council.

Councilman Dail said that he wants to be here, but that he had to leave.

He was excused.

Councilman Godfrey said that the people who have appeared, should ask people to submit in writing their suggestions 2 weeks from today.

A man who did not give his name, said that it is a community problem. He said that this may not be the answer - on account of the square footage.

Councilman Schneider said that the Council needs help.

Councilman Godfrey moved to put on the agenda 2 weeks from today (May 25, 1954) ordinance for introduction, which was seconded by Councilman Burgener.

Mr. Heilman said that there should be requirement for increase in interiors of rooms.

Councilman Godfrey said that there will be people on both sides of the question.

A woman who did not give her name, asked if restrictions would be put on buildings occupied, now.

The Mayor said "no; it is not retroactive".

Donald Nich asked regarding 400 feet for a single unit, and if there is an addition it would become a multiple unit.

Mr. Rick said "No"; there would be detached dwellings and single-family units.

Councilman Wincote this has been discussed at length, and that it can be handled by variances but that the City is trying to avoid that.

Mr. Westover wondered if it would be advisable to consider the health matter, rather than the outside measurements of a dwelling.

The roll was called on the motion to place an ordinance on the agenda for 2 weeks from today (May 25, 1954) for introduction. All voted in favor of the motion, except Councilman Dail, who had been excused.

Councilman Kerrigan returned to the meeting.

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 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. 6104 (New Series), recorded on Microfilm Roll No. 79, appropriating \$14,612.32 from the Acquisition and Investigation Bond Fund (No. 703) for purpose of providing funds for purchase of lands for Super Hodges Reservoir Basin, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted by the following vote:

Ord. discussion re minimum
living area
6104 N.S.

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

On motion of Councilman Wincote, seconded by Councilman Schneider, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Schneider, 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 passage a written or printed copy.

ORDINANCE NO. 6105 (New Series), recorded on Microfilm Roll No. 79, establishing grade of Alley Block 2 Bartlett Estate Company's Subdivision, between northerly line of E Street and line parallel to and distant 290.00 feet northerly from northerly line of E Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

On motion of Councilman Wincote, seconded by Councilman Schneider, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Schneider, 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 passage a written or printed copy.

ORDINANCE NO. 6106 (New Series), recorded on Microfilm Roll No. 79, establishing grade of Alley Block 3 Ocean Beach, between southeasterly line of Froude Street and northwesterly line of Guizot Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, 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 Schneider, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Schneider, 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 passage a written or printed copy.

ORDINANCE NO. 6107 (New Series), recorded on Microfilm Roll No. 79, establishing grade of Alley Block 88 Ocean Beach Extension No. 2, between southeasterly line of Abbott Street and northwesterly line of Bacon Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

On motion of Councilman Wincote, seconded by Councilman Schneider, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Schneider, 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 passage a written or printed copy.

ORDINANCE NO. 6108 (New Series), recorded on Microfilm Roll No. 79, establishing grade of Alley Block 14 F. T. Scripp's Addition to La Jolla Park, between easterly line of Draper Avenue and easterly line of said addition, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

On motion of Councilman Wincote, seconded by Councilman Schneider, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Schneider, 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 passage a written or printed copy.

ORDINANCE NO. 6109 (New Series), recorded on Microfilm Roll No. 79, establishing official property line grades on Elm Street between Easterly line of 49th Street and easterly line of Arnold's Park Subdivision; 49th Street between its northwesterly termination at Fir Street and the northerly line of Marilou Road; Fir Street between its southeasterly termination at 49th Street and its southwesterly termination at Tilden Street; Tilden Street between its northeasterly termination at Fir Street and the southerly line of Arnold's Park Subdivision; 48th Street, between the southerly line of Fir Street and the northerly line of Elm Street; Brookline Street between the southerly line of Fir Street and westerly prolongation of northerly line of Date Street; Duval Street between southerly line of Fir Street and northerly line of Date Street; Date Street between westerly line of Arnold's Park Subdivision and westerly line of 49th Street; Elm Street between southerly prolongation of easterly line of Tilden Street and southerly prolongation of westerly line of Brookline Street, was on motion of Councilman Wincote, seconded by Coun-

5/11/54

cilman Schneider, 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 Schneider, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Schneider, the reading 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 passage a written or printed copy.

ORDINANCE NO. 6110 (New Series), recorded on Microfilm Roll No. 79, establishing grade of Evergreen Street, between northeasterly line of Poe Street and northeasterly line of Quimby Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

Ordinance changing name of Millar Street to 62nd Street, was presented.

Councilman Kerrigan moved to continue for one week.

The vote was not taken immediately, since there was no second.

Councilman Kerrigan told of protests.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the Ordinance was continued one week - to May 18, 1954.

In connection with the next matter, Councilman Wincote said that the Ordinance should be introduced; then listed under hearings, to be set for hearing in 1 week.

On motion of Councilman Schneider, seconded by Councilman Wincote, ordinance dedicating public lands as and for public street purposes across portion of Collier Park, situated in Pueblo Lot 206; naming the same Soto Street; dedicating public lands for street purposes across portion of Collier Park situated in Pueblo Lot 206 and naming the same Greene Street, was introduced by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail - and hearing set for the hour of 10:00 o'clock A.M., May 18, 1954.

Councilman Godfrey said that where there is wide public interest, hearings can be set on ordinances.

RESOLUTION NO. 118068, recorded on Microfilm Roll No. 79, requesting the City Manager and City Attorney to draw a Resolution and present it for the meeting of Thursday, May 13, 1954, expressing the Council's approval of proposed sewer bonds to come before the voters at the next election, and urging vote in favor of the proposition, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

(This was adopted earlier in the meeting, during Councilman Dail's presence; numbered at this point).

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

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Muirlands Village Unit No. 1, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 118069, recorded on Microfilm Roll No. 79, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, a contract with Wilfred W. Mast & Associates, an limited partnership, for installation and completion of unfinished improvements and setting of monuments required for Muirlands Village Unit No. 1 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118070, recorded on Microfilm Roll No. 79, adopting Map of Muirlands Village Unit No. I, subdivision of portion of Pueblo Lot 1257 and portion of Block "G" Starkey's Prospect Park; accepting on behalf of the public Nautilus Street, Avenida Mirola, Via Barranca, Avenida La Reina, Avenida Manana, Avenida de las Pescas, Avenida Algodon and unnamed easements for public purposes; declaring them to be dedicated to public use; authorizing and directing City of the City to endorse upon the map as and for act of the Council that they are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of the County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

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

RESOLUTION NO. 118071, recorded on Microfilm Roll No. 79, confirming

118068 - 118071
Ord continued 1 week
Ord introduced, hearing set
6110 N.S.

appointment by the Mayor of Byalor Brooks, as member of Board of Directors of San Diego County Water Authority, to represent the City for a full term; approving and confirming appointment by the Mayor of Donald Burnham as member of Board of Directors of San Diego County Water Authority, to represent the City for unexpired term of Clinton D. McKinnon, resigned, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

There being no further business to come before the Council at this time, the meeting was declared adjourned, at the hour of 12:20 o'clock Noon by the Mayor.

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, May
13, 1954

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

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

The Mayor welcomed to the meeting visitors from 7th and 8th grade classes of the Pacific Beach Junior High School, accompanied by Mr. Anthony and Mrs. Post. At his invitation, they arose, and received applause from members of the Council. The Mayor explained about the short agenda for this meeting, and told about conferences, as well as the method of calling the roll.

The hour of 10:00 o'clock A.M. having arrived, the time set for appeal of Jack Benson from the decision of the Board of Zoning Adjustment denying permission to divide portion of Pueblo Lot 104 into 2 building sites, each 98 feet by 116 feet, being north 136 feet of west 236 feet, except Catalina Blvd. and Rosecroft Lane, on the south-east corner of Rosecroft Lane and Catalina Blvd., in Zone R-1C, the report in form of "Finding of Facts" on Application No. 11543, was presented and read.

Frank Owen, attorney, from Ocean Beach, appeared to be heard.

The Mayor referred to the existing policy regarding property divisions.

Mr. Owen told the Council that it is proposed to divide the property into 2 parcels. He passed out maps of the area. Mr. Owen pointed out that there had been a previous variance, but that it had been dropped by Mr. Maw who had secured it, on account of not being able to secure clear title. He said that there would be more than 12,000 square feet for each lot. The lot now has over 24,000 feet, while the one across the street has 15,000 feet. If a deviation is made, as proposed, individual homes will be built according to the plans which have already been drawn, he stated. Mr. Owen told of things which have to be done if the property is subdivided. He told of the owners wanting to leave a rustic atmosphere, rather than doing the things which a subdivision would require.

Councilman Burgener asked if there are any objections.

Mr. Owen replied that there is one.

Glenn A. Rick, City Planning Director, told the Council that several property owners have protested.

The Mayor, looking at the protest, said that there are 8 or 10.

Visitors
Hearing re Zone variance

Mr. Rick told about the matter having been brought up 4 years ago, denied by the Planning Commission and the City Council.

Mr. Owen questioned the statement of denial by both bodies.

Mr. Rick referred to the record, and corrected the statement to denial by the Zoning Committee, 3-0; Council overruling the Committee and granting appeal of Mr. Maw. He said that the property is in Zone R-1C, and meets that requirement. He told of a petition which has been circulated to change it to R-1B (for 20,000 square feet). Many owners are in an area meeting the R-1B zoning ordinance requirements, with required 1 house to a site. He referred to it as being a planning matter, not a subdivision matter.

Councilman Burgener said that there would then be 3 non-conforming uses across the street (if zoned R-1B).

Councilman Godfrey said that in any event, whatever is proposed is not what applies now.

The Mayor said that he is familiar with the problem, in that the Council has had it in the area (Point Loma) many times.

Mr. Owen said that Mr. Benson does not want to have the expenses which go with putting on a subdivision. He said, also, that there are nice trees, which he wants to leave.

Mr. Rick said that even if the City decides on lesser improvements, there is no assurance that a subdivision map would be approved. He said that it has to meet requirements regarding size. He said that Mr. Olfield had been permit to have 4 parcels, that he has now divided 1 of the 4 into 2 pieces.

Councilman Burgener referred to there being no law at the present time.

Mr. Owen stated that there would be 2 lovely homes. He showed Councilman Burgener a plan.

The Mayor asked if there were protestants present. There were, and some of them spoke.

Louis E. Geiger said that he has the adjacent property. This is the 3rd time on this lot that the matter has been before the Council, he said. He declared that the Council had upheld Mr. Maw to split; then had upheld the protestants the last time. He told the Council that the property is in bankruptcy, and sale is contingent upon getting the variance requested. He pointed out that Mr. Benson (who has requested the variance) does not own the property.

Councilman Dail said that is a common practice.

Mr. Geiger continued, by saying that each time an offer is made there is a request to divide the property. He contended that the lot is not 98x116, but that includes a set back. Mr. Geiger referred to the size, addressing a map as he did so.

Mr. Owen said that it takes off for the street.

Councilman Burgener said that the plat shows it out into the middle of Rosecroft.

Mr. Owen told of having knocked off easements for streets.

Councilman Burgener said that the depth is not too vital.

Councilman Dail said that the corner lot is perhaps a little larger.

Councilman Burgener wondered if it was not pretty expensive as one building site.

Mr. Geiger replied "no".

Councilman Godfrey said that objectors have sufficient size.

Mr. Rick said that the City Attorney had stated that it is a matter of Council judgment. He referred to "Little Muirlands" and Kessling property, and stated that the neighborhood must be taken into consideration.

There was discussion between Councilman Burgener and Mr. Rick regarding the property, over a map which was not seen by the Clerk.

Mr. Owen said that the front footage would be as required, on the street. It was his contention that it would not take away any beauty in relation to its depth.

Councilman Schneider asked Mr. Geiger if he had favored the division previously.

Mr. Geiger's reply was "no"; only the Council had approved.

Councilman Schneider said that it rests on the size requirements.

To that, Mr. Geiger replied "yes".

Councilman Schneider spoke of a right, not under ordinance requirements. Would he be denied the rights to use and divide, he asked.

Mr. Geiger referred to the Olfield division, and that immediately he had done something else.

Councilman Godfrey said that Olfield chopped it up.

Mr. Rick said "yes". He said that he will sell, and that new owners may divide again. They would be turned down by the Planning Department, and by the Council, he declared.

Councilman Godfrey said that the Olfield situation does not have much application to this situation. He said that the owner may divide now.

Mr. Rick pointed out that the Ordinance says that owner may have 2 houses on 1 large lot - by variance - but not for sale under a new ordinance.

Councilman Dail asked why the property would not qualify regarding the larger size.

Mr. Geiger spoke about a question of time, and of 2 setbacks to be observed. He said that neither Mr. Benson or his attorney had contacted him. He maintained that it would be necessary to cramp the houses, to conform.

Councilman Dail observed that the property owners had been slow in filing their petition to rezone the property (from R-1C to R-1B). If it went into the zone proposed, the owners would not have this situation, he said.

Mr. Geiger spoke about a previous hearing for Mr. Benson, at which he did not appear.

2 houses on

Can Mr. Benson get the property, Councilman Schneider asked.

Mr. Owen said that it can be done, under plans by Cliff May, who drew them.

Hearing on Benson zone variance appeal

If not, house can be moved, he said. In event that is not possible, the beautiful patio, according to Mr. Owen.

The next speaker, who did not give his name, but who was believed to be Mr. Clark, spoke to Mr. Dail regarding difficulty to get petition. He enumerated 4 items to be covered, and contended that signers of the petition to rezone the property, are in effect protestants.

Councilman Dail spoke to Councilman Burgener about the problem.

Mr. Rick told of Mr. Maw's request for extension of his variance which had been denied.

Councilman Schneider spoke to Mr. Rick regarding right to use.

Mr. Rick spoke to Councilman Schneider on about not being able to build, except by variance.

Councilman Kerrigan pointed out that even if the zone goes through, according to the petition, there is no guaranty that there will be no future split of property.

Mr. Clark said that Mr. Perry had been denied the right to split. Both of his lots would have had frontages on 2 streets, he declared.

There was general discussion entered into between members of the Council, Mr. Rick, Mr. Owen and protestants.

Councilman Godfrey said that Mr. Rick points out the size of lots of nearby properties. He asked if the 4 points covered in answers to request for variance.

Discussion by several was entered into.

Mr. Deaper reviewed, from the Municipal Code, the requirements to be met for granting of a variance.

Councilman Burgener asked who had decided regarding the 10,000 feet.

Councilman Godfrey replied that the property owners wanted not less than 10,000 feet.

Councilman Godfrey spoke on each point, as read by Mr. Deaper.

Mr. Deaper, asked about the matter, said that the owner has to meet all 4 points.

Councilman Godfrey declared that there is no hardship on points 1 & 2.

Mr. Owen said that most properties have the area, but not the shape of the Benson piece.

Councilman Burgener said that maybe the man who bought looked up the zone, and found what he can do.

Mr. Owen said that it would not drag down the neighborhood, that it would have big street frontage.

Councilman Dail also asked if each point has to be met.

Mr. Deaper said "yes", again.

Councilman Dail said that the Council has been lax, then. He said that, however, could be determined on personal opinion.

Councilman Godfrey said that there is a safeguard provided in the required 5 votes to grant a variance, in overruling the Board of Zoning Adjustment. He said that there will be frontage lots, provides a good point.

The Mayor asked that if a subdivision map were filed it would be approved.

Mr. Rick answered that there could be no assurance of that.

Councilman Dail said that if the owner does not want to file a map, and does not meet the conditions of the requirements, he could not build.

Mr. Owen said that the owner would have to have a variance to the subdivision ordinance.

Councilman Burgener said that the Council is not debating the issue of filing a subdivision map.

Councilman Dail spoke of there being no requirement by law on that point. He spoke of having been granted, and being now held up.

There was discussion between Councilmen Burgener and Dail regarding the new ordinance.

Councilman Godfrey said he would like to see the variance granted, but when he goes back to the ordinance he does not see where the applicant qualifies under points 1 & 2.

Mr. Clark spoke of other large frontages.

Councilman Burgener spoke to Mr. Geiger and Mr. Clark regarding frontages - from a map which he had.

Councilman Schneider moved to deny the appeal, and sustain the action of the Zoning Adjustment, which motion was seconded by Councilman Kerrigan.

The roll was not called at this time, instead, the following discussion continued:

Councilman Godfrey said that based on realities, 2 lots would have at least 100 feet frontage on Croft; on Catalina, they would have greater than others.

Mr. Clark referred to the setbacks.

Councilman Godfrey spoke to Mr. Clark, and said that they can't build on septic tanks but that others have them now.

Mr. Owen said that there would be 60 feet, after taking off the setbacks.

Councilman Godfrey spoke to Mr. Deaper, again, regarding the 4 points to be met.

Councilman Schneider spoke to Councilman Godfrey and Mr. Clark regarding the Council's position.

Mr. Owen said that the appellant may draw up new plans, according to the setbacks.

Again, Councilman Godfrey spoke regarding points 1 & 2, and establishing them.

Councilman Burgener said that he thinks they have been met, and that he wants to look at the property.

Councilman Schneider said that he can't recall why he favored the variance, before.

The roll was called on the motion to deny the appeal, and sustain the decision, resulting in

RESOLUTION NO. 118072, recorded on Microfilm Roll No. 79, overruling and denying the appeal of Jack Benson, General Delivery, Miramar, California, from the decision of the Board of Zoning Adjustment in denying permission to divide portion of Pueblo Lot 104 into building sites - each 98 feet by 116 feet, being north 136 feet of west 236 feet, except Catalina Blvd. and Rosecroft Lane - on the southeast corner of Rosecroft Lane and Catalina Blvd, in Zone R-1C; sustaining said decision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen Burgener, Dail. Absent--Councilman Wincote.

The Mayor announced that the appeal had been denied, and that it takes 5 affirmative votes of the Council to overrule the Board of Zoning Adjustment.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portion of Lot 38 The Highlands into R-1C Zone, and repealing Ordinance New Series insofar as it conflicts, 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 protests were presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, 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 passage a written or printed copy.

ORDINANCE NO. 6111 (New Series), recorded on Microfilm Roll No. 79, incorporating portion of Lot 38 The Highlands into R-1C Zone, as defined by Section 101.0404 of San Diego Municipal Code, repealing Ordinance No. 5890 (New Series) insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

Communication from Purchasing Agent, with Assistant to City Manager's stamp reporting on bids received May 7, 1954, from 7 bidders, was presented, for furnishing trucks, drivers, and helpers for moving San Diego Public Library. It recommends award to DeWitt Transfer and Storage Company various prices set forth in the report. The report says that immediately following opening of bids, acceptance of the bid was protested verbally by one of bidders, and a written protest on awarding under tariff offered by the City was received May 10, 1954. It says that due to the award under the call for bids having become controversial, bids were referred to City Attorney for ruling as to whether DeWitt Transfer and Storage Company bid was proper and could be accepted. It attaches communication from the City Attorney, signed by Hoyt E. Ray, giving the opinion that DeWitt bid can be legally accepted.

RESOLUTION NO. 118073, recorded on Microfilm Roll No. 79, accepting bid of DeWitt Transfer & Storage Company for moving San Diego Public Library: \$5.00 per hour for truck and driver, with \$2.95 per hour for helper on crated property and books; \$6.05 per hour for truck with driver, and \$2.55 per hour for first helper on un-crated property, desks, filing cabinets etc.; additional helpers at \$3.40 per hour and packers at \$3.50 per hour; fork lift truck, conveyor belts and/or conveyor rollers, rubber-tired platform trucks, rubber-tired dollies and any other additional equipment needed, to be supplied with no additional charge; awarding contract, authorizing and instructing the City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118074, recorded on Microfilm Roll No. 79, approving plans and specifications for furnishing labor, material, tools, transportation and other expense necessary or incidental for construction of Storm Drain in Lot 54 Ex-Mission Lands, Lot 44 Las Alturas Villa Sites, Logan Avenue and Euclid Avenue; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118075, recorded on Microfilm Roll No. 79, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Storm Drain in Talbot Street east of Canon Street, and in P.L. 190; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118076, recorded on Microfilm Roll No. 79, adopting Map of Roach Subdivision, subdivision of Lot 2 Block 13 F. T. Scripps Addition to La Jolla Park; accepting on behalf of the public portion of Marine Street, portion of Draper Avenue; alley and unnamed easement shown on the map within the subdivision for purposes; dedicating them to the public use; authorizing and directing Clerk of the city to endorse upon the map, as and for act of the Council, that portions of streets, alley and unnamed easement are accepted on behalf of the public as dedicated; 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 Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of 3 sections of the San Diego Municipal code, in connection with resubdivision of Lots 94 through 111 Vista Park Unit No. 1, was presented.

RESOLUTION NO. 118077, recorded on Microfilm Roll No. 79, suspending Sections 102.07-5, 102.12-6, 102.17-c of San Diego Municipal Code, in connection with Resubdivision of Lots 94 through 111 Vista Park Unit No. 1, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommendation approving of Tentative Map for Resubdivision of portion of Lots 94 through 111 Vista Park Unit No. 1, and subdivision of portion of Pueblo Lot 1214 - which complies with basic plan for subdivision of entire area area of Pueblo Lot except revision of proposed small business center and will necessitate closing alley that was dedicated on map of Vista Park Unit No. 1 - subject to 11 conditions, was presented.

RESOLUTION NO. 118078, recorded on Microfilm Roll No. 79, approving Tentative Map for Resubdivision of portion of Lots 94 through 111 Vista Park Unit No. 1, subject to the conditions contained, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Petition of Frank M. Perry for Cabaret License at "Hayloft Barbeque", 6323 Imperial Avenue, was presented, together with recommendations of interested City departments for granting.

RESOLUTION NO. 118079, granting permission to Virgil Campbell, 144 - 19th Street, to conduct a cabaret with paid entertainment at Virgil's Hayloft Barbeque, 6323 Imperial Avenue, where liquor is sold but no dancing conducted, subject to regular license fee, and compliance with existing ordinance and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Petition of Wm. E. Wilson for Cabaret License at the Crown Club, 3786 Ingraham St., was presented, together with recommendations of interested City departments, for granting.

RESOLUTION NO. 118080, recorded on Microfilm Roll No. 79, granting permission to William E. Wilson, 3716 Yosemite Avenue, San Diego, to conduct a cabaret with paid entertainment at Crown Club, 3786 Ingraham St., where liquor is sold but no dancing conducted, subject to regular license fee, and compliance with existing ordinances and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Historical Markers Committee, signed by Cletus W. Gardner, secretary, dated May 11, 1954, was presented. It asks permission to erect a historical marker on the southeast corner of Pacific Highway and Market Street, on the corner of the jail lawn which fronts on Pacific Highway, was presented. It states marker is approximately 5 feet high by 6 feet wide by 3 feet deep, and constructed of granite; to be mounted on the monument will be a standard bronze plaque "La Punta De Los Muertos (Dead Men's Point).....honoring the burial site of sailors and marines in 1782 when San Diego Bay was surveyed and charted by Don Juan Pantoja y Arriaga, pilot, and Don Jose Tavar, mate, of Royal Frigates "La Princesa" and "La Favorita" under command of Captain Don Agustin de Echeverria; State Registered Landmark No. 57".

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

Communication from Local Union No. 569 International Brotherhood of Electrical Workers, dated May 10, 1954, signed by M. J. Collins, Bus. Mgr. and Fin. Secty., 227 "E" Street, San Diego 1, was presented.

RESOLUTION NO. 118081, recorded on Microfilm Roll No. 79, referring to Council Conference the communication relative to wages for electricians, and requesting increased pay for City electricians, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Edmund L. Mirandon, 5250 Electric Avenue, La Jolla, dated May 11, 1954, was presented. It states that some time ago a zone variance was received on Mirandon Hill, La Jolla, that building permit and mortgage are being held up due to permit not being designated on any street and mortgage refusing a commitment due to not having legal access. He asks if it is possible to dedicate the balance of the street from southerly point of present dedication to point at south end of Waller property, which will include 700 feet of Wm. Black's property and 100 of the petitioners. It states that Black is willing to dedicate up to 20 feet, and petitioner's has already been dedicated.

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

Protest of Joan A. Aldrich, 5434 Dwight St., San Diego 5, attaching petition signed by property owners in Mission Beach requesting action on Mrs. Joan A.

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Aldrich (protest against issuance of Beer License at 3821 Mission Boulevard), was presented.

On motion of Councilman Kerrigan, seconded by Councilman Dail, it was ordered filed. (Investigation was made on the first complaint, and was found by the Social Service Director not to be within the "formula" used for protests by the City to the State Board of Equalization).

Communication from San Diego Rental Owners' Association, Inc., dated May 10, 1954, signed by T. S. Thompson, president, was presented. Letterhead states (formerly apartment association), 499 West Broadway, San Diego 1. It objects to proposed curtailment of service and increase in rates for public transportation.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it was referred to the City Attorney.

Communication from L. A. VanReed, 3623 Georgia St., dated 5/7/54, was relative to sidewalk repairs at 3623 Georgia Street, was presented. It states that crack was called to attention of the street department, which sent a crew and dumped a couple of shovels of black top in the crack.

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

Communication from the Harbor Commission, signed by the Port Director, dated 10 May 1954, enclosing for approval form of lease with Southwestern Yacht Club, was presented. It states lease is for term of 5 years with 2 5-year options to renew - rental established at \$2.00 per year per member or \$825, whichever is greater. The communication says that rental is subject to review every 2-1/2 years of the lease and its options, and that in other provisions conform to established policy governing yacht club operations.

RESOLUTION NO. 118082, recorded on Microfilm Roll No. 79, ratifying, confirming and approving lease of lands located on tidelands with Southwestern Yacht Club, a non-profit corporation, upon terms and conditions contained in form of lease copy of which is on file in Office of City Clerk bearing Document No. 490179, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Harbor Commission, signed by the Port Director, dated 10 May 1954, enclosing for approval form of lease with United States Government covering area of approximately 324 square feet at extreme south end of Shelter Island, together with underground right-of-way, to be used for maintenance and operation of rear entrance channel range beacon - for term of 10 years subject to cancellation by either party upon 30 days' written notice.

RESOLUTION NO. 118083, recorded on Microfilm Roll No. 79, ratifying, confirming and approving lease of lands located on tidelands with The United States of America for period from 1 March 1954 to 30 June 1955, upon terms and conditions contained in form of lease copy of which is on file in Office of City Clerk bearing Document No. 490178, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Commission, signed by the Port Director, dated 10 May 1954, enclosing for approval form of lease with Department of Commerce, Civil Aeronautics Administration, covering standby generator, control and antenna tower sites was presented. It states that lease combines two lease which are expiring and enlarges are occupied by control tower to provide for installation of new antenna tower - for term from 1 March 1954 to 30 June 1954 with annual options to renew up to 30 June 1964, rental established at \$1.00 per year.

RESOLUTION NO. 118084, recorded on Microfilm Roll No. 79, ratifying, confirming and approving lease of lands located on tidelands with The United States of America, Department of Commerce, Civil Aeronautics Administration, upon terms and conditions contained in form of lease copy of which is on file in Office of City Clerk bearing Document No. 490176, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118085, recorded on Microfilm Roll No. 79, being intention to call a Special Election within territory to be known and designated as "Rolando Tract No. 2", in the County of San Diego, State of California, for purpose of submitting to the electors residing therein the question whether the territory shall be annexed to and incorporated within The City of San Diego, and that the property therein shall, after such annexation, be subject to taxation equally with the property within The City of San Diego to pay the bonded indebtedness of the City outstanding at the date of such annexation, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118086, recorded on Microfilm Roll No. 79, declaring bid submitted by W. A. Robertson and Co. for installation of 12-inch water mains in Lincoln Avenue from Normal Street to Idaho Street, and in 39th Street from Thorn Street to Juniper Street, to be the lowest bid received, and that said Co. is the lowest, responsible

and reliable bidder; that the Council rejects all bids received, except said bid, awarding contract at unit prices which amount to total estimated sum of \$89,833.00; authorizing and empowering the City Manager to execute a contract upon execution by W. A. Robertson and Co. of the contract, and upon execution, delivery, filing and approval of bonds required thereunder, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118087, recorded on Microfilm Roll No. 79, approving Change Order No. 1, dated April 26, 1954, heretofore filed with City Clerk as Document No. 490256, issued in connection with contract between The City of San Diego and L. B. Butterfield for installation of Redwood Village Pipe Line, contract contained in Document No. 488480 on file in office of the City Clerk; changes set forth consisting of change in wage rates of Blacksmiths and Blacksmiths Helpers, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118088, recorded on Microfilm Roll No. 79, approving Change Order No. 1, dated April 26, 1954, heretofore filed with City Clerk as Document No. 490258, issued in connection with contract between The City of San Diego and Chicago Bridge & Iron Company for construction of Catalina Street Standpipe and Cathodic Protection, contract contained in Document No. 484529 on file in office of City Clerk; changes consisting of change in wage rates of Blacksmiths and Blacksmith Helpers; also approving request for extension of 30 days to and including July 31, 1954, filed with City Clerk as Document No. 490259, in which to complete contract, and extending time of completion under the contract to July 31, 1954, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118089, recorded on Microfilm Roll No. 79, approving Change Order No. 1, dated April 23, 1954, heretofore filed with City Clerk as Document No. 490261, issued in connection with contract between City of San Diego and W. H. Clint for construction of Catalina Street Pumping Plant, located on Point Loma, contract contained in Document No. 487065, on file in office of City Clerk; changes consisting of change in wage rates of Blacksmiths and Blacksmith Helpers, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118090, recorded on Microfilm Roll No. 79, approving Change Order No. 1, dated April 26, 1954, heretofore filed with City Clerk as Document No. 490263, issued in connection with contract between City of San Diego and E. A. Irish for installation of Harbor Drive Pipeline, contract contained in Document No. 483640 on file in office of the City Clerk; changes consisting of change in wage rates of Blacksmith and Blacksmith Helpers, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118091, recorded on Microfilm Roll No. 79, approving Change Order No. 1, dated 28 April, 1954, heretofore filed with City Clerk as Document No. 490265, issued in connection with contract between City of San Diego and Ets-Hokin & Galvan, for construction of Underground Electric Service to Control Tower Area, Lindbergh Field, contract contained in Document No. 483138 on file in office of City Clerk; changes amounting to increase in contract price of \$162.96, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118092, recorded on Microfilm Roll No. 79, approving Change Order No. 1, dated April 26, 1954, heretofore filed with City Clerk as Document No. 490267, issued in connection with contract between City of San Diego and Rogers Construction Company for construction of foundation for Redwood Village Standpipe, contract contained in Document No. 488250 on file in office of City Clerk; changes consisting of change in wage rates of Blacksmiths and Blacksmith Helpers, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118093, recorded on Microfilm Roll No. 79, approving Change Order No. 1, dated April 23, 1954, heretofore filed with City Clerk as Document No. 490269, issued in connection with contract between The City of San Diego and Royal Pipeline Construction Co., for installation of Catalina Street Pipe Line, contract contained Document No. 483837 on file in office of City Clerk; changes consisting of change in wage rates of Blacksmiths and Blacksmith Helpers, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118094, recorded on Microfilm Roll No. 79, approving Change Order No. 2, dated April 26, 1954, heretofore filed with City Clerk as Document No.

490271, issued in connection with contract between The City of San Diego and C. B. Saunders for construction of foundation for Catalina Street Standpipe, contract contained in Document No. 484421 on file in office of City Clerk; changes consisting of change in wage rates of Blacksmiths and Blacksmith Helpers, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118095, recorded on Microfilm Roll No. 79, approving Change Order No. 1, dated April 26, 1954, heretofore filed with City Clerk as Document No. 490273, issued in connection with contract between City of San Diego and Southwest Welding and Mfg. Co. for construction of Redwood Village Standpipe and Cathodic Protection, contract contained in Document No. 488251 on file in office of City Clerk; changes consisting of change in wage rates of Blacksmiths and Blacksmith Helpers, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118096, recorded on Microfilm Roll No. 79, approving concurrent or forthcoming action of the Harbor Commission granting to the Atchison Topeka & Santa Fe Railway Company, the right to construct a spur track from its nearest line to the Tenth Street Pier and to construct certain tracks on the Tenth Street Pier, latter of which tracks being identified in yellow on A.T.&S.F.Ry.Co. division Drawing No. L 30-19518, revised March 15, 1954, for which latter tracks the City will from Harbor Department Revenues reimburse the Railway Company for actual cost thereof, not to exceed \$42,000.00, title thereafter vesting in the City, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118097, recorded on Microfilm Roll No. 79, granting Kenneth Denton, 710 Oliver Avenue, San Diego 9, permission to install 50-foot driveway on northerly side of Reed Avenue, approximately between points 116 and 166 feet east of easterly line of Mission Boulevard, so as to form one continuous 66 foot driveway with existing 16 foot driveway to the west; and to install a 16 foot driveway as measured at top of full-height curb, between points 183 and 199 feet east of easterly line of Mission Boulevard, adjacent to Lots 7 to 10 inclusive, Block 262 Pacific Beach; driveways to be separated by 17 feet of full-height curb, and easterly curb cut for 16-foot driveway, to be 6 feet from westerly line of the alley; in connection with car-wash project at Reed Avenue between Mission Boulevard and Bayard Street; on conditions set out, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118098, recorded on Microfilm Roll No. 79, granting permission to Linda Vista Development Company, 2165 Comstock Street, San Diego 11, to install two 30-foot driveways and one 40-foot driveway, measured at top of full-height curb on southerly side of Rosecrans Street between points 41 and 71 feet, 101 and 131 feet and 158 and 198 feet southwesterly of point of intersection of property lines at southwesterly corner of Lots 1 to 4 inclusive, Block 399 Old San Diego, subject to conditions contained in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118099, recorded on Microfilm Roll No. 79, granting to Rip Tide Inn Corporation, A. J. Murphy, treasurer, permission to install and maintain underground telephone and electric power conduit across Spindrift Drive, from utility pole to residence at 1860 Spindrift Drive, La Jolla (revocable permit) on conditions set out in the Resolution; directing City Clerk to transmit certified copy of Resolution to permittee, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118100, recorded on Microfilm Roll No. 79, authorizing Mayor and City Clerk to execute easement to State of California of portion of Lake Hodges Reservoir for relocation of State Highway Route 77 (U.S. Route 395), more particularly described in form of easement filed with City Clerk; authorizing City Manager to sign agreement denominated "Right of Way Contract - State Highway", form filed with City Clerk, whereby in connection with the grant of easement the State agrees to pay cost of relocating certain improvements within new right of way, State consents to future flooding of new right of way and highway built thereon, and State and City agree upon their respective obligations with respect to relocation, replacement and raising of contemplated highway improvements in event of such flooding, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118101, recorded on Microfilm Roll No. 79, approving and allowing bill of San Diego City & County Convention Bureau in sum of \$1,599.04, covering expense incurred in soliciting and servicing conventions, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118102, recorded on Microfilm Roll No. 79, authorizing

Eddie Simon, Radio Engineer in Electrical Division, Department of Public Works to attend the annual joint state meeting of California Public Safety Radio Association, Inc., and Associated Public Communication Officers, Northern California, at Visalia, California, May 14 and 15, 1954; authorizing incurring all expenses necessary, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118103, recorded on Microfilm Roll No. 79, accepting quit-claim deed executed on 28th day of April, 1954, by Mid-City Heights Inc., a corporation, quitclaiming to The City of San Diego all sewer mains and appurtenant structures, constructed for its use, located in public streets, right of way, highways and public places within or without subdivisions named Clairemont Unit #8, Clairemont Unit #9 and Clairemont Manor #2, and sewer outfall in public sewer easement through certain private properties to connection with public sewer in Balboa Avenue, according to City of San Diego Drawings Nos. 9841-L through 9868-L, inclusive, Nos. 10023-L through 10042-L, inclusive, Nos. 10542-L through 10572-L, inclusive, 9891 L through 9900-L, inclusive, and 10163-L through 10165-L, inclusive; 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118104, recorded on Microfilm Roll No. 79, accepting quit-claim deed executed on the 28th day of April, 1954, by Carlos J. Tavares and Marjorie Claire Tavares, husband and wife, and Louis C. Burgener and Patricia W. Burgener, husband and wife, quitclaiming to The City of San Diego all sewer mains and appurtenant structures constructed for its use, located in public streets, right of way, highways and public places either within or without subdivision named Clairemont Manor #1 to connection with trunk sewer in Lakehurst Avenue in Clairemont Unit #8, according to City of San Diego drawings Nos. 10287-L through 10300-L, inclusive; 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118105, recorded on Microfilm Roll No. 79, accepting subordination agreement, executed by Equitable Life Assurance Society, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date April 27, 1954, wherein said parties subordinate all their right, title and interest in and to portion of East one-half of Pueblo Lot 143 to right of way and easement for sewer purposes heretofore conveyed to City of San Diego; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118106, recorded on Microfilm Roll No. 79, accepting Deed of Gran Gregory and Mable D. Gregory, bearing date April 8, 1954, conveying portion of Lot 4 Block 5 Florence Heights Addition; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118107, recorded on Microfilm Roll No. 79, accepting Deed of Union Title Insurance and Trust Company, bearing date January 20, 1954, conveying portion of Lot 5 of Pueblo Lot 1782; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118108, recorded on Microfilm Roll No. 79, accepting Deed of M. Hall Company, bearing date May 5, 1954, conveying portions of Lots 3, 4, 5, 6 Block 3, and adjacent street closing, Haffenden's Sunnydale; setting aside and dedicating property to public use as and for public street, and naming it Wabash Boulevard; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118109, recorded on Microfilm Roll No. 79, accepting Deed of J. Francis Guyton and Mary Gatten Gayton, bearing date May 3, 1954, conveying easement and right of way for road purposes in portion of Northwest Quarter of Section 33, T 17S, R3E S.B.B.M.; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

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RESOLUTION NO. 118110, recorded on Microfilm Roll No. 79, accepting deed of San Diego Unified School District of San Diego County, California, bearing date April 20, 1954, conveying easement and right of way for street purposes in portion of Pueblo Lots 1257 and 1262 Pueblo Lands; authorizing and directing the City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118111, recorded on Microfilm Roll No. 79, accepting deed of Karl A. Sack and Mary E. Sack, bearing date March 30, 1954, conveying easement and right of way for sewer purposes in portion of East one-half of Pueblo Lot 143; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118112, recorded on Microfilm Roll No. 79, accepting deed of Harley E. Knox and Bessie K. Knox, bearing date April 7, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 54 Horton's Purchase of Ex-Mission Lands 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 the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118113, recorded on Microfilm Roll No. 79, accepting deed of Edward X. Madruga and Lucile F. Madruga, bearing date April 9, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 54 Horton's Purchase of Ex-Mission Lands; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118114, recorded on Microfilm Roll No. 79, accepting deed of San Diego Unified School District of San Diego County, bearing date April 20, 1954, conveying easement and right of way for storm drain purposes in portion of southeast quarter of Section 103 Rancho de la Nacion; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, Ordinance transferring assets of the "Crosby Library Fund" to the "Library Education Fund" and repealing Ordinance 1572 New Series, was introduced; by following vote: Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

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

RESOLUTION NO. 118115, recorded on Microfilm Roll No. 79, directing Purchasing Agent to dispose of Shed No. 2, B St. Pier, declared to be obsolete with no further use to the Harbor Department, in accordance with standard procedures or if that cannot be done that it be demolished either by contract or by Harbor forces, whichever is most economical and by the most expeditious method, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

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

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Fleetridge Unit No. 3.

RESOLUTION NO. 118116, recorded on Microfilm Roll No. 79, adopting Map of Fleetridge Unit No. 3, being resubdivision of Lots 165, 166, 167 and 168 of Fleetridge Unit No. 2; accepting on behalf of the public unnamed easement, declaring it to be dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that easement is accepted on behalf of the public; directing City Clerk to transmit the map to the Clerk of the Board of Supervisors of County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION NO. 118117, recorded on Microfilm Roll No. 79, authorizing and empowering the City Manager to do all the work in connection with construction of beach

rake for use on City beaches, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

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

ORDINANCE NO. 6112 (New Series), recorded on Microfilm Roll No. 79, appropriating \$22,000.00 from Unappropriated Balance Fund, for purpose of providing funds for purpose of purchasing equipment to be used for Beach Cleaning, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

The Ordinance was introduced on motion of Councilman Burgener, seconded by Councilman Godfrey.

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

The Council Secretary returned the next matter, which had been referred to Council Conference:

Communication from Shoreline Planning Association of California, Inc., re diversion of oil royalty money away from recreation facilities at beaches and parks. It was filed.

There being no further business to come before the Council at this time, the meeting was declared adjourned by the Mayor at the hour of 11:13 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

Tuesday, May 18, 1954 - Chamber of the Council
of The City of San Diego, California

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

The Regular Meeting, held this date, was called to order by the Mayor at the hour of 10:00 o'clock A.M.

The Mayor presented Rev. Ray H. Firth, pastor of the Wesley Methodist Church, who gave the invocation.

On motion of the Councilman Burgener, seconded by Councilman Dail, the

Ord 6112 N.S.
Invocation

Minutes of the Regular Council Meetings of Tuesday, May 13, 1954, and of Thursday, May 15, 1954, were presented by the Clerk. On motion of Councilman Burgener, seconded by Councilman Dail, they were approved without reading; after which they were signed by the Mayor.

The Mayor welcomed to the meeting members of the San Diego Vocational Civics Class, accompanied by Mr. Larson, their teacher. He explained the operation of the meetings, told of the conferences before and after meetings. He invited the students to his office following their attendance at the meeting.

Councilman Godfrey entered

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 86 Point Loma Heights, under Resolution of Intention No. 117128, the Clerk reported that 5 bids had been received, which were presented by the Clerk.

On motion of Councilman Burgener, seconded by Councilman Wincote, 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. 490672;

Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$800.00, given Document No. 490673;

William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, in the sum of \$600.00, given Document No. 490674;

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. 490675;

Dan McF. Chandler, accompanied by bond written by Pacific Employers Insurance Company in the sum of \$500.00, given Document No. 490676.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Thorn Street, under Resolution of Intention No. 117129, the Clerk reported that 6 bids had been received, which were presented to the Council.

On motion of Councilman Burgener, seconded by Councilman Wincote, they were publicly opened and declared.

The bids were as follows:

Griffith Company, accompanied by bond written by National Surety Co. in the sum of \$600.00, given Document No. 490677;

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. 490678;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1,000.00, given Document No. 490679;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$600.00, given Document No. 490680;

Councilman Kerrigan was excused

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$700.00, given Document No. 490681;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$600.00, given Document No. 490682;

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Wightman Street and Ogden Street, under Resolution of Intention No. 117130, the Clerk reported that 6 bids had been received, which he presented to the Council.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, 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 \$1600.00, given Document No. 490688;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$2,000.00, given Document No. 490689;

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, given Document No. 490690;

Councilman Kerrigan returned

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1,500.00, given Document No. 490691;

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$2100.00, given Document No. 490692 ;

Visitors
Bids

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$1,500.00, given Document No. 490693.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the 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. 117565, 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 Godfrey, the proceedings were referred to the City Attorney for preparation and presentation of the Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment No. 2229 for paving and otherwise improving Redwood Street and Haller Street, under Resolution of Intention No. 112880, the Clerk reported that written appeal had been received from Carl Oxe and Mabel Oxe, which was presented to the Council.

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

John L. Monette, 3070 Haller Street, said that the street is not paved in front of his property.

Willard Olson, from the City Engineer's office, said that there is an assessment for an area charge, covering Redwood & Haller, and the intersection of the alley.

Mr. Monette said that property canyon is largely in a canyon, and that he cannot use it.

Mr. Olson spoke of a dedicated street, and said that assessment is based on State law.

Mr. Monette showed a diagram of the property to Councilman Godfrey.

Mr. Olson spoke of 2 intersections and Redwood Street area assessment. He stated that the protestant uses Redwood street.

Mr. Monette said that he can't drive up Haller.

Mr. Olson replied that he is not assessed for Haller.

Councilman Kerrigan said that the City has to go 1/2 block, on State law, for the assessment.

There was discussion between Councilman Dail and Mr. Olson over the assessment, on other streets. Councilman Wincote joined the discussion over other assessments.

Mr. Monette said he could not use the property for building.

Asked why he bought it, then, Mr. Monette replied that he had to, in order to secure the other property. The owner would not sell separately.

Councilman Wincote said he would not oppose re-assessment, if the property is found to be useless.

There was discussion between Councilmen Wincote and Kerrigan regarding usability of the property, and method of assessment.

Councilman Godfrey spoke to Mr. Monette.

Mr. Monette told the Council that he uses about 1-1/2 lots.

Mr. Olson said that there is other canyon property in the improvement - and that if there was reduction made, it would raise the assessment on other properties in the district.

Discussion took place among several Councilmen regarding by-passing the Debt Limitation Investigation.

Councilman Burgener had a discussion with Mr. Monette over description of property.

Mr. Olson outlined the various charges which go into making up the assessment.

There was discussion between Councilman Kerrigan and Mr. Monette.

Mr. Olson spoke to Mr. Monette over the property which was improved by the improvement project.

Councilman Kerrigan and Mr. Olson discussed the charge.

Councilman Burgener referred to statement made (by Mr. Olson) about other lots in the same category.

Councilman Wincote held a discussion with Mr. Olson.

Councilman Wincote asked Mr. Dillion (representing Griffith Company, the contractor) if there would be any objection to delay of one week on the assessment.

Mr. Dillion replied that there would be no point in the delay, but that he did not object to such a delay.

Dorothy Lester, owner of portions of Lots 33 and 34, said that she cannot use, since she has no easement to the front, and that she can't build.

Councilman Kerrigan referred to being unable to build on account of property which had been divided having no frontage.

Mr. Olson spoke to Mrs. Lester regarding the property.

Mrs. Lester said that she uses thorn Street and the Alley.

The Mayor spoke to Mr. Lester regarding other people paying.

Councilman Dail said that it is a question of availability.

Councilman Wincote said that people 1/2 block from Thorn Street paid for Thorn improvement.

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Mrs. Lester asked why should she have to pay for Haller, when she has no easement to Haller.

Councilman Wincote spoke to Mrs. Lester regarding "normal assessment".

Mrs. Lester said that she does not object so much to Redwood assessment; but, she re-iterated, she does not use Haller.

Councilman Godfrey spoke to Mrs. Lester over the assessment spread, and showed her a map. He declared that the property should not have been split.

Mrs. Lester said that it would make no difference to her if Redwood Street and Haller did not exist. She said that she can't get a permit for erection of a garage-apartment.

RESOLUTION NO. 118118, recorded on Microfilm Roll No. 80, overruling and denying appeals of John L. Monette, Dorothy Lester, Carl and Mabel R. Oxe, from the Street Superintendent's Assessment No. 2229 made to cover costs and expenses of work of paving and otherwise improving Redwood Street and Haller Street under Resolution No. 112880; overruling and denying all other appeals; confirming and approving the Assessment; authorizing and directing the Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The next matter was taken out of order, and considered at this time.

Councilman Dail mentioned DeGraff Austin's presence. He referred to him as a former member of the City Council, Board of Supervisors, etc., and as being a candidate for member of the Supervisors.

Mr. Austin asked for consideration of the petition, which was presented.

Petition of residents for a traffic control signal lighting at intersection of East Washington, Lincoln Avenue and Richmond Street, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, referred to the City Manager.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2230 made to cover costs and expenses of installation of curb and sidewalk in Poole Street, Azul Street and La Jolla Shores Drive, under Resolution of Intention No. 113264, the Clerk reported receiving written appeal from Charles M. Brackenbury, 9575 Poole St., La Jolla, which was presented.

The City Engineer agreed that the appellant was right in his contention that driveway and portion of sidewalk were in before proceedings were started for this work. He said that it was an appeal of 6.6%, and that hearing should be continued until Thursday of this week.

The Mayor inquired if there were any verbal appeals.

No one appeared to be heard, and there were no additional appeals filed.

RESOLUTION NO. 118119, recorded on Microfilm Roll No. 80, continuing hearing on Assessment No. 2230 made to cover costs and expenses of installation of curb and sidewalk in Poole Street, Azul Street and La Jolla Shores Drive, under Resolution of Intention No. 113264, until 10:00 o'clock A.M., Thursday, May 20, 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 set for hearing on Resolution No. 117680 of Preliminary Determination for paving and otherwise improving Alley Block 95 Ocean Bay Beach, 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 verbally, and no written protests were presented.

RESOLUTION NO. 118120, recorded on Microfilm Roll No. 80, determining that paving and otherwise improving Alley Block 95 Ocean Bay Beach, within limits and as described in Resolution No. 117680 of Preliminary Determination is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public convenience and necessity require proposed improvements, ~~and 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 Dail, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 117681 of Preliminary Determination for paving and otherwise improving Alleys Blocks 3 and 4 Ocean Front, within limits and as described in the 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 verbally, and no appeals were filed.

RESOLUTION NO. 118121, recorded on Microfilm Roll No. 80, determining that the improvement of Alleys in Blocks 3 and 4 Ocean Front, within limits and as described in Resolution No. 117681 of Preliminary Determination is feasible and lands to be assessed therefor will be able to carry the burden of proposed assessment, also finding and deter-

mining 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 Burgener, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 117682, the Clerk reported that no written protests had been received.

Councilman Kerrigan asked what would happen regarding the debt limitation act.

Douglas D. Deaper, Deputy City Attorney, answered his question.

The Mayor asked if anyone was present to be heard.

H. C. Harmelink, 1865 Capistrano Street, was heard. He said that he had taken steps to lower his lot 3 feet. Mr. Harmelink said that if the grade is lowered so that he can't get into his garage, he protests. He said that he was concerned only with the 3500 block of Oliphant Street. He filed a protest.

The Mayor spoke of the Council talking in circles. He said that if garages are unusable, it is up to the Council to make a determination. He said that the Council could not hold up the work on a minority protest.

Councilman Kerrigan spoke to Mr. Harmelink regarding the accessibility.

John H. Baker asked if all is one assessment. He said that he sees sewers listed in the job. He told the Council of being assessed for Oliphant Street, but is on Macaulay. He told Mr. Olson that his property is on Macaulay and Plum.

Councilman Burgener said that he can be assured there will be no charge for the sewer.

Mr. Baker spoke of cutting 4 feet; wondered if it would be on the low side, or on the high side, for the grade.

The City Engineer spoke to Mr. Baker regarding the grade.

Mr. Baker spoke to the City Engineer over a map.

Anthony Naves said that he owns 100x100 on Plum and Newell. He went up and looked at a map which the Engineer had. He asked if when it is cut down, it will be graded back.

Mr. Olson said that it would be graded curb-to-curb, when sloped.

Mr. Baker's reply was "all right".

Councilman Wincote moved to overrule the protests.

During discussion between the City Engineer and the interested individuals who had spoken the matter was held over temporarily. It is shown following, however, in order to maintain a sequence.

RESOLUTION NO. 118122, recorded on Microfilm Roll No. 80, overruling and denying protest of H. C. Harmelink, John H. Baker and Anthony Naves against proposed improvement of Clove Street, Plum Street, Oliphant Street and Newell Street, under Resolution of Preliminary Determination No. 117682; overruling and denying all other protests thereon, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118123, recorded on Microfilm Roll No. 80, determining that proposed improvement of Clove Street, Plum Street, Oliphant Street and Newell Street, within limits and as particularly described in Resolution No. 117682 of Preliminary Determination is feasible and that lands to be assessed therefor 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 Godfrey, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating Lots F to N Block 19, Lots A & B Block 20 Las Alturas Unit No. 5, and Lots 1 to 7 inclusive Victory Manor into M-1A Zone and repealing conflicting ordinances - introduced April 27, 1954 - 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 Wincote, 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. 6113 (New Series), incorporating Lots F to N inclusive Block 19, Lots A & B Block 20 Las Alturas Unit No. 5, Lots 1 to 7 inclusive Victory Manor, into M-1A Zone as defined by Section 101.0412.1 of San Diego Municipal Code and repealing Ordinance No. 116 (New Series) insofar as they conflict, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance dedicating lands for street purposes and naming it Soto Street and Green Street - introduced May 11, 1954 - 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.

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On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the reading of the next ordinance 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. 6114 (New Series), recorded on Microfilm Roll No. 80, dedicating public lands as and for public street purposes in portion of Collier Park, situated in Pueblo Lot 206, and naming it Soto Street; dedicating public lands for public street purposes in portion of Collier Park, situated in Pueblo Lot 206, and naming it Greene Street, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--Councilman Schneider.

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Communication from Purchasing Agent reporting on bids for moving Shed No. 2 "B" Street Pier to 10th Street Industrial Pier received May 5, 1954, from 3 bidders, was presented. It recommends that all bids be rejected as they greatly exceed estimate of the Harbor Department. It states Harbor Commission by Resolution 2252 N.S. concurs.

RESOLUTION NO. 118125, recorded on Microfilm Roll No. 80, rejecting bids received May 5, 1954, for moving Shed No. 2 "B" Street Pier to 10th Street Industrial Area, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

*

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 160 Stacking Chairs for use in children's room, for group meetings and for training classes in Public Library, received April 22, 1954, from 5 bidders. It states that low bid was received from General School Equipment Company of San Diego at total of \$1,414.50, but were not acceptable for several reasons specified in the report. It recommends award to second low bidder, Brunswick-Balke-Collender Company, at \$1,542.20, terms net, plus State Sales Tax.

RESOLUTION NO. 118124, recorded on Microfilm Roll No. 80, accepting bid of Brunswick-Balke-Collender Company for furnishing 160 Stacking Chairs; 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 office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Purchasing Agent, reporting on bids for Resurfacing portion of 28th Street Pier Area for Harbor Department, received April 19, 1954, from 4 bidders, was presented. It recommends award to Sim J. Harris Company, low bidder, at \$1,109.50.

RESOLUTION NO. 118126, recorded on Microfilm Roll No. 80, accepting bid of Sim J. Harris Company for Resurfacing portion of 28th Street Pier; awarding contract, authorizing and instructing majority of members of Harbor Commission to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for construction of storm drain in La Jolla Shores Drive, Lots 11 and 12 Block 19 La Jolla Shores Unit No. 1, and portion of Pueblo Lot 1297, all near Camino de la Colina, received May 12, 1954, from 8 bidders, was presented. It recommends award to Beason Construction Company, low bidder, in amount of \$6,400.00 - low bid 26.6% below estimate of City Engineer's office.

RESOLUTION NO. 118127, recorded on Microfilm Roll No. 80, accepting bid of Beason Construction Company for construction of storm drain in La Jolla Shores Drive, Lots 11 and 12 Block 19 La Jolla Shores, Unit No. 1 and portion of Pueblo Lot 1297; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing dump truck with special body, received from 5 bidders, was presented. It recommends award to International Harvester Company, low bidder, in amount of \$3139.23 plus sales tax.

RESOLUTION NO. 118128, recorded on Microfilm Roll No. 80, accepting bid of International Harvester Company for furnishing one dump truck with special body; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract with International Harvester Company pursuant to specifications on file in office of City Purchasing Department, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 1 Jeep Pickup Truck, received from 2 bidders, was presented. It recommends award to Willys Sales Company, low bidder, in amount of \$1951.32 plus sales tax, less trade-in allowance of \$360.00 for 1948 Ford Station Wagon.

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6114 N.S.

RESOLUTION NO. 118129, recorded on Microfilm Roll No. 80, accepting bid of Willys Sales Company for furnishing 1 Jeep Pickup Truck, less trade-in allowance for 1948 Ford Station Wagon; authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118130, recorded on Microfilm Roll No. 80, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of Sprinkler System at intersection of Midway Drive, Ingraham Street, Ventura and Sunset Cliffs Boulevards, bearing Document No. 490554; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids according to plans and specifications, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118131, recorded on Microfilm Roll No. 80, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Improvement of Tierra del Fuego, Dana Basin and Santa Clara Point, Mission Bay, (including construction of riprap and the necessary backfilling on Santa Clara Point and on Tierra del Fuego; construction of boat launching ramp at Dana Basin on Sunset Point; construction of concrete drainage spillway and Type G curb at Santa Clara Point; restoration of site and other work), bearing Document No. 490553; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids for the work, in accordance with plans and specifications, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, reporting on petition to close 12 feet on each side of 46th Street between Maple and Olive Streets, was presented. It states 46th Street is dedicated 80 feet wide northerly from Home Avenue, and is unimproved except for narrow graded roadway approximately 20 feet wide extending from Home Avenue to Olive Street. Also, it says that 46th Street has as much as 30 feet cross fall between property lines so that grading will require considerable slope areas, and no consideration would be given to closing any portion until it is graded and improved. The communication recommends denial.

RESOLUTION NO. 118132, recorded on Microfilm Roll No. 80, denying petition to close 12 feet on each side of 46th Street, between Maple and Olive Streets, as recommended by the Street Superintendent, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, reporting on petitions to close 10-foot path adjacent to Lots 3083 and 3084, and Lots 3109 and 3110, in Clairemont Unit No. 15 (Map 3008); and Document No. 489971), a later petition requesting that closing proceedings be combined and modified. It states that pathways were dedicated on the Map and accepted by the City; they run diagonally from alleys to intersection of Clairemont Boulevard and Clairemont Mesa Drive, and are improved with 4-foot Portland Cement concrete sidewalk for pedestrians' convenience on Gila Avenue and Luna Drive, as short-cut to reach bus stop and business center. The report says that Zone Variance No. 12897 was granted on Lots 3109 and 3110 for market building and parking lot with condition that path be closed and new path be dedicated and improved with sidewalk. It mentions other proposed improvement and relocation of sidewalk. It states that no objections have been made by any City departments to relocation of the paths, and recommends closing as requested and that closing proceedings be modified and combined.

RESOLUTION NO. 118133, recorded on Microfilm Roll No. 80, granting petition for closing 10-foot paths adjacent to Lots 3109 and 3110, and to Lots 3083 and 3084 in Clairemont Unit No. 15, as recommended by Street Superintendent; directing City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay costs, damages and expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, reporting on petition to close 15-foot walkway between Lots 9 and 10 Block 41 La Jolla Hermosa Unit No. 2, was presented. It states that walkway contains no unimprovements, that it extends up steep slope and leads to unsubdivided property; that it is unlikely that it will ever be used for a public path. It states that its unimproved state makes a potential fire hazard to adjacent improved property, and it would be in public interest to close the path. It recommends granting.

RESOLUTION NO. 118134, recorded on Microfilm Roll No. 80, granting petition for closing 15-foot path between Lots 9 and 10 Block 34 La Jolla Hermosa Unit No. 2, as recommended by Street Superintendent; directing City Engineer to furnish description of 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 Godfrey, adopted.

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Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension portion of Clairemont Plaza Unit No. 2, was presented.

RESOLUTION NO. 118135, recorded on Microfilm Roll No. 80, suspending Sections 102.09 1&2, 102.12-8, 102.18, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Clairemont Plaza Unit No. 2, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Clairemont Plaza Unit No. 2, subject to 5 conditions, was presented.

RESOLUTION NO. 118136, recorded on Microfilm Roll No. 80, approving Tentative Map of Clairemont Plaza Unit No. 2, 2-lot subdivision of portion of Lots 139 to 142 inclusive of Morena, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of Fairmount Plaza insofar as they relate to Tentative and Final Maps, was presented.

RESOLUTION NO. 118137, recorded on Microfilm Roll No. 80, suspending Sections 102.07-5, 102.12-6, 102.16-8, 102.18, 102.17-c of the Municipal Code in connection with Tentative Map of Fairmount Plaza, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Fairmount Plaza, for resubdivision of Lots 15 to 21 Block J, Lots 39 to 45 Block K Fairmount Plaza, located at Home Avenue and Gateway Drive, subject to 8 conditions, was presented. It states resubdivision is occasioned by desire of property owner to have business development on the property.

RESOLUTION NO. 118138, recorded on Microfilm Roll No. 80, approving Tentative Map of Fairmount Plaza, resubdivision of Lots 15 to 21 Block J, lots 39 to 45 Block K Fairmount Plaza, subject to conditions contained in Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending findings relative to Tentative Map for dividing by Record of Survey Map Lot 1 Griffith Terrace, was presented.

RESOLUTION NO. 118139, recorded on Microfilm Roll No. 80, finding that in connection with Tentative Record of Survey Map for division of Lot 1 Griffith Terrace into 2 parcels: that it conforms to Section 11535 (b) (1) of State Map Act in that "Subdivision" does not include either of following: (1) Any parcel or parcels of land in which all following conditions are present (i) which contain less than 5 acres; (ii) which abut upon dedicated streets or highways; (iii) in which street opening or widening is not required by Governing Body in dividing land into lots or parcels; (iv) lot design meets approval of the Governing Body, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, reporting on Tentative Map for one-lot subdivision of portions of Pueblo Lots 1288 and 1289, located near intersection of Ardath Road and Torrey Pines - small parcel of land, 40 feet in width and approximately 160 in length, only 40 feet of frontage on Ardath Road and 55 feet on Torrey Pines Road, was presented. It states that in Ardath Road development it is proposed that access rights be acquired along Ardath Road. The report recites the size, compared to surrounding lots with considerably more area and street frontage. The report says that since lot has only width of 40 feet, it does not comply with either zoning or subdivision requirements and is considerably smaller in area than any lots in Hidden Valley area. It states that the Commission was unanimous in recommendation to deny approval because the substandard building site it would create. The report recommends similar action by the Council.

RESOLUTION NO. 118140, recorded on Microfilm Roll No. 80, denying Tentative Map for one-lot subdivision in portions of Pueblo Lots 1288 and 1289 at intersection of Ardath Road and Torrey Pines Road, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portions of the Municipal Code insofar as they relate to Tentative Map of Rose Prado, was presented.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Rose Prado, 9-lot subdivision of portion of Lot 93 Las Alturas Villa Sites, upon 10 conditions, was presented.

Resolutions following both recommendations were adopted, but are not numbered inasmuch as action was reconsidered later, at which time Ray E. Hall, owner, spoke.

Mr. Hall referred to item 6 regarding paving. He stated that when he sold

118135 - 118140

Communications re Rose Prado subdiv.

to the City, he was given to understand that money had been appropriated, and that there would be no cost to him - there would be gas tax funds for the improvement (of Logan Ave). Asked from whom he had received such information, Mr. Hall said that the Purchasing Agent had said that the money had been appropriated, and that paving of Logan Avenue would be paid for from the appropriation.

Glenn A. Rick, City Planning Director asked if there had been any objections raised at the Planning meeting.

Mr. Hall said that the Commission wanted to table the matter, and go over with various departments. He informed the Council that he is going overseas soon. He asked if the street is improved he will be re-imbursed by the City.

Councilman Kerrigan stated that nobody can reimburse him.

Mr. Hall said that if the City gives it word, a man's word is no good. He said that the right of way agent contacted him in regard to land for Logan Avenue. He said that he did not want an assessment for a street which he can't use. He said that he was in Chicago at the time.

Mr. Rick identified the property as being in a portion of Las Alturas Villa Sites.

Mr. Hall asked the City to just leave the street as is, but with a grade established.

Councilman Wincote asked if when the street is paved, the City will pay for it.

Councilman Kerrigan said that rules may be changed.

Mr. Rick said that Logan Avenue paving (as condition in the proposed resolution, if Lot 1 is excluded).

Mr. Hall said that on the plat Lot 1 was excluded. He spoke of subdividing all lots on Cervantes. He said that next time he saw the map, the property had been cut up into 12 lots. He said that he wanted a drain, etc., but that was financially impossible. He wanted all lots on Cervantes, and that when Logan Avenue is paved he wants the City to pay for it, Mr. Hall said. He said that he "owns the whole thing". He asked for exclusion of Lot 1 and other lots previously excluded.

Mr. Rick said that another Resolution can be presented, or the one before the Council can be "doctored".

By agreement, the matter was held over until Thursday.

See later action on page 146 of these Minutes.

Communication from Planning Commission, signed by Harry C. Haelsig, reporting on communications from Freeland, Peterson & Evenson, signed by Charles W. Christen, requesting re-approval of Tentative Map of Sycamore Valley Ranchos, approved by Resolutions 111723 and 111724 on April 23, 1954, was presented. It states that since original approval, Alvarado Canyon Freeway has been designated as part of Route 80, and studies are progressing with State Highway Department which include overhead structure slightly to west, which would affect design of the subdivision. The report says that the matter has been discussed with developer's engineer, and it was recommended that the map be not reapproved because of changing conditions.

RESOLUTION NO. 118141, recorded on Microfilm Roll No. 80, denying request of Freeland, Peterson & Evenson for reapproval of Tentative Map of Sycamore Valley Ranchos, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communications from Jane R. Loomis and Richard A. Loomis, 6331 Muirlands Dr., La Jolla, dated 5/13/54, regarding deterioration and lack of enforcement of sign control in La Jolla business section, was presented. It cites signs having been erected in the commercial zone recently which are ugly and offensive. It asks for preservation of the distinctive residential and business suburb simple charm of La Jolla, and regulation of signs.

RESOLUTION NO. 118142, recorded on Microfilm Roll No. 80, referring communication from Jane R. Loomis and Richard A. Loomis re lack of enforcement of sign control in La Jolla to Council Conference, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communications from Edgar F. Hastings, 889 Armada Terrace, dated May 13, 1954, and Alan R. Essery, address not given, dated May 14, 1954, offering suggestions relative to proposed ordinance to limit size of buildings, were presented.

RESOLUTION NO. 118143, recorded on Microfilm Roll No. 80, referring communications from Edgar F. Hastings and from Alan R. Essery on limiting size of buildings in San Diego area, to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

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

First names and initials of speakers were not given, but were obtained by telephoning to the wife of the first speaker - so they will be shown as given by her.

Councilman Dail introduced a delegation from Paradise Hills, and invited the delegation for the group to be heard.

Wm. C. Duke, representing Civic Organization from Paradise Hills, was heard first. He spoke of recreational facilities needs in the area. He told of the district being almost surrounded by National City. National City has tried to annex the property, but the voters have always turned down the proposal, according to Mr. Duke. He spoke

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Communications
U.S. - Paradise Hills
recreation presentation

of having had no consideration - or at least, very little. Mr. Duke told of being interested in teen age recreation. He mentioned residents having to ride the bus to Balboa Park, and that there are some facilities at the school only.

Mrs. Eleanor Rawlings spoke for the Girl Scouts. She said that there are no facilities for the Girl Scouts, and that they have to go to National City. She pointed out that there would be more cooperation, if the area had more facilities.

There was discussion between Councilmen Wincote and Dail regarding a plat of land - regarding cooperation.

Discussion followed between Councilmen Wincote and Kerrigan, and Mr. Duke.

Councilman Wincote said that he thinks recreation has been planned.

Reverend Fred Hustlar, Paradise Community Church pastor, was heard next. He said that most families are Navy families. He told the Council that he looks at the need of the children and the families for recreational facilities. The children are not a problem, but a privilege, he stated. He said that there is need for some place for the mothers and children.

Owen Dillon, Scout Master, spoke next. He told of the area having 1,000 homes, with 800 units under construction through the Wherry Act. He mentioned the small yards and no places for children in that development. He said that there will be 2,000 units in the area next year, and said that it will be bigger than Lomita. He asked for a survey to be made by Park & Recreation Department.

Mr. Duke said that the residents are home owners.

Councilman Dail said that the matter should be referred to the City Manager, and announced that the Council is in budget sessions now.

RESOLUTION NO. 118144, recorded on Microfilm Roll No. 80, referring to the City Manager for consideration in Budget Conference verbal request of Wm. C. Duke (and others) on need for recreation facilities in Paradise Hills area, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

See page 146 also, for this item.

At the request of the City Manager, Howard Ogden, Property Supervisor, appeared in connection with the item covering the Tentative Map of Rose Prado. He spoke to the Council regarding the subdivision, and land acquired for Logan Avenue. He said Mr. Olson had negotiated for purchase of the property, but had not said how Logan Avenue improvement would be financed.

The City Manager told the Council that there was no money appropriated (as had been stated by Ray E. Hall).

Councilman Kerrigan said that there is no guaranty that the street will be paid for out of gas tax funds.

Councilman Godfrey said that the City Manager should outline the situation to Mr. Hall in a letter.

There was no action.

RESOLUTION NO. 118145, recorded on Microfilm Roll No. 80, directing notice of filing of Assessment No. 2241 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 22 City Heights, under Resolution of Intention No. 113261, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118146, recorded on Microfilm Roll No. 80, directing notice of filing of Assessment No. 2242 and of time and place of hearing thereof, for paving and otherwise improving Diamond Street, under Document No. 109062, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118147, recorded on Microfilm Roll No. 80, directing notice of filing of Assessment No. 2244 and of time and place of hearing thereof, for installation of sewers in Plantano Street, Castana Street, Nogal Street, Escuela Street, Cereza Street, Imperial Avenue and Public Rights of Way, under Resolution of Intention No. 112878 was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 118148, recorded on Microfilm Roll No. 80, accepting bid of J. M. Burkhart, an individual doing business under firm name and style of Chula Vista Electric Co. for installation of street lighting standards on 30th Street, Upas Street, Ray Street and University Avenue, under Resolution of Intention No. 117016, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The City Engineer reported in writing that low bid is 15.4% below the estimate.

RESOLUTION NO. 118149, recorded on Microfilm Roll No. 80, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 16 Bird Rock City by the Sea, and Easterly and Westerly Alley lying northerly of and contiguous to Block 2 Bird Rock Addition, filed under Document No. 489938; approving Plat No. 2594 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 plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118150, recorded on Microfilm Roll No. 80, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 83 Point Loma Heights, under Document No. 489940; approving Plat No. 2599 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118151, recorded on Microfilm Roll No. 80, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving A Street, under Document No. 489936; approving Plat No. 2598 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118152, recorded on Microfilm Roll No. 80, for furnishing electric current for lighting ornamental Street Lights located in San Diego Lighting District No. 3, for period of one year from and including July 16, 1954; in accordance with Engineer's Report and Assessment filed April 2, 1954 in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 118153, recorded on Microfilm Roll No. 80, for closing portions of Templeton Street and the Alley Block 4 Chesterton Extension, described in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 118154, recorded on Microfilm Roll No. 80, for paving and otherwise improving Alley in Block I Montecello, described in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 118155, recorded on Microfilm Roll No. 80, for paving and otherwise improving Alley Block 46 Ocean Beach, and Sunset Cliffs Boulevard, described in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 118156, recorded on Microfilm Roll No. 80, for installation of sewer mains and appurtenances in Ollie Street, Camulos Street, Liberty Street and Venus Street, described in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118157, recorded on Microfilm Roll No. 80, appointing time and place for hearing protests, and directing notice of hearings for furnishing electric current for lighting ornamental street lights located in Loma Portal Lighting District No. 1, for one year from and including June 28, 1954, in accordance with Engineer's Report and Assessment filed May 13, 1954 in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118158, recorded on Microfilm Roll No. 80, for paving and otherwise improving Alley Block 16 Bird Rock City by the Sea, and Easterly and Westerly Alley lying northerly of and contiguous to Block 2 Bird Rock Addition, described in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118159, recorded on Microfilm Roll No. 80, for paving and otherwise improving Alley Block 83 Point Loma Heights, as described in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118160, recorded on Microfilm Roll No. 80, for paving and otherwise improving A Street, described in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118161, recorded on Microfilm Roll No. 80, ascertaining and declaring wage scale for paving and otherwise improving Alleys in Block 3 Alhambra Park, described in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118162, recorded on Microfilm Roll No. 80, ascertaining and declaring wage scale for paving and otherwise improving Alleys in Block 12 Normal Heights, described in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118163, recorded on Microfilm Roll No. 80, ascertaining and declaring wage scale for paving and otherwise improving 67th Street, Mohawk Street, Bowman Lane, 68th Street, Saranac Street and Public Right of Way, described in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118164, recorded on Microfilm Roll No. 80, approving diagram of property affected or benefited by work of improvement to be done on paving Alley Block 1 Ocean Front, under Resolution of Intention No. 114247 and to be assessed to pay expenses thereof, ~~described in Resolution of Intention No. 114247 and to be assessed to~~ pay diagram made by City Engineer; directing the Clerk of the City to immediately deliver the diagram so certified to the Superintendent of Streets, was on motion of Councilman of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118165, recorded on Microfilm Roll No. 80, approving diagram of property affected or benefited by work of improvement to be done on paving Dixon Place and Warrington Street, under Resolution of Intention No. 114060 and to be assessed to pay expenses thereof, diagram made by City Engineer; directing Clerk of the City to immediately deliver diagram so certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118166, recorded on Microfilm Roll No. 80, approving diagram of property affected or benefited by work of improvement to be done on paving Florence Street, between 35th Street and its termination at Wabash Boulevard, under Resolution of Intention No. 113493 and to be assessed to pay expenses thereof, diagram made by City Engineer; directing Clerk of the City to immediately deliver diagram so certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118167, recorded on Microfilm Roll No. 80, approving diagram of property affected or benefited by work of improvement to be done on paving Thomas Avenue, Public Rights of Way and Alley Block 274 Pacific Beach, under Resolution of Intention No. 113266 and to be assessed to pay expenses thereof, diagram made by City Engineer; directing Clerk of the City to immediately deliver diagram so certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118168, recorded on Microfilm Roll No. 80, adopting recommendation of City Engineer, filed in office of City Clerk under Document No. 490202; authorizing City Engineer to amend proceedings for improvement of Long Branch Avenue and Spray Street in accordance with the recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118169, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 488754 for paving and otherwise improving F Street (partially); directing 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 of paving and otherwise improving F Street; directing City Engineer to consolidate assessment district with assessment district heretofore ordered by Resolution No. 113776 for improvement of portions of E and 29th Streets, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118170, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 488751 for paving and otherwise improving Alley in Block "C" Sterlingworth, and Block "B" Teralta; directing 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 of improvement, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118171, recorded on Microfilm No. 80, granting petition for paving Camino Del Oro; directing Engineer to furnish description of assessment district and plat of exterior boundaries of assessment district, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118172, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 488755 for paving Commercial Street; directing 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 of paving, installation of curbs, water services, sewer laterals, drainage structures and gutters, if required, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118173, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 488750 for paving and otherwise improving Franklin Avenue; directing 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 of grading, paving, installation of gutters and water services, if required, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118174, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 488756 for paving and otherwise improving Guy Street; directing 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 of grading, paving, installation of curbs, sewer laterals, water services and drainage structures, if required, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118175, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 488753 for widening Third Avenue, between University Avenue and Washington Street; directing 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 of widening, grading, paving and installation of curbs and sidewalks, and portions of University Avenue and Washington Street if required, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118176, recorded on Microfilm Roll No. 80, prohibiting parking of automobiles at all times on easterly side of Rosecrans Street between point 195 feet south of south curb line of Midway Drive and point 740 feet south of south curb line of Midway Drive; authorizing and directing installation of necessary signs and markings; declaring that Resolution will cease to be operative 6 months after receipt by the City Council of written notice of withdrawal of approval of Department of Public Works of the State of California, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution states draft has been submitted to and approved by said Department of Public Works; it authorizes and directs installation of necessary signs and markings.

RESOLUTION NO. 118177, recorded on Microfilm Roll No. 80, prohibiting parking between 3:00 a.m. and 6:00 a.m. (a) on Tuesdays, Thursdays and Saturdays on east side only; and (b) on Mondays, Wednesdays and Fridays on west side only: Kettner Boulevard, India Street, Columbia Street, State Street, Union Street, Front Street, First Avenue, Second Avenue, Third Avenue, Fourth Avenue, Fifth Avenue, Sixth Avenue, Seventh Avenue, Eighth Avenue, Ninth Avenue, Tenth Avenue, Eleventh Avenue and Twelfth Avenue (between Ash Street and Island Avenue); prohibiting parking between 3:00 a.m. and 6:00 a.m. ~~(between hours of 3:00 a.m. and 6:00 a.m.)~~ (a) on Tuesdays, Thursdays and Saturdays on south side only; and (b) on Mondays, Wednesdays and Fridays on the north side only: Ash Street, A Street, B Street, C Street, Broadway, E Street, F Street, G Street, Market Street and Island Avenue (between Kettner Boulevard and Twelfth Avenue) - authorizing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118178, recorded on Microfilm Roll No. 80, authorizing and directing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at intersection of 39th Street at Polk Avenue, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118179, recorded on Microfilm Roll No. 80, authorizing and empowering City Manager to do all the work in connection with replacement of 380 feet of

6-inch water main on Adams Avenue, from Georgia Street to Florida Street, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution states that Water Department, Division of Distribution, has recommended the replacement; that City Manager has submitted estimates for the work, and has indicated that it can be done by City forces more economically than if let by contract.

RESOLUTION NO. 118180, recorded on Microfilm Roll No. 80, authorizing and empowering City Manager to do all work in connection with replacement of sewer in Commercial Avenue, from 29th Street to Hensley Street, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

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

RESOLUTION NO. 118181, recorded on Microfilm Roll No. 80, authorizing and empowering City Manager to do all the work in connection with installation of one 16-inch pressure reducing valve and one 12-inch check valve in By-Pass line on 16-inch Harbor Drive Pipeline East of new 16-inch connection, at Willow and Canon Streets, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolution states that Water Department, Division of Distribution, has recommended the work; that the City Manager has submitted estimates for the work, and has indicated that it can be done by City forces more economically than if let by contract.

RESOLUTION NO. 118182, recorded on Microfilm Roll No. 80, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with Foster and Kleiser Co., a Nevada Corporation, of portion of Rancho San Bernardo adjacent to Highway 395 north of Lake Hodges, for term of 2 years at annual rental of \$50.00; description of property and terms and conditions to be set forth in form of lease filed in office of City Clerk under Document No. 490737; real property has value of \$100.00, leased for reason that City will derive revenue not otherwise obtainable, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118183, recorded on Microfilm Roll No. 80, authorizing and directing City Treasurer to exchange \$2,000,000 par value 2-5/8% United States Treasury Certificates purchased from inactive funds in the City Treasury, due June 1, 1954, for \$2,000,000 1-1/8% United States Treasury Certificates, due May 17, 1955; authorizing and directing the City Treasurer to sell all or such amount of investments whenever additional cash is required for purchase for which funds were originally accumulated and placed in Treasury of the City, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The Resolution recites the bonds on hand, the announcement by United States Treasury Department that bonds may be exchanged, and that the City Manager has recommended the exchange.

RESOLUTION NO. 118184, recorded on Microfilm Roll No. 80, approving expenditure of \$3,340.00 from funds heretofore appropriated by Ordinance No. 5900 (New Series) for purchase of northerly 40 feet of Lot 4 Block 5 Florence Heights (except the west 2 feet thereof); authorizing Property Supervisor to issue requisition for said amount, for the purchase, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118185, recorded on Microfilm Roll No. 80, directing the City Attorney to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes of record against property in portion of Pueblo Lot 281, together with all taxes of record against the property be cancelled; and that the City Attorney to take whatever steps he may deem necessary otherwise to secure cancellation of taxes and deeds, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118186, recorded on Microfilm Roll No. 80, approving Change Order No. 20, dated April 30, 1954, heretofore filed with City Clerk as Document No. 490619, issued in connection with contract between 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 \$2,175.74; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118187, recorded on Microfilm Roll No. 80, granting Joe Friel, 2263 Bolinas Street, San Diego 7, permission to install a 37-foot driveway on the westerly side of Mendocino Boulevard between Green Street and Voltaire Street, adjacent to Lot 2 Block 16 Loma Alta No. 1, requiring curb to be depressed prior to construction of driveway, to serve 2-car garage and off-street parking, subject to conditions in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118188, recorded on Microfilm Roll No. 80, granting Carl M. Helmly, 931 - 63rd Street, San Diego 14, permission to widen existing 26-foot driveway on south side of Brooklyn Avenue between 60th Street and 61st Street, so as to provide 52-foot driveway, as measured at top of full-height curb, adjacent to Lot 1 Block Encanto Heights, subject to conditions in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118189, recorded on Microfilm Roll No. 80, granting permission to Jewish War Veterans of the United States, Ladies' Auxiliary of the San Diego Post No. 185, to conduct annual sale of poppies on Saturday, August 14, 1954, between 9:00 A.M. and 12:00 P.M., for purpose of raising funds for charitable work carried on by the organization in behalf of veterans in hospitals, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118190, recorded on Microfilm Roll No. 80, granting permission to The Junior League of San Diego, Ltd., to use Mission Beach Ballroom on Friday and Saturday, October 1 and 2, 1954, on a rent-free basis, for conducting annual rummage sale to raise funds for furnishing equipment for Hydrotherapy Room in new Children's Hospital; and waiving rental fee for use of said Ballroom, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118191, recorded on Microfilm Roll No. 80, granting permission to Hyman Kitaen, 107 West Broadway, San Diego 1, to widen existing 18-foot driveway on east side of State Street between E and F Streets, so as to provide a 30-foot driveway as measured at top of full-height curb, adjacent to Lot C Block 42 New San Diego; to serve drive-in cleaning establishment at 847 State Street, in accord with all rules, regulations and ordinances of The City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118192, recorded on Microfilm Roll No. 80, granting Union Oil Company of California, 1521 National Avenue 13, permission to install 2 38-foot driveways on easterly side of La Jolla Boulevard between points 14 feet and 52 feet and points 87 feet and 125 feet south of the point of intersection of the property lines at the southeasterly corner of La Jolla Boulevard and Forward Street; also to install 1 38-foot driveway on southerly side of Forward Street between points 14 feet and 52 feet east of point of intersection of property lines, adjacent to Lots 1 to 3 inclusive, and northerly 15 feet of Lot 4 Block 15 Bird Rock Addition, subject to conditions contained in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118193, recorded on Microfilm Roll No. 80, authorizing the Mayor and such Councilmen as the Council shall designate, to attend the Biennial Mayors and Councilmen's Institute of the League of California Cities, at Santa Barbara, June 3 and 4, and incurring all necessary expenses, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118194, recorded on Microfilm Roll No. 80, accepting Quitclaim Deed of Highland Park 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, subdivision named Highland Homes, being portion of Lot 67 of portion of Ex-Mission Lands known as Horton's Purchase; 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 Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118195, recorded on Microfilm Roll No. 80, 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 subdivision named Clairemont Village, being subdivision of portion of Pueblo Lots 1223 and 1224; 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 Burgener, seconded by Councilman Wincote, adopted.

5/18/54

The next matter, which had been before the Council and continued from week-to-week for several months, was presented again.

On motion of Councilman Burgener, seconded by Councilman Wincote, proposed Ordinance approving annexation to 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", was continued one week - to May 25, 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 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 passage a written or printed copy.

ORDINANCE NO. 6115 (New Series), recorded on Microfilm Roll No. 80, appropriating \$2,500.00 from Traffic Safety Fund, for providing funds for erection of Airplane Crossing Signals on Harbor Drive near Coast Guard Base, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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 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 passage a written or printed copy.

ORDINANCE NO. 6116 (New Series), recorded on Microfilm Roll No. 80, establishing grade of Alleys in Block 20 Ocean Beach Park, and Block 99 Ocean Bay Beach, between northwesterly line of Cable Street and southeasterly line of Bacon Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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 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 passage a written or printed copy.

ORDINANCE NO. 6117 (New Series), recorded on Microfilm Roll No. 80, establishing grade of Conde Street, between northeasterly line of Moore Street and southwesterly line of Congress Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: 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 next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading 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 passage a written or printed copy.

ORDINANCE NO. 6118 (New Series), recorded on Microfilm Roll No. 80, establishing grade of Harney Street, between line parallel to and distant 160.00 feet southwesterly from southwesterly line of Jefferson Street and line parallel to and distant 300.00 feet southwesterly from southwesterly line of Jefferson Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: 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 next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading 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 passage a written or printed copy.

ORDINANCE NO. 6119 (New Series), recorded on Microfilm Roll No. 80, establishing grade of Jefferson between: (1) Northwesterly line of Trias Street and Northeasterly prolongation of Northwesterly line of Arista Street; (2) Northwesterly line of Harney Street and line parallel to and distant 225.00 feet northwesterly therefrom, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

6115 N.S. - 6119 N.S.

Ord. continued, re Tidelands annexation

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 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 passage a written or printed copy.

ORDINANCE NO. 6120 (New Series), recorded on Microfilm Roll No. 80, establishing grade of Moore Street, between the northwesterly line of Ampudia Street and northwesterly line of Arista Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

The next matter was continued from the meeting of May 11, 1954.

On motion of Councilman Burgener, seconded by Councilman Wincote, Ordinance changing name of Millar Street to 62nd Street, was introduced, (~~on motion of Councilman Burgener~~, seconded by Councilman Wincote) by the following vote: 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 incorporating portion of Lot 9 Ex-Mission Lands into R-2 Zone, as defined by Section 101.0406 of the San Diego Municipal Code and repealing Ordinance No. 35 (New Series) adopted September 12, 1932, insofar as it conflicts, was introduced - and hearing set for May 25, 1954 - by the following vote: 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 incorporating portion of S 1/2 N.E. 1/4 Section 34, T 16 S, R 2 W, S B B M, into R-2 Zone, as defined by Section 101.0406 of San Diego Municipal Code and repealing Ordinance No. 184 (New Series) adopted March 20, 1933, insofar as it conflicts - and hearing set for May 25, 1954 - by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

RESOLUTION NO. 118196, recorded on Microfilm Roll No. 80, authorizing and directing City Attorney and Clarence A. Winder, Rate Consultant for The City of San Diego, to appear at hearing to be conducted by Public Utilities Commission of State of California on May 19, 1954 in the matter of application of San Diego Transit System for authority to increase rates, and to protest granting of the application, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The Resolution recites that by Application No. 35213 the System has asked for authority to increase rates; that the Council has authorized and directed City Attorney's office and Director of Finance to make study of books and records of the System; that report of J. P. Welle of Finance Director's staff has made report based upon the investigation and records of the System, that the report indicates that at the present time the System is receiving fair and reasonable profit from operation, and that it appears that it would be in the interest of The City of San Diego and residents thereof to protest granting of any fare increase.

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

RESOLUTION NO. 118197, recorded on Microfilm Roll No. 80, referring to Resolution No. 104213 adopted October 30, 1951, pursuant to which fluorides have been added to water supply of the City (the preamble to which resolution is quoted), stating that it was adopted only after extensive investigation into merits of fluoridation and consideration of much documentary and oral testimony presented at public hearing (recorded in Council Minute Book #74 at pages 140, 141 and 142) after wide publicity was given and at which both sides were thoroughly explored; that none of the organizations referred to in preamble to Resolution No. 104213 have changed their recommendations in favor of fluoridation; that legality of fluoridation of the water supply has been upheld by Superior Court in and for County of San Diego and District Court of Appeal of Fourth Appellate District, which decrees that Supreme Court of State of California has refused to hear and reverse, and although matter is now before the Supreme Court of the United States a similar result is confidently expected; that the Council is more than ever convinced that addition of sufficient fluorides to the municipal water supply to bring total amount up one part per million, is in best public interest, is detrimental to none and is most helpful to youth of the community; that the Council urges all citizens of San Diego to weigh carefully arguments for and against fluoridation, avoid being swayed by misleading information, consider carefully recommendations of Health organizations referred to (in the quoted portion) and the fact that fluoridation was put into effect only after review of all evidence thereon, and, if thereafter they too are of the opinion that fluoridation of the water supply is promotive of our public health, they are urged to vote NO on Proposition A at the June 8 election, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

118196 - 118197
6120 N.S.

Ordinances introduced--
hearings set

5/18/54
5/20/54

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

On motion of Councilman Kerrigan, seconded by Councilman Wincote, ordinance approving annexation to The City of San Diego of portion of Lot 67 Rancho Mission of San Diego, in County of San Diego, State of California, known and designated as "Steinbaum Tract", was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays-Councilmen None. Absent-Councilman Schneider.

The City Manager announced to members of the Council that hearings are to be conducted by the State of California, on Monday, in Los Angeles, regarding taxes. He spoke of trying to get facts together with relation to question involved in San Diego regarding cotton stored here from Imperial Valley. The City Manager referred to factual - rather than opinions - which are wanted. He told the Council that the County Assessor is to be present at the hearings.

There was no action.

There being no further business to come before the Council at this time, the meeting was adjourned at the hour of 11:45 o'clock A.M. The Mayor announced that the Council would go into conference at 1:30 today.

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, May 20, 1954

Present--Councilmen Burgener, Wincote, Kerrigan, Mayor Butler
Absent---Councilmen Schneider, Dail, Godfrey
Clerk----Clark M. Foote, Jr.

Communication from the Street Superintendent, reporting on hearing held May 18, 1954, on Assessment Roll No. 2230 for Poole Street and Azul Street, continued to this date, was presented and read. It states that it was brought to Council's attention that a property owner had been assessed for 50 feet of sidewalk, although he had a 12-foot driveway installed shortly before the sidewalks were installed. It recommends that the Assessment Roll be modified to charge the owner for only amount of sidewalk installed.

It recommended:

1. The Council sustain the protest;
2. The Council order the roll modified;
3. The Council confirm the roll as modified, if it meets with their approval.

RESOLUTION NO. 118198, recorded on Microfilm Roll No. 80, sustaining appeal of Charles M. Brackenbury from Street Superintendent's Assessment No. 2230 made to cover expenses of installation of curb and sidewalk in Poole Street, Azul Street and La Jolla Shores Drive, under Resolution of Intention No. 113264, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118199, recorded on Microfilm Roll No. 80, directing Street Superintendent to modify and correct Assessment No. 2230 made to cover expenses of installation of curb and sidewalk in Poole Street, Azul Street and La Jolla Shores Drive, under

118198 - 118199

Ord introduced

Announcement re Tax hearings in L.A.

Resolution of Intention No. 113264, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118200, recorded on Microfilm Roll No. 80, confirming and approving Street Superintendent's modified and corrected Assessment No. 2230 made to cover expenses of installation of curb and sidewalk in Poole Street, Azul Street and La Jolla Shores Drive, under Resolution of Intention No. 113264; authorizing and directing Street Superintendent to attach his warrant and issue it in manner and form provided by law; directing the Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from San Diego Pyramid No. 32, Ancient Egyptian Order of Sciots, San Diego, dated May 15, 1954, signed by I. "Jake" Jacobson, Parade Marshal, P.O. Box 2023, San Diego 12, was presented.

It states that Tri-Pyramids of San Diego will play host to National Sciots Convention November 10 thru November 13, 1954, asks for permission to hold a street parade on November 13, placing of City banners on the streets.

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

RESOLUTION NO. 118201, recorded on Microfilm Roll No. 80, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of Small Water Mains, Rolando Village and vicinity (Specification 96), Document No. 490736; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, (continued from May 18), recommending suspension of portion of Municipal Code insofar as they relate to Tentative Map of Rosa Prado, was presented.

RESOLUTION NO. 118202, recorded on Microfilm Roll No. 20, suspending Sections 102.07-5, 102.12-6, 102.16-8, 102.18, 102.17-c, of the San Diego Municipal Code insofar as they relate to Tentative Map of Rose Prado, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, (continued from May 18) recommending approval of Tentative Map of Rose Prado, for a 9-lot subdivision of portion of Lot 93 Las Alturas Villa Sites, located adjacent to National City on northerly side of Cervantes Street and westerly of Logan Avenue extension, was presented.

RESOLUTION NO. 118203, recorded on Microfilm Roll No. 20, approving Tentative Map of Rose Prado, subject to 10 conditions, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of Municipal Code insofar as they relate to College Heights Unit No. 2, was presented.

RESOLUTION NO. 118204, recorded on Microfilm Roll No. 20, suspending Sections 102.09 1 & 2, 102.11-2, 102.12-8, 102.18, 102.17-c of the San Diego Municipal Code insofar as they relate to Tentative Map of College Heights Unit No. 2, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval Tentative Map of College Heights Unit No. 2 for an 8-lot subdivision of portion of Lot 67 Rancho Mission, a part of the Steinbaum Tract now in process of being annexed to the City, subject to 11 conditions, was presented. (Communication had, originally 10 conditions; the 11th was added re the annexation within period of 1 year from date of filing resolution approving the Tentative Map).

RESOLUTION NO. 118205, recorded on Microfilm Roll No. 80, approving Tentative Map of College Heights Unit No. 2, subject to conditions contained in the Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of Municipal Code insofar as they relate to Tentative Map of Handley Terrace, was presented.

RESOLUTION NO. 118206, recorded on Microfilm Roll No. 80, suspending Sections 102.07-5, 102.16-8, 102.18, 102.17-c of the Municipal Code in connection with Tentative Map of Handley Terrace (tentative and final maps), was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Handley Terrace, for subdivision of portion of Pueblo

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Lot 1112 into 2 parcels fronting on Camino del Rio, approximately 1/2 mile easterly of Cabrillo Freeway - in conjunction with the matter, Mr. Handley has obtained zone variance on 1 parcel and has filed for the 2nd parcel - subject to 7 conditions, was presented. It reports that finding was made that the subdivision complies with Section 11535 of the State Map Act in that 'subdivision' does not include various items as outlined therein.

RESOLUTION NO. 118206, recorded on Microfilm Roll No. 80, approving Tentative Map of Handley Terrace, subject to 7 conditions, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with the Tentative Map of Muirlands Crest, was presented.

RESOLUTION NO. 118208, recorded on Microfilm Roll No. 80, suspending Sections 102.09 1 & 2, 102.07-5, 102.11-2, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Muirlands Crest, subdivision of portions of Pueblo Lots 1255 and 1775, 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 Muirlands Crest, 87-lot subdivision of portions of Pueblo Lots 1255 and 1775, located easterly of the Muirlands on extension of La Jolla Scenic Drive, subject to 10 conditions, was presented.

RESOLUTION NO. 118209, recorded on Microfilm Roll No. 80, approving Tentative Map of Muirlands Crest, subject to conditions in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by D. E. South, attaching copy of Resolution granting permission to Robert L. and Anne Marie Haniman to construct restaurant with bar on Lots D, E and F Block A Bird Rock Villas, 5440 La Jolla Blvd., Zones R04 and R-C, subject to ratification by the Council - and suggesting that similar Resolution be adopted by the Council - was presented.

RESOLUTION NO. 118210, recorded on Microfilm Roll No. 80, ratifying Resolution No. 8193 of the Board of Zoning Adjustment granting permission to Robert L. and Anne Marie Haniman to construct restaurant with bar on Lots D, E and F Block A Bird Rock Villas, at 5440 La Jolla Blvd., Zones R4 and RC, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, reporting on stipulation in action of Klitgaard, et al. v. The City of San Diego, No. 186723 - in connection with Final Map of Point Loma Gardens Subdivision excepting portions dedicated as Gage Drive, Jennings Street, John Street and unnamed easements - was presented. It states that by inadvertence recommendation of City Manager and certain other officers of the City was not filed. The report states that it is to supplement the record, and should be treated as recommendation of the City Manager that the City has no interest in property sought to be quieted in the plaintiff's action, and that property described in the Resolution has been checked by the City Engineer's Office and agrees in all details with proposed streets and alleys described in Document No. 484409 on file in office of City Clerk.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the communication was ordered filed.

Communication from the Civil Service Commission, signed by Raymond Krah, submitting for approval changes for addition to salary proposals submitted to the Council for some positions, a portion of which had been previously discussed, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the communication was ordered filed.

Communication from Ethel Leake, 3730-1/2 Park Boulevard, dated May 15, 1954, was presented. It expressed disapproval of fluoridation of the City water, and interest in the proposition to come before the voters at the June election, and says that she will not be able to vote since the writer is a new arrival.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the communication was ordered filed.

Communication from John V. McConnell, 4459 - 30th Street, dated May 16, 1954, was presented. It protests legislation regarding minimum size housing.

RESOLUTION NO. 118211, recorded No. 80, referring communication from John V. McConnell, filed under Document No. 490730, to Council Conference, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communications from Louis C. Masten, Secretary and Treasurer, the Scripps Metabolic Clinic; H. Stephen King, King Company, 6209 Beaumont Ave.; Wright H. Prickett, 849 Coast Boulevard, Ruth Michel Alexander (Mrs. C. E.) 374 Playa del Norte; Phyllis Eakin, 7569 Herschel Ave.; Ernest W. Anderson, D.D.S., M.S., 801 Silverado - all having to do with types of signs in La Jolla - filed under Document No. 490726 - were presented as one document.

RESOLUTION NO. 118212, recorded on Microfilm Roll No. 80, referring to Council Conference communications re prohibiting use of certain types of signs in La Jolla, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from E. M. Engelhorn, 738 "E" Street, San Diego, dated May 18, was presented. It refers to site for municipal garages, and suggests 2.

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

RESOLUTION NO. 118213, recorded on Microfilm Roll No. 80, authorizing the City Manager to employ V. R. Dennis Const ruction Company to replace approximately 100 square feet of paving at termination of Alley Block 139 University Heights, in Tyler at and for price of \$64.00, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The Resolution states that the City has entered into contract with V. R. Dennis Construction Company for improving the Alley, under a 1911 Street Improvement Act proceeding, that due to drainage conditions, paving replacement is required, and that the Company has offered to do the work for \$64.00 and City Manager has recommended that offer be accepted.

RESOLUTION NO. 118214, recorded on Microfilm Roll No. 80, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, an acceptance of revocable permit, wherein and whereby the United States of America grants to City of San Diego permission to install, operate and maintain gas main, over, under and across Levant Street, from point south of Government main gas meter, located at or near the southeast corner of Fulton Street and Levant Street, all located in the war housing project owned by the United States of America and known as Project CAL-4092, at location described in permit, and upon terms and conditions therein set forth, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118215, recorded on Microfilm Roll No. 80, directing City Attorney to file petition with Board of Supervisors of County of San Diego, requesting that all taxes of record against property in Bayside, Sellors' Addition and Electric Line Addition, described in the Resolution, requesting that all taxes of record against property described, together with all penalties and other expenses in connection therewith, be cancelled; authorizing and directing City Attorney to take whatever steps he may deem necessary otherwise to secure cancellation of the taxes, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118216, recorded on Microfilm Roll No. 80, directing City Attorney to file petition with Board of Supervisors of County of San Diego, requesting that all taxes of record against property in City Gardens, described in the Resolution, requesting that all taxes of record against property described, together with all penalties and other expenses in connection therewith be cancelled; authorizing and directing City Attorney to take whatever steps he may deem necessary otherwise to secure cancellation of the taxes, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118217, recorded on Microfilm Roll No. 80, approving Change Order No. 8, dated April 27, 1954, heretofore filed with the City Clerk as Document No. 490754, issued in connection with contract between City of San Diego and M. H. Golden Construction Co., for construction of Wabash Boulevard, Section "B" Bridge, contract contained in Document No. 473088 on file in office of City Clerk; changes amounting to increase in contract price of approximately \$72.00; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118218, recorded on Microfilm Roll No. 80, approving Change Order No. 2, dated May 11, 1954, heretofore filed with City Clerk as Document No. 490756, issued in connection with contract between The City of San Diego and Rogers Construction Company for construction of Redwood Village Standpipe Foundation, contract contained

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in Document No. 488250 on file in office of City Clerk; changes amounting to increase in contract price of \$610.35, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118219, recorded on Microfilm Roll No. 80, granting revocable permit to Historical Marker Committee, an agency of the County of San Diego, to place a granite monument with a bronze plate attached describing Deadman's Point, on grounds of Police Department at corner of Market Street and Pacific Highway - space to be under direction of City Manager - was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolution states that permission to place the monument had been requested by the Commission.

Councilman Godfrey entered

RESOLUTION NO. 118220, recorded on Microfilm Roll No. 80, granting permission to William P. Odom, 6114 University Avenue, San Diego, to arrange with contractor and City Inspector for curb to be depressed for 2 35-foot driveways measured at top of full-height curb on southerly side of University Avenue between points 27 feet and 62 feet and points 87 feet and 122 feet east of point of intersection of property lines at southeasterly corner of University Avenue and Rolando Boulevard, adjacent to portion of Parcel "00" of Lot 19 Rancho Mission of San Diego, subject to conditions in Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118221, recorded on Microfilm Roll No. 80, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of and as act and deed of City of San Diego, quitclaim deed, quitclaiming to William N. Thornton and Yvonne M. Thornton portions of Lots 31 and 32 Block 291-1/2 Seaman and Choate's Addition - described in the Resolution - authorizing and directing City Clerk to deliver deed to Property Supervisor of the City with instructions that the same be delivered to William N. Thornton and Yvonne M. Thornton, grantees, when Property Supervisor shall have received sum of \$200.00 together with grant deed from the Thorntons conveying to City portion of Lot 26 Block 10 San Diego Land and Town Company's South Chollas Addition, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Resolution states that the City is desirous of acquiring portion of Lot 26 Block 10 San Diego Land and Town Company's South Chollas Addition in connection with widening of 36th Street; that the Thorntons, owners of Lot 26 are desirous of acquiring portions of Lots 31 and 32, paying the City \$2.00 in connection with the exchange. It says that value of portions of Lot 26 is \$5.00; value of portions of Lots 31 and 32 is \$250.00.

RESOLUTION NO. 118222, recorded on Microfilm Roll No. 80, accepting subordination agreement, executed by Harold J. Muir and Charlotte J. Muir, beneficiaries, and Security Trust and Savings Bank of San Diego, trustee, bearing date May 5, 1954, wherein they subordinate all their right, title and interest in and to portion of Pueblo Lot 1256, 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 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118223, recorded on Microfilm Roll No. 80, accepting quitclaim deed of Dolores Ann McWhorter, Jean McWhorter and Nancy McWhorter, bearing date April 16, 1954, quitclaiming Lots 27 and 28 Block 8 Bayside; authorizing and directing City Clerk to file deed for record in office of County Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118224, recorded on Microfilm Roll No. 80, accepting Deed of Bennie A. Myers and Walter J. Myers, bearing date May 7, 1954, conveying Lot 6 Block 82 Campo del Dios Unit No. 3; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118225, recorded on Microfilm Roll No. 80, accepting quitclaim deed of Frank F. Faust and Ruth K. Faust, bearing date May 17, 1954, quitclaiming Lots 24 and 25 Block "C" Pacific View; authorizing and directing City Clerk to file deed for record in office of the County Recorder of San Diego County, California, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118226, recorded on Microfilm Roll No. 80, accepting deed of Betty Noack, bearing date May 11, 1954, conveying portion of Pueblo Lot 1774; setting aside and dedicating to public use as and for public street the land, and naming it La Jolla Scenic Drive; 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 Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118227, recorded on Microfilm Roll No. 80, accepting deed of C. W. Rodecker and Marjorie R. Rodecker, bearing date May 6, 1954, conveying easement and right of way for street purposes in portion of Pueblo Lot 1774; setting aside and dedicating the same to public use as and for public street and naming it La Jolla Scenic Drive; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118228, recorded on Microfilm Roll No. 80, accepting deed of Ralph Claric and Ralph F. Claric, bearing date April 17, 1954, conveying portion of Lots 6, 7, 8 Block 4 The Dells Park; setting aside and dedicating the land to the public use as and for public street and naming it Wabash Boulevard; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118229, recorded on Microfilm Roll No. 80, accepting deed of Louis Steinman and Julia Steinman, William H. Carter and Shirle Carter, bearing date May 10, 1954, conveying portion of Lot 10 Block 3 The Dells Park; setting aside and dedicating the land for public use as and for public street and naming it Wabash Boulevard; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118230, recorded on Microfilm Roll No. 80, accepting deed of Louis Steinman and Julia Steinman, William H. Carter and Shirle Carter, bearing date May 10, 1954, conveying portion of Lots 61, 62 and 63 Block 1 The Dells Park; setting aside and dedicating the land for public use as and for public street and naming it Wabash Boulevard; authorizing and directing the City Clerk to transmit the deed, together with certified copy of the Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118231, recorded on Microfilm Roll No. 80, accepting deed of Marjorie Claire Tavares, bearing date February 25, 1954, conveying easement and right of way for water main purposes in Pueblo Lot 1256; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Kerrigan, 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 a written or printed copy available for each member of the Council prior to the final reading.

ORDINANCE NO. 6121 (New Series), recorded on Microfilm Roll No. 80, transferring assets of "Crosby Library Fund" to the "Library Education Fund" and repealing Ordinance 1572 New Series, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Godfrey, Mayor Butler. Absent--Councilmen Schneider, Dail.

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

Prior to its introduction, a change was made by the Mayor: From XII Port Business Manager, and Port Public Relations Officer were eliminated; Standard Rate 31, Step E, Salary Per Month \$713. was written for Director of Operations of Police Department and Director of Service of Police Department.

Douglas D. Deaper, Deputy City Attorney, stated that the latter two salaries in the Unclassified Service were done as directed by the Council yesterday.

It was an ordinance establishing Schedule of Compensation for Officers and Employees of City of San Diego, providing uniform compensation for like service in Classified Service, for fiscal year beginning July 1, 1954.

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In connection with the next Ordinance, Douglas Deaper told the Council that a hearing should be set, but that the Ordinance was not to be introduced.

Councilman Burgener said that the ordinance is to protect some, but not all (referring to owners not being protected in the use of Gas appliances.)

The Mayor stated that he thought it is not right, either, but that the proposed ordinance is an approach.

Councilman Wincote said that the Council can add a clause covering the others.

The Mayor said that the Ordinance should be continued until Tuesday.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, hearing was set for the hour of 10:00 o'clock A.M., June 17, 1954 - with the ordinance to come for next Tuesday.

The City Manager requested, and was granted, unanimous consent, to present the next Resolution, not listed on the Agenda; which was read by the Mayor:

RESOLUTION NO. 118232, recorded on Microfilm Roll No. 80, mentioning the vital importance to the City of San Diego of an adequate and satisfactory sewerage system; that a \$16,000,000 bond issue will be submitted for voters' approval in order to provide an adequate system and remove threat to public health; that the City Council has studied every phase of plan called for in the bond issue proposal and equally studied qualifications of engineer who made the recommendation, and that it has complete confidence in the engineers confirmed by other engineers and scientists who have spent months in checking recommended plan; that the community soon will be in a highly critical position in regard to public health if adequate sewerage system is not provided and only alternative would be drastic halt or at least severe curtailment of City's growth and internal development; that proposed bond issue has been examined and endorsed by:

- San Diego County Medical Society,
- San Diego Taxpayers Association,
- American Society of Civil Engineers,
- Central Labor Council,
- California Sewage and Industrial Waste Association,
- Board of Directors - 9th District PTA,
- San Diego Board of Education,
- Harbor Association,
- Associated General Contractors,
- Engineers' Club of San Diego,
- San Diego Chamber of Commerce,
- San Diego Junior Chamber of Commerce,

and by many other city-wide organizations and is opposed by no city-wide organizations, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The Resolution states that the Council directs public attention to the fact that adequate sewerage system is essential if public health is not to be endangered and continuance of City's safety, prosperity and development halted; that the Council would be remiss in its duty if it did not publicly advise of the serious condition and provide citizens of San Diego with most practical method conceivable for them to take action towards solving their sewage disposal problem.

Mary Harvey, Executive Secretary of the San Diego Municipal Employees' Association, thanked the Council for adoption of the salary ordinance, and for its work thereon.


RESOLUTION NO. 118233, recorded on Microfilm Roll No. 80, requesting the Mayor to write to the City Civil Service Commission, and to members of the City Employees groups, regarding their efforts in connection with the recently-established salary schedule for 1954-55, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

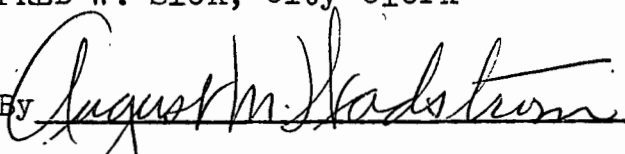
The Mayor said that Mr. Deaper had reported on the Civil Service powers, and the Council powers regarding salaries in the Charter amendment which had been adopted earlier. He said that he will send the Commission a copy of the opinion from the City Attorney.

Councilman Godfrey said that there should be a more clearly defined procedure.

The Mayor declared the meeting adjourned, at the hour of 10:25 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, Tuesday, May 25,
1954

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

The Mayor called the meeting to order at the hour of 10:04 o'clock A.M.

In the absence of a clergyman to deliver the invocation, the Mayor asked all present to arise for silent prayer.

The Minutes of the Regular Meetings of Tuesday, May 18, 1954, and of Thursday, May 20, 1954, were presented to the Council.

On motion of Councilman Dail, seconded by Councilman Kerrigan, 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 resurfacing (III), under Specifications No. 686 of portions of Arenas Street, Camino del Collado, Camino del Reposo, Exchange Place, et al., the Clerk reported that 4 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:

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$2,000.00, given Document No. 490911;

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, given Document No. 490992;

R. E. Hazard Contracting Company, accompanied by bond written by Pacific Indemnity Company of the sum of 10% of amount bid, given Document No. 490993;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$3,000.00, given Document No. 490994;

On motion of Councilman Schneider, seconded by Councilman Godfrey, 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 Small Water Main Replacements, Group No. 13, 1953-54 - Specification No. 60 - the Clerk reported that 4 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:

Cameron Bros. Construction Company, accompanied by bond written by Glens Falls Indemnity Company in the sum of 10% of the amount bid, given Document No. 490995;

W. V. Hutchison, John A. Brand, August L. Deuchler, William V. Hutchison, Jr., a copartnership doing business as W. V. Hutchison, accompanied by bond written by Fireman's Fund Indemnity Company in the sum of 10% of amount of accompanying bid, given Document No. 490996;

Floyd Shofner, accompanied by bond written by Fidelity and Deposit Company of Maryland in the sum of 10% of the amount of the attached bid, given Document No. 490997;

W. A. Robertson, S. E. Robertson, W. L. Robertson, B. W. Robertson and D. V. Upshaw, doing business as W. A. Robertson & Company, accompanied by bond written by Fidelity and Deposit Company of Maryland in the sum of 10% of the amount of the bid, given Document No. 490998.

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 latest time set for receiving bids for improvements to ornamental light standards on Broadway, between Pacific Highway and 8th Avenue, the Clerk reported that 3 bids had been received, which were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

Invocation
Bids

Bids were as follows:

California Electric Works, accompanied by bond written by Pacific Indemnity Company in the sum of \$3,000.00, given Document No. 490999;

Ets-Hokin & Galvan, accompanied by bond written by Federal Insurance Company in the sum of \$4,000.00, given Document No. 491000;

J. M. Burkhart dba Chula Vista Electric Company, accompanied by bond written by American Surety Company of New York in the sum of \$2,894.30, given Document No. 491001.

On motion of Councilman Schneider, seconded by Councilman Godfrey, 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, being the latest time set receiving bids for installation of street lighting system in Diamond Street and Cass Street, the Clerk reported that 3 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:

Ets-Hokin & Galvan, accompanied by bond written by Federal Insurance Company in the sum of \$1,000.00, given Document No. 491002;

California Electric Works, accompanied by bond written by Pacific Indemnity Company in the sum of \$680.00, given Document No. 491003;

J. M. Burkhart dba Chula Vista Electric Company, accompanied by bond written by American Surety Company of New York in the sum of \$621.10, given Document No. 491004.

On motion of Councilman Godfrey, seconded by Councilman Schneider, 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, being the latest time set for receiving bids for furnishing electric for lighting ornamental street lights in San Diego Lighting District No. 1, the Clerk reported that 1 bid had been received, which was presented to the Council.

On motion made and seconded, it was publicly opened and declared.

Bid was as follows:

San Diego Gas & Electric Company, accompanied by certified check written by San Diego Trust and Savings Bank for \$836.12, given Document No. 491005.

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

The hour of 10:00 o'clock having arrived, the time set for hearing on Resolution of Intention No. 117677, 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, 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 Godfrey, the 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 of Intention No. 117678, for paving and otherwise improving Olney Street and Felspar 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 Wincote, seconded by Councilman Schneider, the 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 the Street Superintendent's Assessment No. 2231 made to cover paving and otherwise improving Alley Block 11 North Shore Highlands, 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. 118234, recorded on Microfilm Roll No. 80, confirming and approving the Street Superintendent's Assessment No. 2231 made to cover cost and expenses of paving and otherwise improving Alley Block 11 North Shore Highlands, under Resolution of Intention No. 114358; authorizing and directing Street Superintendent to attach his warrant and issue 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 Godfrey, 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. 2232 made to cover cost and expenses of paving and otherwise improving Alley Block 77 City Heights, the Clerk reported that no 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. 118235, recorded on Microfilm Roll No. 80, confirming and approving the Street Superintendent's Assessment No. 2232 made to cover cost and expenses of paving and otherwise improving Alley Block 77 City Heights, under Resolution of Intention No. 113262; authorizing and directing Street Superintendent to attach his warrant and issue 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 Street Superintendent's Assessment No. 2233 made to cover cost and expenses of paving and otherwise improving Alley Block 3 City Heights, the Clerk reported that no 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. 118236, recorded on Microfilm Roll No. 80, confirming and approving the Street Superintendent's Assessment No. 2233 made to cover cost and expenses of paving and otherwise improving Alley Block 3 City Heights, under Resolution of Intention No. 113379; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law; directing 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 Street Superintendent's Assessment No. 2234 made to cover cost and expenses of paving and otherwise improving Alley Block 43 W. P. Herbert's Subdivision, 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. 118237, recorded on Microfilm Roll No. 80, confirming and approving the Street Superintendent's Assessment No. 2234 made to cover cost and expenses of paving and otherwise improving Alleys Block 43 W. P. Herbert's Subdivision under Resolution of Intention No. 113380; authorizing and directing Street Superintendent to attach his warrant and issue 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 Godfrey, seconded by Councilman Wincote, adopted.

The Mayor announced that the Ordinance regarding minimum housing area had been before a meeting at which it had been discussed. He asked the Planning Director to report on the discussions.

Glenn A. Rick said that the meeting had been in his office, that 2 attorneys present had asked for 10 days or 2 weeks continuance.

On motion of Councilman Schneider, seconded by Councilman Wincote, the proposed Ordinance was continued 2 weeks (will be on Wednesday, June 9 - Tuesday being election day, a holiday).

See also page 177 of these minutes.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 117794 of Preliminary Determination for paving and otherwise improving Alley Block 102 Central Park, the Clerk reported that no written protests had been filed.

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. 118238, recorded on Microfilm Roll No. 80, determining that improvement of Alley Block 102 Central Park under Resolution of Preliminary Determination No. 117794 is feasible and that lands to be assessed will be able to carry 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 117795 of Preliminary Determination for paving and otherwise improving Alley Block 78 Point Loma Heights, the Clerk reported that no written protests had been filed.

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.

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RESOLUTION NO. 118239, recorded on Microfilm Roll No. 80, determining that improvement of Alley Block 78 Point Loma Heights, under Resolution No. 117795 of Preliminary Determination is feasible and that lands to be assessed therefor 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 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. 117796 of Preliminary Determination for paving and otherwise improving and otherwise improving 53rd Street, portions of Santa Margarita Street and San Jacinto Drive, 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. 118420, recorded on Microfilm Roll No. 80, determining that improvement of 53rd Street, Santa Margarita Street and San Jacinto Drive, under Resolution No. 117796 of Preliminary Determination is feasible and that lands to be assessed therefor 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 Godfrey, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portion Lot 9 Ex-Mission Lands into R-2 Zone and repealing Ordinance No. 35 (New Series) insofar as it conflicts, the Clerk reported that no written protests had been received.

Asked by the Mayor for a report, Glenn A. Rick told the Council that land is for school purposes, and described its location.

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 Godfrey, 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. 6122 (New Series), incorporating portion of Lot 9 Ex-Mission Lands, into R-2 Zone, as defined by Section 101.0406 of the San Diego Municipal Code and repealing Ordinance No. 35 (New Series) adopted September 12, 1932, insofar as the same conflicts, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portion of S 1/2 N.E. 1/4 Section 34, T16S, R2W, S.B.B.M. into R-2 Zone, and repealing Ordinance No. 184 (New Series) insofar as it conflicts, the Clerk reported that no written protests had been received.

Asked for a report, by the Mayor, Glenn A. Rick told the Council that land is for school purposes, and described its location.

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 Kerrigan, seconded by Councilman Wincote, 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. 6123 (New Series), recorded on Microfilm Roll No. 80, incorporating portion of S 1/2 N.E. 1/4 Section 34, T16S, R2W, S.B.B.M., into R-2 Zone, as defined by Section 101.0406 of San Diego Municipal Code and repealing Ordinance No. 184 (New Series) adopted March 20, 1933, insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

Petition requesting change of name of street known as "Amalfi" in La Jolla to "Torrey Way", was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, petition was referred to Planning Commission.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received from 7 bidders on April 30, 1954, for improvement of Armstrong Street in Pueblo Lot 1203, was presented.

It recommends award to Griffith Company, low bidder, in amount of \$11,246.83 - 23.0% below estimate of Engineer's Office.

RESOLUTION NO. 118241, recorded on Microfilm Roll No. 80, accepting bid of Griffith Company for improvement of Armstrong Street in Pueblo Lot 1203 southerly of

Baltic Street (including grading, paving, construction of Type G curb, construction of cutoff walls, construction of 8" asbestos cement water main, complete with appurtenances, construction of fire hydrant, complete with appurtenances and construction of 8" gate valves), for sum of \$11,246.83; awarding contract; authorizing and instructing City Manager to enter into and execute contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received May 4, 1954 from 6 bidders for construction of sewer replacement - Chamoune Avenue to Landis, to Euclid Avenue to Trojan Avenue, was presented.

It recommends award to L. B. Butterfield, low bidder, in amount of \$64,846.20 - 6.1% below estimate of City Engineer's Office.

RESOLUTION NO. 118242, recorded on Microfilm Roll No. 80, accepting bid of L. B. Butterfield for construction of sewer replacements; awarding contract; authorizing and instructing City Manager to enter into and execute contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for construction of sanitary sewer in East San Diego Park and Community Recreation Center, received from 9 bidders on May 13, 1954, was presented.

It recommends award to Cameron Brothers Construction Company, low bidder, in amount of \$5,022.21 - 29.3% below estimate of Engineer's Office.

RESOLUTION NO. 118243, recorded on Microfilm Roll No. 80, accepting bid of Cameron Brothers Construction Company for construction of sanitary sewer in East San Diego Park and Community Recreation Center; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of the City a contract, pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for construction of storm drain in Jamacha Road and Lots 12 to 25 Beacon Hill, received May 12, 1954, from 10 bidders, was presented.

It recommends award to Pace Construction Company, low bidder, in amount of \$17,765.60 - 29.7% below estimate of City Engineer's office.

RESOLUTION NO. 118244, recorded on Microfilm Roll No. 80, accepting bid of Pace Construction Company for construction of storm drain in Jamacha Road and Lots 12 to 25 Beacon Hill; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of the City a contract, pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for 5 items of library furniture, received May 13, 1954, from 4 bidders, was presented.

It recommends award to Adaptable Store Equipment Co., low bidder, on Item 1, 10 Table Display Cases @ \$148.38 each; Item 3, 12 Display Bookshelves @ \$13.45 each; total \$1,645.20, terms net plus State Sales Tax. It also recommends award to Wilson Store Equipment Co., low bidder, on Item 2, 12 Hanging Display Cases @ \$73.12 each; Item 4, 1 Paper Cabinet @ \$256.39; Item 5, 15 Bulletin Boards @ \$11.22 each; total \$1,302.13 terms net, plus State Sales Tax.

RESOLUTION NO. 118245, recorded on Microfilm Roll No. 80, accepting bid of Adaptable Store Equipment Co. for furnishing Item 1, 10 Table Display Cases @ \$148.38 each; Item 3, 12 Display Bookshelves @ \$13.45 each; total \$1,645.20, 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 contract, pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118246, recorded on Microfilm Roll No. 80, accepting bid of Wilson Store Equipment Co. for furnishing Item 2, 12 Hanging Display Cases @ \$73.12 each; Item 4, 1 - Paper Cabinet @ \$256.39; and Item 5, 15 Bulletin Boards @ \$11.22 each; awarding contract; authorizing and instructing City Manager to enter into and execute contract, pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 3 Combination Pumping Engines for Civil Defense, received April 22, 1954, from 5 bidders, was presented.

It recommends award to P. E. VanPelt, Inc., of Oakdale, California, low bidder, at \$13,861.44 each, and additional extra equipment as detailed in the report.

RESOLUTION NO. 118247, recorded on Microfilm Roll No. 80, accepting bid of P. E. VanPelt, Inc. for furnishing 3 Combination Engines, plus extra equipment amounting to \$73.20 per truck, plus State Sales Tax; awarding contract; authorizing and instructing

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City Manager to enter into and execute contract on behalf of City of San Diego pursuant to specifications on file in office of City Clerk, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing not less than 15 nor more than 32 Mobile Radio Transmitters for Electrical Division, Department of Public Works, received May 19, 1954, from 2 bidders, was presented.

It recommends award to Scotty's Radio Telephone Service of San Diego, low bidder, at \$325.00 each, plus State Sales Tax. It states that remainder of transmitters, if purchased, would be after July 1, 1954.

RESOLUTION NO. 118248, recorded on Microfilm Roll No. 80, accepting bid of Scotty's Radio Telephone Service for furnishing 15 Mobile Radio Transmitters; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing Money and Securities Policy for period of 3 years beginning May 23, 1954, with limits of \$150,000 blanket on all premises and \$25,000 for money in transit - specifications sent to 5 prospective bidders; 3 bids received, was presented.

It states 3-year premium on expiring policy was in amount of \$1,516.93; low bid for furnishing 3-year policy within same limits (\$150,000 premises, \$25,000 in transit) was \$1,441.56 and alternate proposal increasing coverage in transit to \$50,000 would cost \$1,479.88. Among other things, the report recommends award to John Burnham & Co., low bidder for furnishing broad form policy at \$1,479.88 for 3 years.

RESOLUTION NO. 118249, recorded on Microfilm Roll No. 80, accepting bid of John Burnham & Co. for furnishing Money and Securities (broad form) policy with limits of \$150,000 blanket on all premises and \$50,000 for money in transit at price of \$1,479.88 for 3 years; awarding contract; authorizing and instructing City Manager to enter into and execute contract on behalf of The City of San Diego, pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, stating that Port Director has advised of necessity for repairs to Harbor Department-owned railway track where track crosses Pacific Highway near Broadway, was presented. It says that Engineering department of Atchison, Topeka & Santa Fe Railway Company and Harbor Department Engineer Division recommend early repairs consisting of removal of surfacing, installation of 90# rail, installation of header rail, 126 oak ties and 7 cu. yds. of ballast; and repaving of crossing. It states that since the tracks are used exclusively by A.T.&S.F.Ry., the company was approached with suggestion that it do the necessary repair work and Harbor Department reimburse the company for actual cost. It reports that work should be expedited as one derailment recently occurred. In addition to further report, the communication recommends that the Railway Company be authorized to accomplish the work, billing The City of San Diego for actual cost estimated to be approximately \$2,900.00.

RESOLUTION NO. 118250, recorded on Microfilm Roll No. 80, authorizing City Purchasing Agent to accept for and on behalf offer of Atchison, Topeka & Santa Fe Railway Company to make railway track repairs, and to issue necessary orders to accomplish the repairs, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, presenting resolution to authorizing advertising for bids for 1 4-wheel drive tractor, and 1 3/8" Cu.Yd. wheel type tractor loader for Public Works Department as per specifications on file in office of City Clerk under Document No. 490906, was presented.

RESOLUTION NO. 118251, recorded on Microfilm Roll No. 80, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 4-wheel drive tractor, 1 3/8 Cu.Yd. Wheel Type Tractor Loader, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118252, recorded on Microfilm Roll No. 80, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Sanitary Outfall Sewer from Grand Avenue and Figueroa Boulevard to De Anza Point Sewage Pump Section, bearing Document No. 490836; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118253, recorded on Microfilm Roll No. 80, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation

and other expense necessary or incidental for construction of 2 Tennis Courts in Mission Hill Park on Washington Place, bearing Document No. 490945; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Resolution authorizing and directing the Purchasing Agent to purchase in open market, without advertising for bids, from Wallace and Tiernan Sales Corporation, one chlorine residual recorder and appurtenances, at cost not to exceed \$2500.00 - for use in connection with chlorinators at Alvarado Filtration Plant, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, the Resolution was referred to the City Manager (It had come from the Manager).

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, recommending that Purchasing Agent be authorized to purchase 40 City directories from R. L. Polk & Company of Los Angeles, the publishers, at \$40.00, plus State Sales Tax - for City Library, Police Department and other City departments, was presented.

RESOLUTION NO. 118254, recorded on Microfilm Roll No. 80, authorizing and directing Purchasing Agent to purchase 40 City Directories from R. L. Polk & Company, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on auction sale of equipment held by U.S. Naval Construction Battalion Center of Port Hueneme, California, was presented. It states that a new and unused 12-14 cubic yard Carryall Scraper required for Department of Public Works - normally selling for approximately \$9,500. was bid in for \$3,500. and payment has been made.

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

Communication from Planning Commission, signed by Harry C. Haelsig, recommending that Resolution 117615 be amended to include suspension of Section 102.12-3 of San Diego Municipal Code, to permit final Map of College Manor Unit No. 2, to be filed showing lots having frontage of 49.56 feet, with rear lot width of 45 feet, and square foot area of 6600 feet, was presented.

RESOLUTION NO. 118255, recorded on Microfilm Roll No. 80, amending Resolution No. 117615 as recommended, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition proposing establishment of Trailer Park District on Lots 14 and 15 and Lot 16 excepting Block A Wadsworth's Olive Grove Subdivision, was presented. It states that property is located along Euclid Avenue and Chollas Road, in vicinity of 2500 block in Chollas Valley, that no reasons are given in the petition why district should be established. It reports that the Commission visited the area and found a sparsely settled district surrounded by hills, which has been subdivided and developed for single-family dwellings. It states that other development will probably take place in the future, that Clingman's Dairy is southwesterly of property in question. The report states that Chollas Parkway, as shown on Major Street Plan, would probably take about 1/3 of area proposed to be designated at trailer park district, and if Euclid Avenue were widened more area would be needed for street purposes. It also reports that due to fact that there is no trailer park district within 1-1/2 miles, that area is zoned R-1, that parkway is proposed through and adjacent to the property, that surrounding territory has been substantially improved with single-family dwellings, and that no reasons are given, the Planning Commission voted 5-0 to recommend that no trailer park district be established in the area.

The Planning Director showed members of the Council a map of the area, and explained it, substantially as stated in the report.

Councilman Kerrigan moved to "uphold the Planning Commission", which motion was seconded by Councilman Schneider.

Mr. Rick spoke of there being no legal precedent on the issue. He said that property owners might be encouraged or discouraged.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the matter was ordered filed. (There was no granting or denial).

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition of San Diego Unified District requesting rezoning portions of Acre Lots 21, 22, 23 Pacific Beach, from R-1 to R-2, for an elementary school site. It reports property located along north side of Beryl Street between Academy and Pendleton Streets - school site located between elementary school in Bay View Housing, along Balboa Avenue, and Pacific Beach elementary school at Fanuel and Sapphire Streets. It states that no protests had been received, and the Commission voted 5-0 to recommend the rezoning.

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RESOLUTION NO. 118256, recorded on Microfilm Roll No. 80, requesting City Attorney to prepare and present necessary ordinance for rezoning portions Acre Lots 21, 22, 23 Pacific Beach, from R-1 to R-2, in vicinity of north side of Beryl Street between Pendleton and Academy Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on petition of Russell Segel for rezoning parcel about 105 feet fronting on Federal Boulevard and 359 feet deep located approximately 360 feet west of Euclid Avenue on south side of Federal - bounded on west by Altadena Street, across which is group of single-family residences being built in R-4 zone in a new subdivision; on the south by R-4 zoning with few homes erected; adjacent to C and CP on the east, also the property of petitioner where Mayfair Market is located - across Euclid Avenue to east is C-1 zoning in the County. It reports that around the intersection of Euclid and Federal are approximately 28.75 acres of C or C-1: 1-1/2 acres on northwest corner, 2-1/4 acres on southwest corner, 6 acres on northeast corner and 19 acres on southwest corner. It states there is an additional 7.7 acres of C zoning at 4 corners of 47th & Federal, a few blocks away; none of the business area zoned for parking only. It says that the only CP zoning is at the rear of the Mayfair Market, consisting of less than one acre, or about 32,000 sq. ft., portion of which is being illegally used by the Mayfair Market for plant storage and growing yard. In addition to a further detailed report, it mentions that the owner states that he has reacquired the 105-foot strip, which is the subject of the rezoning; that the petition was discussed at a regular hearing May 5, 1954, and one protest was voiced. It says that petitioner, represented by an attorney, requested a continuance of 2 weeks in order that he could attempt to work out an acceptable zoning plan; that petitioner and his attorney discussed the matter with the Planning Office, but were not willing to deviate one square foot from the zoning plan contained in the petition. It says that it was pointed out to the petitioner that he now has 97,200 sq. ft. of C Zone, of which 76,000 sq. ft. are used or available for parking. It states that 28,350 sq. ft. of additional C zoning proposed, according to petitioner is for another store building of approximately 16,500 sq. ft., leaving 11,850 sq. ft. for parking in proposed C Zone; in the 88,000 sq. ft. of vacant C zone, petitioner states he will erect a service station. Also, it says among other further things, that 5 persons who have purchased homes directly across Altadena Street from the R-1 zone protested against C and CP rezoning and advocated construction of residences on the property so that existing C zone would be across the back fences from the suggested dwellings rather than in the front yards of the existing dwellings and R-4 zone on the west side of Altadena Street. The report stated that petitioner was presented and stated that he had every intention of leaving most of his C zoning vacant and available for parking because he realized that he must have parking in order to make a success of any business enterprise located on the land; that it became apparent to the Planning Commission that petitioner would make no concession whatever in proposed zoning, and that it voted 5-0 to recommend denial (property is presently zoned R-1 under Ordinance No. 5809 N.S.).

Councilman Kerrigan said that it is a question if the Council overrules the Planning Commission.

The Planning Director showed a map of the property at Federal and Euclid, and stated that some property owners across the street protested.

Morey Levenson, attorney, said that he had been informed that denial was on basis of not enough SP zone.

Glenn A. Rick, the Planning Director, told the Council that the Commission turned the zoning request down. Answering questions put by the Council, he said he did not know what was in the Commission's minds when they denied it.

There was discussion between Mr. Levenson and Mr. Rick over reason for denial.

Mr. Levenson expressed the opinion that it was an academic discussion, and that it is mandatory that the Council have a hearing.

Douglas D. Deaper, Deputy City Attorney, agreed that the matter must be set for hearing.

Councilman Kerrigan said he had understood that it was the Council which would say if there would be a hearing held.

Mr. Deaper reviewed the terms of need for hearings.

Councilman Godfrey pointed out that at the hearing it can be decided if the Council will order an ordinance.

Mr. Levenson said that the Council does not have to have an ordinance (to hold the hearing).

Mr. Deaper pointed out that the hearing is on the matter of rezoning (not necessarily on the Ordinance).

Councilman Kerrigan spoke to Mr. Levenson regarding the procedure.

Councilman Dail declared that if the ordinance is not before the Council, it does not have anything on which to act.

Mr. Levenson insisted that the ordinance (the Municipal Code) requires a hearing. He said that it is not a Planning Commission matter.

Mr. Deaper suggested that there be advertising for a hearing.

On motion of Councilman Godfrey, seconded by Councilman Schneider, a hearing was set on the recommendation for 3 weeks from today - June 15, 1954 - with no ordinance.

After hearing was set, Councilmen Schneider and Kerrigan both pointed out that this is a new procedure.

Communication from Planning Commission, signed by P. Q. Burton, forwarding petitions along South 43rd Street from approximately "Z" Street south to National City limits, requesting rezoning from R-4 to C, was presented. It says that first of 2 petitions concerns property only on west side of South 43rd Street, that when matter came before Planning Commission to be set for public hearing, the Commission suggested that both sides should be the subject for the rezoning and not just one side. It reports that second petition was submitted later, and both contain signatures of most of property owners of land concerned. It states that in eyes of the Planning Commission, it appears to be an attempt to create more of the "string-type" business zoning, which in many cases results in congested traffic, rows of business buildings, each attempting to get more and larger signs than the others, and in many instances, marginal enterprises with many business failures and changes in tenants. The report of the Planning Department indicated that of 22 parcels involved, 18 are occupied by 20 residences, that most of the residences are of an age and value so that there will be little incentive to move them off to make room for business buildings and off-street parking. It relates that petitioners have refused any suggestion of CP zoning for off-street parking, that 3 census enumeration districts encompassing the property and within a one-mile radius in San Diego and adjacent enumeration district in National City, show total population as of April 1, 1954, of approximately 21,500 people, and within the same districts there exists enough business zoning for a population of more than 100,000 persons. It gives a further report regarding various street widths on portions of South 43rd - that where there is inadequate parking, or no off-street parking provided, a 4-lane highway is reduced to 3 lanes to carry the traffic. In addition to more information, it states that the Commission voted 5-0 to recommend denial.

Councilman Godfrey said that the City Attorney had read from the ordinance regarding having to hold a hearing.

Discussion was entered into between several Councilmen regarding the procedure.

Councilman Kerrigan said that the Council has upheld denial by the Commission, previously. He said that it would save the Attorney from drawing an ordinance, if the request is turned down at the hearing.

Councilman Godfrey stated that it is decided at a subsequent hearing.

Councilman Godfrey moved to hold a hearing in 3 weeks - June 15, 1954 - which motion was seconded by Councilman Schneider. The motion carried.

Douglas D. Deaper, Deputy City Attorney said that the ordinance does require a hearing, does not say when, or go into the advertising. He declared a conflict if the State Planning Act is to be followed. After a hearing, the Council can adopt an ordinance without holding a new hearing on it, he said.

Councilman Wincote said "let's follow the attorney".

RESOLUTION NO. 118257, recorded on Microfilm Roll No. 80, referring to Council Conference the matter of procedure in connection with zoning and re-zoning proceedings where the Planning Commission recommends denial; requesting the City Attorney to make a written report in 1 week, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for rezoning area 400 or 500 feet west of 67th Street on north side of Montezuma Road - portions of Lots 32 and 33 La Mesa Colony - was presented. It states that no protests were voiced at the meeting of the Planning Commission, and it suggests forwarding to City Attorney's office for drafting ordinance prior to setting public hearing.

RESOLUTION NO. 118258, recorded on Microfilm Roll No. 80, requesting City Attorney to prepare and present necessary ordinance for rezoning portions of Lots 32 and 33 La Mesa Colony, from R-1 to R-2, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, submitting report on drainage problem at North-South Alley Block 139 University Heights - Assessment No. 2228 - was presented. It states that the Alley crosses a small draw 200 feet wide and maximum of 8 feet deep at right angles; properties to east drain westerly through the draw and an adequate drainage outlet, consisting of 10" corrugated metal pipe provided in bottom of draw in improvement job under Assessment No. 2228. It says that drainage problem was created when owners of Lots 41 and 40 filled over and blocked the drain crossing Block 139; situation is not serious as all other properties to east are likewise filling their lots and temporary blocking of drainage has created only a temporary problem; owner of Lots 38 and 39 who protested at the hearing already have made arrangement to fill. It gives the opinion that all the low lots to the east will be filled in the near future and the drainage problem will cease. On motion of Councilman Wincote, seconded by Councilman Godfrey, it was ordered filed.

Communication from City Engineer reporting as result of Resolution No. 117890 of May 4, 1954, re cost of installing pavement, curbs, sewer and water for Floral Terrace, was presented. It makes a complete break-down for cost of water mains & sewer mains, 299 lots of 324 to be served by sewer, cost per servible lot \$652.20; pavement, curbs, excavation, average cost based on 299 lots \$348.90, corner lots somewhat higher;

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Sidewalks, average cost, based on 299 lots \$60.20; corner lots somewhat higher; sewer laterals \$135.00; water laterals \$57.00; - - eliminating further details, report gives total per 50 foot site \$2,314.60, was presented. It says, also, that in addition, it would be necessary to run an outfall down thru Bayview Housing Project at estimated cost of \$15,000, that existing Government sewers are not so located as to be able to pick up the connection and are of inadequate size to handle the additional flow.

The City Engineer told the Council that the petition is for sewer and water, and related what can be served, and how much it would cost, from the report which was mentioned above. He mentioned specifications on cement. He agreed that he had given the top figure, that the country is rough, and added that he tries to keep the figures 10% high. The Engineer stated that prices on bids received now are such as had not been dreamed of, indicating that contractors are hungry for work.

The Mayor said that in Conference the Council had discussed the relation of this area to other section above which could use the sewer.

The City Engineer thought this could not be connected, but said he had not studied the situation enough to tell. He told of a possibility of extending up to cover. The Sewer Extension Ordinance might permit a set-up on a re-embursable area, he said.

M. A. Robertus said that he had run across a map regarding subdivision of property above this; it had never been sold as a subdivision, but it is a subdivision on paper. Interests in that area are waiting for Floral Terrace, he said.

Discussion was held between the Planning Director and Mr. Robertus regarding the other property, above.

Mr. Taylor, who did not give his first name or initials, spoke to the Council at the Planning Director's request. He said that Bates Subdivision, which had been referred to as the property above Floral Terrace, had been vacated, and that it is now in acreage.

The Mayor, Councilmen Kerrigan and Wincote all referred to charge for a 50-foot lot as being \$2,314.60 (same figure as given in the report.)

Councilmen Dail and Godfrey were excused.

There was discussion between an unidentified man, the City Engineer, and several Councilmen regarding property to use the sewer.

Councilman Dail returned.

The man who had been speaking to the Council continued, by saying this would be cheap for all the improvement.

Councilman Wincote spoke to the man regarding a 51% petition.

The same man referred to there being additional names on the petition.

The City Engineer referred to there being a 72% petition now - for sewer and water only.

Councilman Godfrey returned.

Councilman Wincote agreed with the City Engineer that the petition was for sewer and water only.

The man who had been addressing the Council, stated that originally a petition had covered all the improvement, but was later circulated for the sewer and water only.

Councilman Wincote said that if there are few here who want all, the Council could be critized if it orders all the improvement.

Councilman Kerrigan said it would be necessary to have a supplementary petition for the sidewalk and curb.

Asked about the proposal, the City Engineer said it would call for contiguous sidewalk - up to the curb. He have as his basis for estimate 40¢ on the sidewalk, per square foot.

Councilman Kerrigan pointed out that in the final analysis, the property owners will pay the final bid, and that he thinks the job done at once would be cheaper. Now is the time to move on the whole thing, he added. He told the property owners that they should get another petition.

The Mayor, consulting the several people in the audience interested in the project, stated that all those present want all the work. The reply from the audience to the Mayor's question had been "yes", relative to all, rather than part of the work.

The City Engineer, asked about the matter, said that there would be no added delay regarding the getting out and filing of a new petition.

Mrs. McAvoy said that she had obtained the first petition, and that she can get others.

Councilman Kerrigan said that this should be continued, pending a new petition.

The Mayor said that the situation depends on the sewer outfall above.

The City Engineer said that there could be added in property in Pacific Beach.

The Mayor expressed the belief that the situation "needs a long look by the Attorney and the Engineer.

Councilman Wincote said that there might be \$100. more additional regarding lots connected.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was continued 1 week - to June 1.

Councilman Kerrigan said that the property owners should put sidewalks in - area where they had been omitted in subdivisions now want them.

Communication from K. A. Godwin, Captain, CEC, USN, District Public Works Officer, by direction of the Commandant, Eleventh Naval District, dated 20 May 1954, was presented. It requests that the City grant to the United States of America, represented by the Department of the Navy, an easement for right of way for proposed new water pipe-

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line through portions of Pueblo Lot 1311 to serve Weapons Training Battalion, Camp Matthews (Marine Corps Recruit Depot, by constructing new 12-inch water pipeline parallel to but outside existing right of way granted by Ordinance No. 5635 (New Series).

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

Communications from a large number of La Jolla residents, relative to enforcement of sign control in the La Jolla business center, etc., were presented.

RESOLUTION NO. 118259, recorded on Microfilm Roll No. 80, referring communication from residents of La Jolla, filed under Documents Nos. 490785 and 490786 re sign control in La Jolla, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Jessie C. Torham and Thelma G. Thompson, was presented. It refers to manner in which Alley Block 43 Chas. Hensley Addition was paved, being higher than existing gates.

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

Communication from Richard E. Patton, 3725 Dupont Street, San Diego 6, requesting meeting with the Council to discuss possible lease of part of Balboa Park west of Indiana Street and south of Upas Street for construction of home for needy blind, was presented.

The City Manager said that the subject has been discussed by the Council.

RESOLUTION NO. 118260, recorded on Microfilm Roll No. 80, referring to Council Conference communication from Richard E. Patton, filed under Document No. 490789 requesting meeting to discuss possible lease of portion of Balboa Park to construct home for needy blind, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118261, recorded on Microfilm Roll No. 80, directing notice of filing Street Superintendent's Assessment and of time and place of hearing thereof, for paving and otherwise improving Cass Street, under Resolution of Intention No. 113134, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118262, recorded on Microfilm Roll No. 80, directing notice of filing Street Superintendent's Assessment No. 2245 and of time and place of hearing thereof, for paving and otherwise improving 62nd Street and Fergus Street, under Resolution of Intention No. 112883, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 118263, recorded on Microfilm Roll No. 80, accepting bid of V. R. Dennis, an individual doing business under firm name and style of V. R. Dennis Construction Co., and awarding contract for paving and otherwise improving Alley Block 86 Point Loma Heights, under Resolution of Intention No. 117128, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The City Engineer reported in writing that low bid is 23.0% below estimate.

RESOLUTION OF AWARD NO. 118264, recorded on Microfilm Roll No. 80, accepting bid of Griffith Company, a corporation, and awarding contract for paving and otherwise improving Thorn Street, under Resolution of Intention No. 117129, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The City Engineer reported in writing that low bid is 22.9% below estimate.

RESOLUTION OF AWARD NO. 118265, recorded on Microfilm Roll No. 80, accepting bid of V. R. Dennis, an individual doing business under firm name and style of V. R. Dennis Construction Co., and awarding contract for paving and otherwise improving Wightman Street and Ogden Street, under Resolution of Intention No. 117130, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The City Engineer reported in writing that low bid is 35.4% below estimate.

RESOLUTION NO. 118266, recorded on Microfilm Roll No. 80, approving drawings, typical cross-sections, profiles and specifications for installation of sewers in Alleys Blocks 111, 121, 122, 138, 139, 140, 143, 144 and 145 City Heights; Thorn Street, Redwood

Street, Quince Street, Unnamed Street, and Public Rights of Way; approving Plat No. 2559 showing exterior boundaries of district to be included in assessment; directing City Clerk to file plat in office of City Engineer upon passage of Resolution of Intention, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118267, recorded on Microfilm Roll No. 80, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 44 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; approving Plat No. 2574 showing exterior boundaries of district to be included in assessment; directing City Clerk to file plat in office of City Engineer upon passage of Resolution of Intention, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118268, recorded on Microfilm Roll No. 80, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Jewell Street; approving Plat No. 2574 showing exterior boundaries of district to be included in assessment; directing City Clerk to file plat in office of City Engineer upon passage of Resolution of Intention, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 118269, recorded on Microfilm Roll No. 80, for paving and otherwise improving Alleys Block 66 Resubdivision of Blocks 39 and 56 Normal Heights, under Resolution of Intention No. 117465, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 118270, recorded on Microfilm Roll No. 80, for construction 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, under Resolution of Intention No. 117467, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 118271, recorded on Microfilm Roll No. 80, for construction of sewer mains 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 in Block 2 Swan's Addition, Olive Street, Alley in Block 20 Swan's Addition, and Fairmount Avenue, under Resolution of Intention No. 117468, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 118272, recorded on Microfilm Roll No. 80, for paving and otherwise improving Quimby Street, under Resolution of Intention No. 117466, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118273, recorded on Microfilm Roll No. 80, directing notice inviting sealed proposals for furnishing electric current for lighting ornamental street lights located in San Diego Lighting District No. 3, for one year from and including July 16, 1954, in accordance with Engineer's Report and Assessment filed April 2, 1954 in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 118274, recorded on Microfilm Roll No. 80, for paving and otherwise improving Alleys Block 3 Alhambra Park, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 118275, recorded on Microfilm Roll No. 80, for paving and otherwise improving Alleys Block 12 Normal Heights, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 118276, recorded on Microfilm Roll No. 80, for paving and otherwise improving 67th Street, Mohawk Street, Bowman Lane, 68th Street, Saranac Street and Public Right of Way, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118277, recorded on Microfilm Roll No. 80, appointing time and place for hearing protests, and directing notice of the hearing, for furnishing electric current for lighting ornamental street lights located in Five Points Lighting District, for period of one year from and including August 5, 1954, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118278, recorded on Microfilm Roll No. 80, 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. 4, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118279, recorded on Microfilm Roll No. 80, for construction of sewer main, manholes, in Alleys Blocks 111, 121, 122, 138, 140, 143, 144 and 145 City Heights; Thorn Street, Redwood Street, Quince Street, Unnamed Street, and Public Rights of Way, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118280, recorded on Microfilm Roll No. 80, for paving and otherwise improving Alley Block 4 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, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118281, recorded on Microfilm Roll No. 80, for paving and otherwise improving Jewell Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118282, recorded on Microfilm Roll No. 80, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 95 Ocean Bay Beach, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118283, recorded on Microfilm Roll No. 80, ascertaining and declaring wage scale for paving and otherwise improving Alleys in Blocks 3 and 4 Ocean Front, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118284, recorded on Microfilm Roll No. 80, ascertaining and declaring wage scale for paving and otherwise improving Clove Street, Plum Street, Oliphant Street and Newell Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

In connection with the next Resolution, Councilman Schneider commented that he had been asked to find out the reason.

The City Engineer replied that it covers a bunch of overlapping Resolutions and that he is going to ask for a new Resolution.

Communication from the City Engineer recommending the rescinding of several resolutions which granted petitions to pave, etc. Manzanita Drive, Tuberosa Street, and other streets in Lexington Park, was presented. It advises that plans are being prepared for improving the streets, and that in order to file plans on portion of the job, it is recommended that they be rescinded, and states that job will later be reinstated under two separate proceedings.

RESOLUTION NO. 118285, recorded on Microfilm Roll No. 80, rescinding Resolutions Nos. 104064, 105941, 106137, 109278, 111274 and 111279 granting petitions for improvement of portions of Manzanita Drive, Tuberosa Street, and other streets in Lexington Park; abandoning all proceedings thereunder, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending that proceedings for paving and otherwise improving Alley Block 14 F. T. Scripps' Addition, et al, be amended to include curbs as required, and including Alley lying westerly of and contiguous to Block 2 J. T. Corcoran's Subdivision, and Draper Avenue, was presented.

RESOLUTION NO. 118286, recorded on Microfilm Roll No. 80, adopting recommendation of City Engineer, filed in office of City Clerk May 19, 1954, under Document No. 490732; authorizing City Engineer to amend proceedings for improvement of Alley Block 14 F. T. Scripps' Addition, et al, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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Communication from City Engineer, with City Manager's stamp of approval, recommending that proceedings for improvement of Udall Street be amended to include drainage slab, and that improvement extend from Warrhington Street to northwesterly line of Worden Street, was presented.

RESOLUTION NO. 118287, recorded on Microfilm Roll No. 80, authorizing City Engineer to amend proceedings for improvement of portion of Udall Street in accordance with his recommendation filed in office of City Clerk under Document No. 490734, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition to grade and pave Alley Block 23 La Jolla Park, signed by 93.7% of property frontage - and that sewer laterals be installed if required, was presented.

RESOLUTION NO. 118288, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 487051 for paving and otherwise improving Alley Block 23 La Jolla Park; directing City Engineer to furnish description of assessment district, and a 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 installation of sewer laterals if required, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for paving Alley northerly of Long and Hickok's Subdivision, signed by owners of 67.6% of property frontage - and that sewer laterals be installed if required, was presented.

RESOLUTION NO. 118289, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 489781 for improvement of Alley northerly of Long and Hickok's Subdivision; directing 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 installation of sewer laterals if required, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for paving and otherwise improving Alley Block 128 Mannasse and Schiller Subdivision and Block 128 San Diego Land and Town Company's Addition, signed 64.6% of property frontage - and that sewer laterals be installed if required, was presented.

RESOLUTION NO. 118290, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 489931 for paving and otherwise improving Alley Block 128 Mannasse and Schiller Subdivision and Block 128 San Diego Land and Town Company's Addition; directing 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 of paving and installation of sewer laterals if required, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for paving and otherwise improving Alley Block 10 Normal Heights, signed by 66.7% of property frontage - and that sewer laterals and water services be installed if required, was presented.

RESOLUTION NO. 118291, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 489782 for paving and otherwise improving Alley Block 10 Normal Heights; directing 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 of the paving and installation of sewer laterals and water services if required, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for paving and otherwise improving Alley Block 19 North Shore Highlands, signed by 70.0% of property frontage - and that sewer laterals be installed if required, was presented.

RESOLUTION NO. 118292, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 490385 for paving and otherwise improving Alley Block 19 North Shore Highlands; directing 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 of paving and installation of sewer laterals if required, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition to pave and otherwise improve Alley Block 80 Pacific Beach, signed by owners of 70.0% of property frontage - to include installation of sewer laterals if required, was presented.

RESOLUTION NO. 118293, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 487925 for paving Alley Block 80 Pacific Beach; directing 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 of paving, and installation of sewer laterals if required, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition to modernize street lighting system on Broadway between 12th Avenue and 14th Street, signed by 62.5% of property frontage, was presented. It recommends that proceedings be consolidated with those previously ordered by Resolution No. 117807, and that district be formed to install the lighting system between westerly line of 8th Avenue and easterly line of 14th Street.

RESOLUTION NO. 118294, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 490201 for modernization of street lighting system on Broadway, between 12th Avenue and 14th Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and assessed to pay costs, damages and expenses; directing City Engineer to consolidate assessment district with district heretofore ordered by Resolution No. 117807, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending petition for paving and otherwise improving Brooklyn Avenue and Iona Drive signed by owners of 54.5% property frontage, was presented. It recommends that petition be granted and that sewer laterals and water services be installed as required - that Brooklyn Avenue be extended from Merlin Drive to center line of 60th Street, and that improvement of Iona Drive extend from Merlin Drive to center line of Kenwood Street.

RESOLUTION NO. 118295, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 490383 for paving and otherwise improving Brooklyn Avenue and Iona Drive; directing 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 installation of sewer laterals and water services as required, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for paving 40th Street, signed by owners of 75.5% of property frontage, was presented. It recommends that improvement extend to center line of National Avenue, also that gutters, sewer laterals and water services be installed if required, was presented.

RESOLUTION NO. 118296, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 489600 for paving and otherwise improving 40th Street; directing 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 of paving, and other installations if required, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition to widen Garnet Street between Morrell Street and Balboa Avenue, signed by owners of 57.5% of property frontage, was presented. It recommends that work consist of paving, curbs and sidewalks and driveways if required.

RESOLUTION NO. 118297, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 490543 for widening Garnet Street; directing 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, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for sewers to serve portions of P.L. 104, signed by owners of 63.4% of area to be served, was presented.

RESOLUTION NO. 118298, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 490542 for installation of sewers to serve portions of Pueblo Lot 104; directing 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 of installing sewers, was on motion of Godfrey, seconded by Councilman Wincote, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for paving and otherwise improving Roosevelt Street, signed

by owners of 77.1% of property frontage, was presented.

RESOLUTION NO. 118299, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 490384 for paving and otherwise improving Roosevelt Street; directing City Engineer to furnish Council with description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by to be assessed to pay costs, damages and expenses including various improvements if required, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending paving 63rd Street between Choctaw Drive and El Cajon Boulevard, signed by owners of 71.4% of property frontage, was presented.

RESOLUTION NO. 118300, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 489932 for paving and otherwise improving 63rd Street; directing 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 installation of gutters, sewer laterals and water services as required, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for paving and otherwise improving 31st Street between Cedar and Elm Streets, signed by owners of 61.3% of property frontage, was presented. It also recommends that gutters, water services and sewer laterals be installed as required.

RESOLUTION NO. 118301, recorded on Microfilm Roll No. 80, granting petition contained in Document No. 489601 for paving and otherwise improving 31st Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be assessed to pay costs, damages and expenses, including improvements as required, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from City Engineer, with City Manager's stamp of approval, granting petition for grading portion of Alley Block 53 Subdivision of Lot 20 Pacific Beach by private contract, according to plans and specifications filed in Office of City Clerk April 17, 1954 under Document No. 490616, at no cost to City of San Diego, was presented.

RESOLUTION NO. 118302, recorded on Microfilm Roll No. 90, granting permission to K. M. Fredericks to grade portion of Alley Block 53 Subdivision of Lot 20 Pacific Beach, on conditions contained in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118303, recorded on Microfilm Roll No. 80, establishing parking time limit of 36 minutes between hours of 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

West side of Sixth Avenue, between Broadway and C Street;

Provided however, that parking time limit of 5 minutes be established between 9:30 a.m. and 3:00 p.m., Saturdays, Sundays and holidays excepted;

West side of Sixth Avenue, between points 75 feet north and 136

feet north of Broadway;

authorizing and directing installation of necessary signs and markings; repealing Resolution No. 99734, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118304, recorded on Microfilm Roll No. 80, authorizing City Manager to employ Griffith Company to install 121.4 feet of 8-inch V.C. sewer main and one manhole, in connection with improvement of 54th Street, Blackton Drive, 55th Street, and other streets in and adjoining Balboa Vista Subdivision, as shown on Drawing No. 10723-L; cost of work not to exceed \$857.00, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Resolution says that City of San Diego has entered into contract with Griffith Company for paving and otherwise improving 54th Street, Blackton Drive, 55th Street and other streets in and adjoining Balboa Vista Subdivision under 1911 Street Improvement Act proceeding; that said drawing shows main and manhole to be installed by City forces; that Griffith Company, contractor, has offered to do work for the sum specified and City Manager has recommended that offer be accepted and work done.

RESOLUTION NO. 118305, recorded on Microfilm Roll No. 80, authorizing City Manager to employ M. H. Golden Construction Company to grade to ramp the roadway from new paving at intersections of Del Rey Street with Glendora Street and Rosewood Street, and to install 184 lineal feet of 8-inch V.C. sewer main and one manhole, shown on Engineer's Drawing No. 10807-L; cost of work not to exceed \$958.40, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Resolution says that City has entered into contract with M. H. Golden

Construction Company for improving portion of Del Rey Street under 1911 Street Improvement Act proceeding; that Drawing 10807-L shows work to be performed by City forces, which work consists of the work provided, for safer driving and for drainage purposes, and installation of sewer main and manhole; that the Company has offered to do work at and for sum stated and City Manager has recommended that offer be accepted and work be done.

RESOLUTION NO. 118306, recorded on Microfilm Roll No. 80, authorizing and empowering City Manager to execute, for and on behalf of City of San Diego, contract with Carl R. Rankin, 180 South Orange Grove Avenue, Pasadena, California, for professional services as Consulting Engineer in conduct of City's investigations, surveys and construction work, in connection with City's program of development of water supply, for \$2,500 for period commencing on 20th day of May, 1954, and ending on 19th day of May 1955 1/4 upon execution of contract, balance payable in equal installments in 3, 6, 9 months thereafter, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118307, recorded on Microfilm Roll No. 80, authorizing Park and Recreation Director to permit Armed Services of the United States to hold service football games during 1954 Season in Balboa Stadium whenever they do not conflict with previously arranged programs; that permission shall be on following terms and conditions:

- (a) There shall be no rental charge made;
- (b) That Armed Service personnel will clean the Stadium to the satisfaction of the Park and Recreation Department, said cleaning to include the seats, rest rooms, press box, turf, and all areas inside and outside immediately adjacent to the Stadium; and
- (c) That Armed Services of the United States will reimburse the City at rate of \$50.00 for lights whenever the event requires use of lights; that, in addition, will reimburse the electrician for his services whenever the public address system or lights are used;

waiting minimum guarantee for use of Stadium by Armed Services of United States shall be upon condition that no admission charge shall be made to general public for attendance, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118308, recorded on Microfilm Roll No. 80, granting permission to Richfield Oil Corporation, 645 South Mariposa Avenue, Los Angeles 5 (Attention: Alec Beckstead) to install 2 35-foot driveways on north side of University Avenue, between points 7 feet and 42 feet and points 83 feet and 118 feet east of east line of Highland Avenue; also 2 25-foot driveways on east side of Highland Avenue between points 6 feet and 31 feet and points 53 feet and 78 feet north of north line of University Avenue, adjacent to Lots 21 to 24 inclusive Block 3 City Heights Annex No. 1, subject to conditions in the Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118309, recorded on Microfilm Roll No. 80, granting permission to San Diego Unified School District (George R. Saunders, construction engineer), to install 2" diameter, one piece brass vent from sink in island cabinets in Kindergartens at Eugene Field Elementary School, 4401 Bannock Avenue, in lieu of required cast iron; subject to approval of Chief Plumbing Inspector and City Manager, upon conditions set forth in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118310, recorded on Microfilm Roll No. 80, granting permission to San Diego Unified School District (George R. Saunders, construction engineer) to make installations in addition to Point Loma High School on Chatsworth Boulevard, under special plumbing permit - being a variety of installations specified in the Resolution - subject to approval of Chief Plumbing Inspector and City Manager, upon conditions set forth in the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118311, recorded on Microfilm Roll No. 80, granting United States Holding Company, a corporation, to install and maintain underground power line conduit across 32nd Street, from San Diego Gas & Electric Company's pole No. 4324 located opposite alley north of El Cajon Boulevard to property at 3210 El Cajon Boulevard, upon terms and conditions (revocable permit) contained in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Resolution directs City Clerk to transmit certified copy of Resolution to Edward H. D'Atri, United States Holding Company, 200 U.S. National Bank Building, San Diego 1, California.

Ordinance, which had been presented at several previous meetings and continued week-to-week until this meeting, 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", was presented again.

On motion of Councilman Burgener, seconded by Councilman Wincote, it was continued again - to June 1, 1954.

Ordinance, which had been continued, amending San Diego Municipal Code by adding new section to be known as and numbered Section 101.0615 regulating Living

118306 - 118311

5/25/54

Room Space - Dwellings, was presented in a new draft which had been ordered by the Council. The ordinance as presented contained blank spaces for square feet for the 3 kinds of areas covered.

Accompanying the file of the new draft, and previous comments, were additional protests.

On motion of Councilman Burgener, seconded by Councilman Schneider, the continued ordinance (new draft) was continued for 2 weeks - to June 8, 1954. (The Clerk, however, indicated the date as June 9, 1954, inasmuch as June 8 is election day).

See also page 163 of these Minutes.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to final passage was dispensed with by 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. 6124 (New Series), recorded on Microfilm Roll No. 80, changing name of Millar Street to 62nd Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilman Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the reading of the next ordinance in full prior to final passage was dispensed with by 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. 6125 (New Series), recorded on Microfilm Roll No. 80, approving annexation to City of San Diego of portion of Lot 67 Rancho Mission of San Diego, in County of San Diego, State of California, known and designated as "Steinbaum Tract", was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the next ordinance was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the reading 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. 6126 (New Series), recorded on Microfilm Roll No. 80, appropriating \$70,000.00 from 1951 Sewer Bond Fund (Fund 713), for providing funds for replacement of sewer in Chamone Avenue, to Landis Street, to Euclid Avenue, to Trojan Avenue, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the next ordinance was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the reading 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. 6127 (New Series), recorded on Microfilm Roll No. 80, appropriating \$19,500.00 from Capital Outlay Fund, for providing funds for installation of storm drain in Jamacha Road near Beacon Drive and Glencoe Avenue, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the next ordinance was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the reading 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. 6128 (New Series), recorded on Microfilm Roll No. 80, appropriating \$12,000.00 from Capital Outlay Fund, for providing funds for improvement of Armstrong Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Schneider, seconded by Councilman Wincote, the next ordinance was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, the read-

On motion of Councilman Schneider, seconded by Councilman Wincote, the next ordinance was presented. On motion of Councilman Wincote, seconded by Councilman Schneider, the reading 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. 6129 (New Series), recorded on Microfilm Roll No. 80, appropriating \$6,000.00 from Capital Outlay Fund, for providing funds for installation of sewer in East San Diego Park, located near 54th Street and University Avenue, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the next ordinance was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the reading 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. 6130 (New Series), recorded on Microfilm Roll No. 80, appropriating \$1,565.00 from Unappropriated Balance Fund, for providing funds for salaries and outlay for office of the housing coordinator, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the next ordinance was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the reading 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. 6131 (New Series), recorded on Microfilm Roll No. 80, appropriating \$700.00 from Mission Bay Recreation Facility Bond Fund (1950) (Fund 712), for purpose of providing funds for installation of electrical work at Driftwood Dining Room on Santa Clara Point (Mission Bay), was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the next ordinance was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the reading 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. 6132 (New Series), recorded on Microfilm Roll No. 80, appropriating \$510.00 from Trunk Line Sewer Fund (Fund 231), for providing funds to pay City's share of cost of installing 680 feet of sewer in La Jolla Mesa Drive, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the next ordinance was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the reading 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. 6133 (New Series), recorded on Microfilm Roll No. 80, establishing grade of 45th Street, between southerly line of Market Street and line parallel to and distant 23.90 feet southerly from easterly prolongation of easterly line of Market Street Addition, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the next ordinance was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the reading 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. 6134 (New Series), establishing grade of Castelar Street, between southeasterly line of Seaside Street and northwesterly line of Soto Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Burgener.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the next ordinance was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the reading 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. 6135 (New Series), recorded on Microfilm Roll No. 80, establishing grade of Soto Street, between southwesterly prolongation of northwesterly line of Castelar Street and southwesterly prolongation of northeasterly line of Castelar Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays-Councilmen None. Absent-Councilman Burgener.

On motion of Councilman Godfrey, seconded by Councilman Schneider, Ordinance amending San Diego Municipal Code by amending Section 93.1511 and by repealing Sections 93.1513 and 93.1514, Regulating Gas Appliances - and setting hearing for June 17, 1954 - was introduced, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays-Councilmen None. Absent-Councilman Burgener.

Councilman Dail requested, and was granted, unanimous consent for presentation of the next matter, not listed on the agenda, and on which no communication was filed:

James Turpin, 2660 - 6th Avenue, spoke to the Council about use of a balloon for advertising purposes, which he described as being used throughout the country. He described it as being "pretty well designed". The ordinance - which prohibits use of balloons was for barrage balloons with cables attached.

Councilman Godfrey pointed out that the ordinance covers other than barrage balloons.

The Mayor said that there are several objections.

RESOLUTION NO. 118312, recorded on Microfilm Roll No. 80, referring to the City Manager and to the City Attorney the verbal request of James Turpin, 2660 - 6th Avenue, for permission to use for advertising a type of balloon which he describes as "being pretty well designed" and used throughout the country, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The Mayor recognized Mr. Fredman, attorney (whose first name or initials were not given). Mr. Fredman, speaking about the forthcoming Shrine Circus, said that a precedent has been set regarding a contract made. He told the Council that the organization has never been taxed, on the license tax. He spoke of having entered into a contract with the circus. Mr. Fredman said that there was not written into the contract anything about licensing. He stated that budget has been set up regarding no charge therefor. He agreed that the Shrine does not have a staff to check these things, and ascertain that license was called for. He pointed out that the affair is charitable, and that band is put on the streets to add color to events. He stated that the circus netted \$15,000.00 or \$16,000.00 last year, and he hopes for a better return this year. Asked by members of the Council about performances for children, Mr. Fredman said that there will be 5 matinees for crippled children. The circus is paid \$6,500 for 5 performances, with certain help hired on top of that fee. He told the Council that the Shrine ends up with about 25% - or about 65% net. He said that the circus makes nothing above its cost; that there is no guaranty. He pointed out that the circus bears the expense, if not met by receipts. Mr. Fredman said that the governing section of the ordinance is vague - regarding not being used for charitable organizations - but that the Attorney rules differently.

Councilman Dail spoke of the event possibly being hurt.

Mr. Fredman told of going under the solicitation ordinance section.

Councilman Schneider said that in consideration of the importance of the event, he wanted to help, and added that he had his tickets. He pointed out that others have had to pay, and that the Al Bahr Shrine is asking to "get away" a second year, as it did earlier.

Mr. Fredman spoke of the Shrine trying to stop commercial ventures, and this circus is operated for the Shrine only. It is not a carnival to build up a name, he declared. He declared that San Diego is the only city in the United States which charges a license fee for the circus, which he named as Pollock Brothers Circus. He added that there are no acts presented which could offend children.

Councilman Dail said that Douglas D. Deaper, Deputy City Attorney, had read to the Council provisions of the ordinance, and that there is no question of its application.

Councilman Schneider said that as a member of Al Bahr he is in agreement, but as a member of the City Council he could not agree to Mr. Fredman's request.

Mr. Deaper said that it had been discussed on the basis of solicitation. He said that there is no reference under the revenue sections of the ordinances of the City.

The City Manager said that years ago the solicitation section was used; the ordinance was as an excuse only.

Councilman Dail spoke about the circus some years ago having been presented as a civic organization-sponsorship - and had got all fees waived.

Councilman Schneider said that he had talked to Mr. Finck, and had told him that he thought there was no way to do what was desired by Al Bahr.

There was discussion between Mr. Fredman, Councilman Kerrigan, and Mr. Deaper.

6135 N.S.

118312 - U.S. re Turpin balloon advertising

Ord. introduced

Al Bahr Shrine Circus discussion

Mr. Deaper said that as the Treasurer interprets the Ordinance, the circus is putting on the event, and that the fee is levied on the circus - not on the sponsoring organization. Last year there was an oversight, or laxity, resulting in the action taken, according to Mr. Deaper. It was not a conscious error, he said. Mr. Deaper told the Council that it could make a ruling that the Shrine is putting on the circus - but it is an impossible situation.

Councilman Schneider said that the Council would have to amend the ordinance or violate it, if the request is granted.

Mr. Fredman stated that he is not trying to put the Council on the spot, but that the Shrine will get stuck. He gave the information that there will be close to 10,000 underprivileged children as guests. The sponsors furnish transportation, and wants them at the opening and closing performances, so as to try to keep the children away from the week-end crowds, he said.

Councilman Kerrigan said that he did not see how the Shrine could set a figure for the Council to follow.

The Mayor said that the City might be able to sponsor a couple of the shows, and waive the rental.

The City Manager agreed that the City might be able to provide sponsorship.

There was further discussion between several, joined by an unidentified man from the audience. That man said that local men do the work, and that the circus puts on the performance only.

Councilman Wincote stated that the matter had been discussed for an hour in conference, preceding this meeting.

There was no action.

* Councilman Schneider was excused, during the next discussion.

Councilman Dail requested, and was granted unanimous consent for presentation of the next matter, not listed on the agenda:

Albert Georgano, 5473 Imperial Avenue, spoke to the Council about property across the street from the City (outside the City, in National City), on which he had placed a model home. He said that it would cost \$6,000.00, and that he had put his life savings into the venture. He told of having asked the California Water Co. about a connection, and stated that in front of the property the City has a water line to serve a dairy. He mentioned having been a property owner in the City, spoke again about water line being in, but his property is in National City.

Councilman Dail pointed out that it is the City's policy not to serve water to property outside the City.

Councilman Wincote asked how long it would take to annex.

The question was not answered.

Mr. Georgano said that the deal wipes out his life savings, and re-iterated that the water line is in front of the property. He said, again, that Powers Dairy is getting water from the City although it is outside the City.

The City Manager said that is on an easement deal.

* RESOLUTION NO. 118313, recorded on Microfilm Roll No. 80, referring to the City Manager and to the City Attorney for investigation, verbal request of Albert Georgano, 5473 Imperial Avenue, for securing water from the City of San Diego although his property is in National City just across the City line, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

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

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Bayberry Subdivision (formerly Bay Park Vista #4) subject to posting adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 118314, recorded on Microfilm Roll No. 80, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Vista Park Land Co., a California corporation, for installation and completion of unfinished improvements and setting of monuments required for Bayberry; directing the City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118315, recorded on Microfilm Roll No. 80, adopting Map of Bayberry, a subdivision of Lots 14 and portions of Lots 13, 15, 16 Eureka Lemon Tract, together with portions of unnamed streets vacated and closed to public use being street known as Baker Street lying southerly of Lots 13 and 16, and being the street known as Sumpter lying easterly of Lot 13; accepting on behalf of the public Baltimore Street, Chicago Street, Mactibby Street, portion of Crete Street and unnamed easements for public purposes; declaring them to be dedicated to the public use; authorizing and directing Clerk of the City to endorse upon the map that they are accepted on behalf of the public; 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 Kerrigan, seconded by Councilman Wincote, adopted.

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

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Clairemont Unit No. 14, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 118316, recorded on Microfilm Roll No. 80, authorizing and

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directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Magnet Homes, Inc., a corporation, Ohm Homes, Inc., a corporation, and Watt Homes, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Clairemont Unit No. 14; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118317, recorded on Microfilm Roll No. 80, adopting Map of Clairemont Unit No. 14, a subdivision of portion of Pueblo Lots 1238 and 1239; accepting on behalf of the public portions of unnamed easements and streets: Powhatan Avenue, Fargo Avenue, El Penon Way, Luna Avenue, Nagatuck Avenue, Gallatin Way, Massasoit Avenue, Hidalgo Avenue, portion of Epinette Avenue, portion of Osceola Avenue and unnamed easements for public purposes; declaring them to be dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that they are accepted on behalf of the public; 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 Kerrigan, seconded by Councilman Wincote, adopted.

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

RESOLUTION NO. 118318, recorded on Microfilm Roll No. 80, expressing sympathy to bereaved family of Dr. Howard B. Bard and honoring his memory, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The Resolution states that Dr. Bard was an honored and respected citizen of San Diego, having been Pastor of the local First Unitarian Church from 1913 to 1944, a Councilman, Mayor, founder of the San Diego Open Forum and active member in political and civic betterment activities.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at the hour of 11:50 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

Deputy

Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, May 27, 1954.

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

The Regular Meeting was called to order by Mayor Butler at the hour of 10:06 o'clock A.M.

The Mayor welcomed a group of students from the Student Council Class at the Dana Jr. High School, accompanied by Clarence Swenson, principal. At his invitation, they arose. He explained that Thursday is the less interesting of the Council's meeting, being made of the more routine considerations. He gave a brief resume of the procedure followed, the conferences held before and after meetings, the method of calling the roll. Then he invited the visitors to go to the Mayor's office.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portion of Lot 18 and portion of Lot 21 Lemon Villa into R-4 Zone, repealing Ordinance No. 13559 and Ordinance No. 184 (New Series), insofar as they conflict, the Clerk reported that no protests had been received.

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

118317 - 118318
Visitors
Hearing

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

At the request of the Mayor, Glenn A. Rick, City Planning Director, explained the area involved, told the Council that Sunland Home Foundation had been operating on the property under a previous zone variance, and now a zone change is requested.

On motion of Councilman Schneider, seconded by Councilman Wincote, the hearing was closed.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the reading of the next ordinance in full prior to 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. 6136 (New Series), recorded on Microfilm Roll No. 80, incorporating portion of Lot 18 and portion of Lot 21 Lemon Villa into R-4 Zone, as defined by Section 101.0408 of San Diego Municipal Code and repealing Ordinance No. 13559, and Ordinance No. 184 (New Series) insofar as they conflict, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portion of Pueblo Lot 1175 and Linda Vista Unit No. 2 into R-1 Zone RC Zone and C Zone, 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.

At the request of the Mayor, Glenn A. Rick, City Planning Director, made a brief explanation of the area involved.

On motion of Councilman Schneider, seconded by Councilman Wincote, the hearing was closed.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the next ordinance in full prior to 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.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the next ordinance in full prior to 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. 6137 (New Series), recorded on Microfilm Roll No. 80, incorporating portion of Pueblo Lot 1175 and Linda Vista Unit No. 2 into R-1 Zone, RC Zone and C Zone, as defined by Sections 101.0405, 101.0409 and 101.0411 respectively of San Diego Municipal Code, and repealing Ordinance No. 13457 and Ordinance No. 3729 (New Series) insofar as they conflict, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on portion of Lot 16 Rancho Mission into CP and C Zones, 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.

At the request of the Mayor, Glenn A. Rick, City Planning Director, reported briefly and explained the area involved.

On motion of Councilman Schneider, seconded by Councilman Burgener, the hearing was closed.

On motion of Councilman Burgener, seconded by Councilman Burgener, the reading of the next ordinance in full prior to 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. 6138 (New Series), recorded on Microfilm Roll No. 80, incorporating portion of Lot 16 Rancho Mission 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) insofar as it conflicts, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing appeal of Samuel Rose and R. Christine Rose, 2223 Whitman St., San Diego 3, from the decision of the Board of Zoning Adjustment denying application No. 12917 for variance to Zone R-2 to permit construction of doctors' clinic with off-street parking to be provided and maintained on the property, or to construct a maximum of 4 living units on Lot 24 Block 12 La Mesa Colony, at northeast corner of 70th and Amherst Streets, on condition that all plans be approved by the Board of Architectural Review, Mr. Rose appeared.

Finding of Facts was read to the Council by the Clerk.

Councilman Dail entered the meeting during the reading of the "finding".

Glenn A. Rick, City Planning Director, told the Council that at the hear-

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ing Mr. Rose was asked if he would amend his application. He said that some neighbors were asked if they would protest a clinic or a multiple dwelling. They had answered "no", according to Mr. Rick. He reported that Mr. Rose has changed his mind, and that action was on an oral amendment.

Mr. Rose said that he wanted to explain. He told the Council that if there is just a doctor's office on the lot it would be impractical; there would be too much vacant property from an investment standpoint. He declared that it would be a matter of loss. A doctor's building would be more expensive, according to the appellant; 4 dwellings would be impractical in that it is an unlivable street. The lot, although it is in R-2 zone, has been so for 30 or 40 years, he declared. He said that it is antiquated; started to say something about if he can build a building, but did not finish the sentence. He termed it a mixed area, not particularly good neighborhood. He explained the unattractive nearby properties. Down the street there are scattered new and old houses, Mr. Rose said. According to him an R-2 zone is not justified. He stated that he is a real estate man, and would not want to build anything detrimental. He repeated objections, and explained their conditions. Many have no objection to his approval, Mr. Rose declared. He said that he owns the property and wants to spend \$15,000.00 or \$20,000.00, but that 2 persons are attempting to regulate the neighborhood. Four houses, a 4-flat building, or 1 doctor's office would not pay off, according to him. Mr. Rose contended that he is not asking anything out of line. It is not right to hold to the R-2 zone any longer, he said. He contended that he is within his right to ask for the change, to construct what is wanted. He related the basis for establishing rent. He said that he has asked for a variance, not for a business zone, but for a building for a specific use which would not be objectionable. He contended that his request was justifiable. Why discriminate against a real estate office, he asked.

The Mayor said that the property use is established under the particular zones.

Mr. Rose spoke of providing for only those who can afford low rent. He observed that he could not see any objection.

Councilman Wincote spoke to Mr. Rose regarding purchase of a residential lot nearby.

Mr. Rose replied \$2,000.00 to \$3,000.00; said he can't get several doctors, had tried to line up for 3 or 4, but was unable to get a group, he said. He said that the lot cost about \$3,500.00, and that the average cost of a doctor's office would be---

R. E. Vincent was heard. He said that the lot next on which duplex is built sold for \$18,500.00; on account of easement he built back. It is a typical residence district, according to Mr. Vincent. Referring to Mr. Rose's comments about the not-too-desirable neighborhood, Mr. Vincent said he would not take less than \$12,500.00 for his house. He told of others in the neighborhood, and of people fixing up their homes. He went into detail about the size of his house, pointing out that it is not small, and not a slum. The picture which was painted by Mr. Rose is a true one around his own property; Mr. Rose has no sidewalks, he stated. When the deal first came up, he had a petition, for which signers were asked, according to Mr. Vincent.

Mr. Rick reviewed the petition, and showed the area to Councilman Wincote on a map, and told of a drawing for proposed improvement covering what he already has had, under condition. There is a church there, too, it was said.

Mr. Vincent said that he is a carpenter, had laid off to come up to this hearing and object to the request. He stated that others have nice places which had been referred to as shacks by Mr. Rose. It is not fair, he added. He told of one thing being stated on a drawing, but Mr. Rose is asking for something else, according to Mr. Vincent. He declared that the Rose lot has never been cleaned up during the more than 1 year he (Vincent) has been there.

Ralph Copp, who resides at 70th and Amherst Streets, spoke. He told of having a home that is 5 years old - 2 bedrooms, 1,100 square feet, worth about \$13,500.00. He told the Council that he was protesting. Mr. Copp said that there is a food market, cleaning establishment, a 5-10 store, etc., on El Cajon Boulevard, within 1/2 block. 70th Street is scheduled for sidewalks in September, he said. If Mr. Rose is looking for income, he doesn't see why a duplex would not work, facing it on Amherst. The area is built up for commercial use (nearby) lacking only a floral shop, Mr. Copp said.

Councilman Schneider spoke to Mr. Copp regarding what could be done under a variance.

Roy Heramb, on Amherst Street, said that normally in real estate 1% per month is adequate rent. He said that Mr. Rose could build for more than 1 doctor, but his request for rezoning to C would probably not be granted. Mr. Rose probably does not have 100% equity either (Mr. Rose having referred to persons with small equities protesting). Mr. Rose has purchased the lot within 3 or 4 months, he stated. He asked why he did, if he thinks R-2 zone is not economical. It is a residential area, he stated.

Mr. Rose tried to speak. After some objection, the Mayor granted him 5 minutes. He spoke to Mr. Vincent regarding his location. The facts speak for themselves, he declared. He referred to views for and against by Mr. and Mrs. Griffith. Mr. Rose spoke regarding street widening south of Amherst. It would help to include sidewalk, and would have to take off 20-foot radius to eliminate a hazard. If he spends money, he has to get a suitable return, Mr. Rose stated.

Councilman Wincote said that Mr. Copp will have to give property, also, in connection with improvement.

Mr. Copp said that he has already given it.

On motion of Councilman Wincote, seconded by Councilman Burgener, the hearing was closed.

Councilman Burgener said that it is not the Council's prerogative to decide use of property regarding alternatives.

Councilman Kerrigan said that on 70th Street, south of Amherst Street, for their children to go to school. He spoke of petition and easements, adding that the Council did not accept easement for 80-foot street and sidewalks. He said that the City

Samuel Rose appeal hearing

Manager had made study to see if it should remain in the Major Street plan, and had found that it could not economically remain a major street. He said that people are frustrated on account of not being able to put in the sidewalks. Mr. Rose had talked to him about zone variance, Councilman Kerrigan said. He declared that the people who live there want improvement, and declared it to be a bottle-neck. He gave the information that the property had been acquired through annexation to the City of San Diego.

The City Manager said that the City will purchase needed property, in connection with improvement.

Councilman Kerrigan made the observation that it "is a problem".

Mr. Rose told the Council that he had owned the property since 1947 or 48. He discussed the point raised by Mr. Heramb, saying that he had sold the property twice, and had been obliged to take it back.

Councilman Godfrey said that Mr. Rose had made an able presentation of his problem, and request for reversal of the Planning Commission, but that the Council has to have a legal basis for granting. He said that Mr. Rick has pointed out to the Council that there is sufficient commercial property - without adding more as asked for by Mr. Rose. He pointed out, also, that people who have commercial property pay higher taxes. He declared that the zone is to "protect property both ways".

Mr. Rick said that facts had been brought out in the report that there is sufficient commercial property, so as not to need the taking of residential property. It is a confused state, relating to amended petition, he said. He went into the uses permitted on account of unusual circumstances. In his opinion, the City is justified in breaking from a single-family zone to one for 4 units, or for a doctor's office, and that Mr. Rose can still build what has been granted.

Councilman Wincote said that Mr. Batchelder (one of the purchasers of the Rose property) might want to buy the lot back.

Mr. Rose spoke about parking. He wondered if cars would be for those of doctor's patients, or for others.

Mr. Rick replied that Mr. Rose can't run a parking lot.

RESOLUTION NO. 118319, recorded on Microfilm Roll No. 80, overruling and denying appeal of Samuel Rose and R. Christine Rose, filed under Document No. 489957 from decision of Board of Zoning Adjustment's Resolution No. 8153, application No. 12917, granting permission to construct a doctors' clinic, with off-street parking to be provided and maintained on the property, OR to construct a maximum of 4 living units on Lot 24 Block 12 La Mesa Colony, northeast corner of 70th and Amherst Streets, Zone R-2; on condition that plans be approved by Board of Architectural Review (original request was to permit building 22 by 100 feet for use a doctor's office, specialty food shop and real estate office); sustaining decision of the Board of Zoning Adjustment, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

After the Resolution was moved and seconded, but before the roll was called, Mr. Vincent told the Council that the duplex next to him rents for \$90.00, unfurnished.

The roll was called on the Resolution.

A majority of the members of the Council executed undertakings for street lighting, with San Diego Gas & Electric Company, as follows:

College Park Lighting District No. 1;
Collwood Lighting District No. 1.

Clarence Swenson, principal of Dana Junior high school, who had accompanied the students, thanked the Mayor and the Councilmen. The entire group left the meeting at 11:10 o'clock.

Application of Joseph A. and John Q. Adams, Jr., 3551 Front Street, San Diego, and 5350 Odessa Street, La Mesa, for license to operate 1 ambulance, was presented.

On motion of Councilman Schneider, seconded by Councilman Burgener, it was referred to the City Manager.

Communication from the Purchasing Agent, with City Manager's stamp of approval, reporting on bids, subsequent to fire which occurred in 6-unit apartment at Aztec Housing, 3459 Congress Street, for restoring property, was presented. It recommends acceptance of Jim C. Slaughter, low bid, in the amount of \$3,876.00.

RESOLUTION NO. 118320, recorded on Microfilm Roll No. 80, accepting bid of Jim C. Slaughter for repairs to fire damaged property at 3459 Congress Street; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from East San Diego Chamber of Commerce, P.O. Box 5044, San Diego 5, dated May 24, 1954, signed by William C. Berry, secretary, was presented. It refers to damage and claims from water main break in alley south of University Avenue, between Van Dyke and 43rd Streets. It asks what action is being taken to expedite the claims, and expresses appreciation for efficiency and prompt action by the Water Department to minimize loss immediately following the break. It assumes that the Council is in agreement with the Chamber's stated facts and that it will direct those responsible to hasten settlement of claims without further delay.

Councilman Kerrigan asked "what's happened regarding the Trias matter?"
There was no answer.

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

118319 - 119320
Visitors departure
Lighting contracts signed
Communications

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Communication from H. J. Shear, Jr., 4020 Hope Street, San Diego 15, dated May 21, 1954, regarding poor condition of paving at intersection of Aragon and Hoffman Streets in Rolando District - not annexed to the City - was presented. It asks that if not annexed, the letter be forwarded to property authorities, and also mentions that first-class and well-constructed streets should be had "for the amount of taxes paid by the residents of this area".

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

Communication from F. E. Young Construction Company re convention hall at Sixth Avenue and Date Street (it was taken out by Les Earnest, of the Budget Department) and was not available for the Council meeting.

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

RESOLUTION NO. 118321, recorded on Microfilm Roll No. 80, directing City Clerk, in compliance with Section 10 of Charter, to make canvass of votes cast at special annexation held on 25th day of May, 1954, and to certify results to the Council (although Resolution does not so state, it is La Mesa Colony Tract No. 5), was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118322, recorded on Microfilm Roll No. 80, authorizing and empowering City Manager to do all work in connection with construction of 16-foot by 28-foot concrete block service pump house on site of present small engine-pump building, at Lower Otay Filter Plant, by appropriate City forces, in accordance with recommendation of Director of Water Department, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

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

RESOLUTION NO. 118323, recorded on Microfilm Roll No. 80, authorizing and empowering City Manager to do all work in connection with construction of extension to 30-inch culvert in Voltaire Street near Warrington Street, into Block 38 Western Addition, for distance of 100 feet, by appropriate City forces, in accordance with recommendation of Engineering Department, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

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

RESOLUTION NO. 118324, recorded on Microfilm Roll No. 80, approving request of George C. Punton, dated May 1, 1954, contained in Change Order No. 2, for extension of 20 days to and including May 20, 1954, heretofore filed with City Clerk as Document No. 491082, in which to complete contract for cleaning and coating interior surface of University Heights elevated tank, contract contained in Document No. 486360 on file in office of City Clerk; completion time extended to May 20, 1954, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118325, recorded on Microfilm Roll No. 80, approving request of Royal Pipeline Construction Company, dated May 11, 1954, contained in Change Order No. 2, for extension of 60 days, to and including July 18, 1954, heretofore filed with City Clerk as Document No. 491084, in which to complete contract for installation of Catalina Street Pipeline, contract contained in Document No. 483837; extending completion time to July 18, 1954, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118326, recorded on Microfilm Roll No. 80, granting permission to La Valencia Hotel, La Jolla, to install floor sink on 10th floor seascape, with 11-foot arm, subject to approval of Chief Plumbing Inspector and City Manager, upon conditions set out in Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118327, recorded on Microfilm Roll No. 80, granting permission to San Diego Junior Chamber of Commerce and San Diego Fireworks Display Co. for public display of fireworks on barge located 1000 yards from Harbor Drive, in Bay of San Diego, May 30, 1954, 9:00 P.M. to 10:00 P.M., on conditions contained in the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118328, recorded on Microfilm Roll No. 80, granting permission to Edwin W. Schlehuber, Inc., 5538 University Avenue, San Diego 5, to install 2 39-foot driveways, separated by 22 feet of full-height curb on west side of Florida Street, between Madison and Adams Avenues, adjacent to Lots 27 to 30 University Heights, to provide off-street parking for 10 cars, in connection with 5-unit (building) being built; subject to conditions contained in the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118329, recorded on Microfilm Roll No. 80, accepting quitclaim deed executed on 19th day of May, 1954, by Cardiff Homes, Inc., a corporation, quitclaiming all storm drains 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, constructed along Glencoe Drive from Solana Street to Jamacha Road, shown on City Engineer's Drawing No. 10326-L covered by agreement June 2, 1953, on file in office of City Clerk as Document No. 470445 - subdivision map No. 2998 on file in office of County Recorder - 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 Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118330, recorded on Microfilm Roll No. 80, accepting subordination agreement, executed by San Diego Trust & Savings Bank, beneficiaries, and San Diego Trust & Savings Bank, trustees, bearing date May 17, 1954, subordinating all right, title and interest in and to portion of Alley (closed) adjacent to northeasterly line of Lot 6 Block 18 La Jolla Hermosa; to right of way and easement for street 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 the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118331, recorded on Microfilm Roll No. 80, accepting deed of Gilbert J. Pitts and Louise H. Pitts, bearing date May 19, 1954, conveying Lot 2 Block 17 and Lot 4 Block 18 Campo Del Dios Unit No. 2; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118332, recorded on Microfilm Roll No. 80, accepting deed of Georgia Andresen, bearing date May 13, 1954, conveying Lots 6 and 8 Block 22 Campo Del Dios Unit 2; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118333, recorded on Microfilm Roll No. 80, accepting deed of Theodore Andresen, bearing date May 13, 1954, conveying Lots 6 and 8 Block 22 Campo Del Dios Unit No. 2; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118334, recorded on Microfilm Roll No. 80, accepting deed of Lee B. Harris, bearing date May 17, 1954, conveying Lot 3 Block 34 Campo Del Dios Unit No. 2; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118335, recorded on Microfilm Roll No. 80, accepting deed of Gordon F. Bain and Lucille M. Bain, bearing date May 19, 1954, conveying Lots 7, 9, 11 Block 35 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118336, recorded on Microfilm Roll No. 80, accepting deed of William Bevan Harris, bearing date May 13, 1954, conveying Lot 5 except Southerly 10 feet Block 54 Campo Del Dios Unit No. 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118337, recorded on Microfilm Roll No. 80, accepting deed of Doris Ramp, now known as Mrs. Robert Vaughn, bearing date May 19, 1954, conveying Lots 1 and 3 Block 56 Campo Del Dios Unit No. 3; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118338, recorded on Microfilm Roll No. 80, accepting deed of Walter C. Munson and Janet Munson, bearing date May 19, 1954, conveying Lot 6 Block 86 Campo Del Dios Unit No. 4; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118339, recorded on Microfilm Roll No. 80, accepting deed of John M. Tangway and Alice E. Tangway, bearing date May 13, 1954, conveying Lot 8 Block 104 Campo Del Dios Unit No. 5; authorizing and directing City Clerk to transmit the deed, together with certified copy of the resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118340, recorded on Microfilm Roll No. 80, accepting deed of Elizabeth Agnew, bearing date May 18, 1954, conveying Lot 17 Block 104 Campo Del Dios Unit 5; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, adopted by Councilman Schneider, adopted.

RESOLUTION NO. 118341, recorded on Microfilm Roll No. 80, accepting deed of George Agenue, bearing date May 18, 1954, conveying Lot 17 Block 104 Campo Del Dios Unit 5; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118342, recorded on Microfilm Roll No. 80, accepting deed of Soledad Realty & Development Co., bearing date March 18, 1954, conveying portion of Acre Lot 23 Pacific Beach; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118343, recorded on Microfilm Roll No. 80, accepting deed of Union Title Insurance and Trust Company, bearing date May 11, 1954, conveying portion of Block "G" Starkey's Prospect Park; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118344, recorded on Microfilm Roll No. 80, accepting deed of Robert P. Jennings and Alice B. Jennings, Paul R. Jennings and Ruth Edward Jennings, bearing date May 5, 1954, conveying Lots 3, 4, 5, 6, 7 Block 7 Loma Alta No. 1; setting aside and dedicating land conveyed to public use as and for public street and naming it Wabaska Drive; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118345, recorded on Microfilm Roll No. 80, accepting deed of Henry T. Miller and Sue J. Miller, bearing date April 28, 1954, conveying portion of Lots 2, 3, 4, 5, 6, 7, 8, 9, 10 Block 9 Loma Alta No. 1; setting aside and dedicating land as and for public street and naming it Wabaska Drive; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the next ordinance was dispensed with prior to final passage 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. 6139 (New Series), recorded on Microfilm Roll No. 80, establishing Schedule of Compensation for Officers and Employees of City of San Diego, providing Uniform Compensation for like service in Classified Services, for Fiscal Year beginning July 1, 1954, Schneider, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.
was on motion of

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 in full of the ordinance 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 passage a written or printed copy.

ORDINANCE NO. 6140 (New Series), recorded on Microfilm Roll No. 80, appropriating \$2,500.00 from Unappropriated Balance Fund, and transferring same to Travel Account, General Appropriations (Department 40.34), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote: 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 Resolution, not listed on the Council's agenda:

RESOLUTION NO. 118346, recorded on Microfilm Roll No. 80, authorizing and empowering City Manager to do all work in connection with improvement of access road from Highway #78 to Sutherland Dam, by appropriate City forces, in accordance with his recommendation - cost to be payable from Water Works Bond Fund (Fund #715), was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

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

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned, at the hour of 11:13 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

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REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, June 1, 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 10:07 o'clock A.M.

The Mayor presented Rabbi Monroe Levens, of Tifereth Isreal Synagogue. Rabbi Levens gave the invocation.

The Minutes of the Regular Meetings of Tuesday, May 25, 1954, and of Thursday, May 27, 1954, were presented to the Council.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, 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 Commercial Street, under Resolution of Intention No. 117357, 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:

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1,000.00, given Document No. 491358;

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$1,274.00, given Document No. 491359;

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$900.00, given Document No. 491360;

Councilman Wincote was excused -

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1,200.00, given Document No. 491361;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$1,000.00, given Document No. 491362.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Jamacha Road and Flicker Street, under Resolution of Intention No. 117358, the Clerk reported that 4 bids had been received, which were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

The bids were as follows:

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$4,000.00, given Document No. 491363;

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$3,000.00, given Document No. 491364;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$3,000.00, given Document No. 491365;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$2,600.00, given Document No. 491366.

Councilman Wincote returned -

On motion of Councilman Schneider, seconded by Councilman Burgener, they were referred to the City ^{Manager} and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Mohawk Street, 71st Street, and 72nd

Bids

Street, 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.

The bids were as follows:

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$5,000.00, given Document No. 491367;

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$5,000.00, given Document No. 491368;

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$6,573.00, given Document No. 491369;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$5,000.00, given Document No. 491370;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$4,500.00, given Document No. 491371.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for furnishing electric current for lighting ornamentals street lights located in San Diego Lighting District No. 2, for one year from and including July 1, 1954, in accordance with Engineer's Report and Assessment filed March 22, 1954 in office of City Clerk, the Clerk reported that 1 bid had been received, which was presented to the Council.

On motion made and seconded, it was publicly opened and declared.

The bid was as follows:

San Diego Gas & Electric Company, accompanied by certified check written by San Diego Trust & Savings Bank in the sum of \$1,564.76, given Document No. 491372.

On motion of Councilman Burgener, seconded by Councilman Wincote, it 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. 2235 made to cover costs and expenses of work done upon paving and otherwise improving Rose Street, Hobart Street, Stewart Street, Millar Street, Catocin Drive, 63rd Street, Pembroke Drive and Public Rights of Way, under Resolution of Intention No. 111366, the Clerk reported that written appeals had been received from Karl H. Baker, Frank Miner, Herman A. Beekley; from James & Effie Ogden, from Charles W. Hill, which were presented to the Council.

The City Engineer reported verbally an 8.3% appeal, and reviewed them, relative to cracks, high assessment cost, storm drain. The contractor has made repairs, and the City will maintain the improvement.

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

Charles W. Hill told the Council that water stands for 1/2 day in the crown of the street, for a great distance.

The City Engineer said that it is a flat grade. He looked at the plans regarding Stewart Street, in connection with the Hill appeal. He said that he can check the work again.

Mr. Hill stated that he had marked a hole, for the contractor, who did not come out.

Willard Olson, of the City Engineer's office, said that he had been out, and that he can't find the hole which is the basis of the complaint.

Councilman Godfrey said that the Council can approve the assessment roll, and instruct the City Manager to check the area on which complaint has been lodged.

Karl Baker identified his property as being across the canyon from the work done.

The City Engineer said that Mr. Baker's assessment has to do with the storm drain.

Mr. Baker replied that the assessment is far greater than the estimate given by Mr. Olson.

Mr. Baker repeated that he is across the canyon - on the other side - and that he would have to drive 2-1/2 blocks to reach the street.

Mr. Olson said that the canyon is being filled.

Mr. Baker declared that his property is not benefited by the drain; it is hurt.

Councilman Wincote asked about the difficulty in making an estimate.

Mr. Olson's answer to Councilman Wincote was that it took place prior to any plans, etc.

Discussion took place between Mr. Baker and several Councilmen.

Mr. Olson said that it is a district benefit.

Mr. Baker agreed that he can understand the area change. He contended that the assessment is out of line.

Councilman Schneider spoke to Mr. Baker regarding the assessment.

Councilman Burgener said that the appellant brings up the question of benefit to the community.

Mr. Baker said that the assessment is approaching 4 times what he had been told.

Mr. Olson did not agree with the estimate which Mr. Baker said had been given to him.

Mr. Baker stated to the Council that the back of the lot is filled. The paving has caused change in the drainage of the area, according to Mr. Baker. He said he thinks there will be damage to the fill. He asked that the drainage water be slowed down. It could do damage, he repeated. Answering Councilman Wincote, Mr. Baker said that the

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canyon is about 20 feet deep.

The City Engineer stated that he has asked the Public Works Department to rip rap the bank.

Mr. Baker said that the buttress of the drain has settled; as a matter of fact, it has severed the pipe, and has broken off. He asked that it be corrected.

Councilman Kerrigan pointed out that it would be a City responsibility.

Frank Miner told of having given an easement for the drain. He related that he had reported to the City Engineer's Department regarding the drain buttress problem. The situation is going to leave water, he stated. He told the Council that the City Engineer has said that he was going to do something, but that he has not.

Mr. Olson agreed that the water did go down, as stated, but that it has been repaired with rip rap. He said that the buttress is leaning.

Councilman Kerrigan said that the matter would be referred to the City Manager.

RESOLUTION NO. 118347, recorded on Microfilm Roll No. 80, referring to the City Manager, the buttress matter in connection with drain installed along with the paving of Rose Street, Hobart Street, Stewart Street, Miller Street, Catoclin Drive, 63rd Street, Pembroke Drive and Public Rights of Way - Street Superintendent's Assessment No. 2235 - was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Mr. Miner told of having a bill for \$221.00 - higher than the estimate.

Mr. Olson replied that he had no record of having giving an estimate.

Mr. Miner stated that he gained nothing, that he will never fill the

canyon.

Councilman Wincote said that the area assessment in this case is not well taken. The subdivider put in the paving, etc., according to him. There is something basically wrong where the entire cost is taken care of by the purchaser, he stated.

Councilman Dail spoke of the necessity to amend the 1911 Act (in order to carry out some proposals).

There was discussion between Councilmen Wincote and Dail regarding the change, joined by Councilman Schneider.

The Mayor said that this discussion cannot have any effect on this assessment district. He thought it should be referred to the City Attorney regarding a different standard, where improvement had been put in by a subdivider.

Councilman Wincote stated that consideration is wanted - now.

Councilmen Dail, Wincote and the City Engineer had a discussion.

The City Engineer spoke of frontage for this street.

Councilman Schneider referred to the small frontage cost.

The City Engineer showed a plat, and explained the assessment. He said that it is a real old subdivision.

To that Mr. Miner said "no".

The City Engineer said that it is a matter of record.

Councilman Kerrigan said that it is a low map number, indicating that it is an old map.

Mr. Olson explained, from the records, what was charged to each of the several properties.

Councilman Wincote said that the lots are on 2 streets, that such properties have been given different assessments many times.

Mr. Miner told the Council that the canyon is too big to fill.

Councilman Wincote said that it is not a matter of the protest size, but of right or wrong. He said that lots with 2 frontage constitute bad subdividing. He spoke of knowing of special instances of special assessments on double frontages.

Councilman Kerrigan spoke of the City having had a valid petition, the proceedings, and now the protests.

Councilman Schneider moved to refer to Council conference the matter of assessment procedure regarding property having 2 frontages, and properties on canyons, which was seconded by Councilman Dail.

The roll was not called until later.

Mr. Baker spoke regarding the assessment spread on 25-foot lots, with some on only small portions.

There was discussion between Councilman Wincote and Mr. Olson regarding the area.

Mr. Olson said that other area can't be included, now.

Councilmen Wincote and Schneider carried on a discussion regarding area and frontage assessments.

Councilman Godfrey asked if what had been done can be stated as a common practice.

Mr. Olson's reply was "yes".

Councilman Wincote expressed the belief that the area has to be considered.

Mr. Ogden, who did not give his first name or initials, was heard. He mentioned residing on College. He asked "what about the drain?"

The City Engineer replied Lots 105 and 106.

Mr. Olson spoke to Mr. Ogden regarding putting in services on vacant property, so as not to break paving.

H. A. Beekly said that the emphasis has been placed on the drain; it should have been, but has not. If a serious rain comes it could wash out the drain and cause a serious settling of the property. There had been no protest on the street by him on account of earlier information from the City Engineer regarding cost. He identified property as Lot 11 and portion of 12. He said that the assessment is much higher than he had been told it would be. He repeated that the assessment is heavy. He said that Hobart Street can't even service as an alley on account of the canyon. He said that tract restrictions do not allow more than 1 house, answering some Councilmen who had spoken about that possibility. He does have the space, if the canyon were filled; Mr. Beekly agreed. It is a deed restriction, however, he informed the Council. He said he would need a waiver from the subdivider, etc.

Councilman Wincote was sure that Mr. Beekly would not get a variance for a second residence.

Mr. Deaper told the Council that it could refer the assessment back (to the Engineer) to reshift the burden.

Councilman Wincote moved to refer the assessment roll back for a re-assessment, which was seconded by Councilman Schneider.

The Mayor was reminded by the Deputy City Attorney that there was already a motion.

The roll was called on the previous motion, resulting in

RESOLUTION NO. 118348, recorded on Microfilm Roll No. 80, referring to Council Conference the matter of street improvement assessments on property which has 2 frontages, and properties on canyons, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The question was called for regarding the reference back to the Engineer, and continuance of the hearing.

More discussion took place, however, and the roll was not called.

Councilman Godfrey pointed out that if the Engineer reduces "these" assessments, it will mean raising others.

The Mayor said that a precedent would be established.

Councilman Kerrigan contended that property owners whose assessments would be raised should have an opportunity to be heard.

Councilman Godfrey said that the hearing should be continued 1 week.

Councilman Godfrey moved to continue the hearing to 1 week from Thursday - which would be June 10 - for re-assessment.

Councilman Dail observed that the whole thing is going to get complex when word gets around about the new assessment. He said that the City Engineer is the chief assessment officer, and doesn't even need to reveal his formula for levying the assessment. He pointed out that it is the Council which exposes the formula, and as a result, the City can get into an impossible situation.

Second for reference back for reassessing was withdrawn.

RESOLUTION NO. 118349, recorded on Microfilm Roll No. 80, referring back to the City Engineer for report to Council Conference - and for continuance of hearing on the Street Superintendent's Assessment No. 2235 made to cover costs and expenses of work done upon paving and otherwise improving Rose Street, Hobart Street, Stewart Street, Millar Street, Catoctin Drive, 63rd Street, Pembroke Drive and Public Rights of Way, under Resolution of Intention No. 111366, 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 Assessment No. 2236 made to cover costs and expenses of work of paving and otherwise improving Alleys Blocks 5 and 24 Ocean Beach, under Resolution of Intention No. 112753, the Clerk reported that a written appeal had been received from Herman Linke.

The City Engineer reported a 2.1% appeal, based on cost being too high.

* RESOLUTION NO. 118350, recorded on Microfilm Roll No. 80, overruling and denying appeal of Herman Linke from the Street Superintendent's Assessment No. 2236 made to cover costs and expenses of paving and otherwise improving Alleys Blocks 5 and 24 Ocean Beach, under Resolution of Intention No. 112753; confirming and approving the Assessment; authorizing and directing Street Superintendent to attach his warrant thereto and issue 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 Kerrigan, adopted.

* There were no verbal appeals, and no additional appeals were presented.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2237 made to cover costs and expenses of work of paving and otherwise improving E Street, under Resolution of Intention No. 113381, the Clerk reported written appeal from John Port.

The City Engineer reported 3.1% appeal.

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. 118351, recorded on Microfilm Roll No. 80, overruling and denying appeal of John Port, from Street Superintendent's Assessment No. 2237 made to cover costs and expenses of paving and otherwise improving E Street, under Resolution of Intention No. 113381; overruling and denying all other appeals; confirming and approving the Assessment; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing 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 Resolution No. 117904 of Preliminary Determination for paving and otherwise improving Alley Block 56 Ocean Beach, 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. 118352, recorded on Microfilm Roll No. 80, determining that paving and otherwise improving of Alley Block 56 Ocean Beach, under Resolution No. 117904 of Preliminary Determination is feasible and that lands to be assessed therefor will be able to carry burden of proposed assessment, also finding and determining that public

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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 Kerrigan, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution ~~of-Intention~~ No. 117905 of Preliminary Determination for paving and otherwise improving of portion of Grand Avenue, 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. 118353, recorded on Microfilm Roll No. 80, determining that paving and otherwise improving of Grand Avenue, under Resolution No. 117905 of Preliminary Determination is feasible, and that lands to be assessed therefor 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 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. 117906 of Preliminary Determination for paving and otherwise improving Russ Boulevard and portions of 25th Street and 26th 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.

RESOLUTION NO. 118354, recorded on Microfilm Roll No. 80, determining that paving and otherwise improving Russ Boulevard, 25th and 26th Streets, under Resolution No. 117906 of Preliminary Determination is feasible, and that lands to be assessed therefor 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 Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed annexation of territory, in the County of San Diego, to the City of San Diego, known as "Rolando Tract No. 2", 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 Burgener, the hearing was closed.

(The Ordinance on the subject appears at the end of this meeting).

The City Manager requested, and was granted, unanimous consent to present the next matter, not listed on the agenda - which he referred to briefly as an "In Lieu Tax matter":

RESOLUTION NO. 118355, recorded on Microfilm Roll No. 80, urging the Senate Committee on Government Operations to consider carefully the acute problems facing San Diego, and take favorable action on measures before it, was on motion of Kerrigan, seconded by Councilman Schneider, adopted.

The Resolution states that hearings will commence June 2, 1954, at 10 a.m. in Room 357 Senate Office Building, before Senate Committee on Government Operations, on S.B. 2473 and H.R. 5605, both of them being in lieu tax exemption measures; that San Diego is the fastest growing metropolitan center in the United States and because of large amount of Federally-owned tax exempt land in the area, is most critically concerned with tax exemption problem and the urgency of relief therefrom by means of in lieu tax measures; that many critical problems facing this community during forthcoming years cannot be satisfactorily solved unless some relief is provided.

The next matter was taken out of order, at the request of the Mayor, who stated that several persons were present here on the continued communication from the City Engineer relative to rescinding Resolution No. 115162 for improvements in Floral Terrace.

The City Engineer said that the petition has not come back. He corrected that statement to say that it had; with "72% for the "whole business". (meaning, apparently, more improvement than had originally been proposed).

Douglas D. Deaper, Deputy City Attorney, said that the matter of sewer beyond the district should be referred to the City Attorney.

The City Engineer told the Council that he would recommend, later, the consolidate proceedings.

Councilman Wincote said that the Council has passed to do one thing, and

the Council should rescind its action - to include "everything".

The City Engineer said that the petition was for sewers, and spoke of not having approved recommendation to repeal.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the Engineer's communication, dated May 20, 1954, was ordered filed.

After action was taken, the Engineer said that he will proceed with the others, when they come.

Petition requesting that immediate and corrective action be taken by the City to improve condition found in loosened perpendicular walls of Tecolote Canyon near Lillian and Gertrude Streets, and water-filled holes near Morena Boulevard, to eliminate danger of accidents as occurred April 14, 1954, to Gordon Pugmire, was presented.

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

In connection with the next matter, Councilman Dail said that there is something wrong; when the job is finished, it is not finished. He said that he wants work done right, which it is not. He said that the contractor (W. V. Hutchison Company) does not clean up after doing the work; and that the Water Department is letting the contractor get away with it.

After the Resolution of award had been adopted, it was reconsidered after Councilman Dail's comments, and was on motion of Councilman Dail, seconded by Councilman Schneider continued one week.

The item referred to was communication from the Purchasing Agent, with City Manager's stamp of approval, reporting on bids for Small Water Main Replacements Group No. 13, received May 25, 1954, from 4 bidders. It recommended award to W. V. Hutchison Company, low bidder, in amount of \$69,996.11 - estimated cost was \$80,427.00.

Communication from the Purchasing Agent, with City Manager's stamp of approval, reporting on the sole bid of Arrowhead Lime & Chemical Co., Sales Division United States Lime Products Corporation, received December 16, 1953, for period of 6 months beginning January 1, 1954, was presented. It states that City's contract with Arrowhead Lime & Chemical Company, which expires June 30, 1954, carries option clause allowing the City to extend contract for additional 6 months upon same terms and conditions. It recommends that City exercise the option for additional 6 months beginning July 1, 1954, upon same terms and conditions.

RESOLUTION NO. 118356, recorded on Microfilm Roll No. 80, authorizing City Manager to exercise for The City of San Diego option to extend contract with Arrowhead Lime & Chemical Co., Sales Division, United States Lime Products Corporation, for Quick Lime for period of 6 months beginning July 1, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on sole bid of G. H. Nielsen of Spring Valley, California, received May 21, 1954, for removal of 11 trees in various locations, together with repair and replacement of cement work in connection with 10 of the trees. It recommends acceptance of \$1,122.86 bid.

RESOLUTION NO. 118357, recorded on Microfilm Roll No. 80, accepting bid of G. H. Nielsen to remove 11 trees, together with repair and replacement of cement work in connection with 10; 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 Burgener, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids received May 5, 1954 from 2 bidders, for furnishing 100-Lb. trip hammer, was presented. It recommends acceptance of low bid of Tornquist Machinery Company of Los Angeles in amount of \$1,404.82 f.o.b. San Diego, terms 2% 30 days, plus State Sales Tax.

RESOLUTION NO. 118358, recorded on Microfilm Roll No. 80, accepting bid of Tornquist Machinery Co. for furnishing 1 100-Lb. capacity Trip Hammer; 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 office of Purchasing Agent, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on 2 bids for furnishing Proscenium Curtains for new main library, was presented. It recommends award to B. F. Shearer Company of California, low bidder for Item 1 - 1 Proscenium Curtain for Puppet Theatre at \$467.00; and for Item 2 - 1 Proscenium Curtain for Lecture Room at \$997.00, terms net, plus Sales Tax.

RESOLUTION NO. 118359, recorded on Microfilm Roll No. 80, accepting bid of B. F. Shearer Company of California for furnishing 1 Proscenium Curtain for Puppet Theatre

Petition
Resolution of award cont.
118356 - 118359

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and 1 Proscenium Curtain for Lecture Room, Public Library; awarding contract; authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing City's requirements of Fire Hydrants for 6 months beginning July 1, 1954, as per specifications on file in office of City Clerk bearing Document No. 491234, was presented.

RESOLUTION NO. 118360, recorded on Microfilm Roll No. 80, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing City's requirements of Fire Hydrants for period of 6 months beginning July 1, 1954, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, submitting Resolution authorizing advertising for bids for binding books for Public Library for period of 1 year commencing July 1, 1954, in accordance with specifications on file in office of City Clerk bearing Document No. 491236, was presented.

RESOLUTION NO. 118361, recorded on Microfilm Roll No. 80, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing binding of books, magazines, music and newspapers for Library, for period of one year commencing July 1, 1954, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing Public Library with books, also other City Departments, for period of 1 year commencing July 1, 1954, in accordance with specifications on file in office of City Clerk bearing Document No. 491235, was presented.

RESOLUTION NO. 118362, recorded on Microfilm Roll No. 80, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing books for Public Library, and for other City Departments, for period of 1 year beginning July 1, 1954, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing 4 Metal Truck Bodies for crew trucks, for Public Works Department, as per specifications on file in office of City Clerk, bearing Document No. 491237, was presented.

RESOLUTION NO. 118363, recorded on Microfilm Roll No. 80, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 4 Metal Truck Bodies for crew trucks, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, with City Manager's stamp of approval, submitting Resolution ~~authorizing bids~~ for requirement for repair parts for Sparling meters - as stated in the communication - but advising that sole source of supply is the manufacturer, Sparling Meter Company, so no benefit can be obtained by advertising. It recommends, instead, that the Purchasing Agent be authorized to purchase from Sparling Meter Company the parts listed in the report, at a total price of \$1,174.97.

RESOLUTION NO. 118364, recorded on Microfilm Roll No. 80, authorizing Purchasing Agent to purchase from Sparling Meter Company meter repair parts - listed in detail in the Resolution - all at prices less 50% discount, plus State Sales Tax, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting that pursuant to Resolutions Nos. 116998 and 117886 the Purchasing Agent advertised and sold at auction 28 used trucks, surplus to the City - ranging in age from 1934 to 1948 - for total price of \$3,275.00, was presented. It states that approximately 25 bidders attended the sale, and sales were made to 16 bidders, that money received has been deposited with City Treasurer.

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

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code, in connection with Tentative Map of Alamo Villa, subdivision of Lot 35 Lemon Villa, into 38 lots, was presented.

RESOLUTION NO. 118365, recorded on Microfilm Roll No. 80, suspending Sections 102.05, 102.11-1, 102.16-8, 102.18, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Alamo Villa, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Alamo Villas, subdivision of Lot 35 Lemon Villa into 38 Lots, subject to 12 conditions, was presented.

Property is located easterly of 52nd Street, southerly of Ogden Street; street system connects to existing Lea Street in Hubner Estates.

RESOLUTION NO. 118366, recorded on Microfilm Roll No. 80, approving Tentative Map of Alamo Villa, subject to conditions contained in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of 3 sections of San Diego Municipal Code, was presented.

RESOLUTION NO. 118367, recorded on Microfilm Roll No. 80, suspending Sections 102.16-8, 102.18, 102.17-c in connection with Tentative Map of Dass Manor, subdivision of portions of Lots 15 and 27 La Mesa Colony, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Dass Manor, a 10-lot subdivision of portions of Lot 15 and 27 La Mesa Colony, located northerly of Catoctin Drive and immediately easterly of Montezuma Elementary School, subject to 10 conditions, was presented.

RESOLUTION NO. 118368, recorded on Microfilm Roll No. 80, approving Tentative Map of Dass Manor, subject to the conditions contained in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Mirandon Hill, was presented.

RESOLUTION NO. 118369, recorded on Microfilm Roll No. 80, adopting Map of Mirandon Hill Subdivision, subdivision of portion of Block 13 Leavitt's Addition, together with portion of unnamed street adjoining on the west and portion of alley in said block abandoned and closed to public use; accepting portion of La Jolla Scenic Drive and unnamed easement for public purposes; declaring it to be public street and easement dedicated to the public; directing Clerk of the City to endorse upon the map as and for the act of the Council, that portion of street and unnamed easement are accepted on behalf of the public; 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 Burgener, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Resubdivision of Lots 4 through 8 Block 15 Sherman's Addition, was presented.

RESOLUTION NO. 118370, recorded on Microfilm Roll No. 80, suspending Sections 102.18-5, 102.07-5, 102.12-3 & 4 of the San Diego Municipal Code in connection with Tentative Map of Resubdivision of Lots 4 through 8 Block 15 Sherman's Addition, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending that the Council make a finding in connection with Tentative Map for resubdivision of Lots 4 through 8 Block 15 Sherman's Subdivision, located on 17th, 18th and Island in a commercial zone, was presented. It states that the 5 lots were resubdivided by Richard Hall, for owners of the property, into 9 parcels which subsequently were sold to 7 individuals. It recites the finding made by the Planning Commission.

RESOLUTION NO. 118371, recorded on Microfilm Roll No. 80, approving Tentative Map of Resubdivision of Lots 4 through 8 Block 15 Sherman's Addition by means of Record of Survey: 1) area contains less than 5 acres; 2) lots abut upon dedicated streets in which street openings or widening are not required; 3) lot design meets approval of the Council, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

(The item listed on the agenda for Floral Terrace improvements at this point, was taken up out of order, and will be found listed earlier for minutes of this date).

Communication from City Engineer, with C. Manager's stamp of approval, reporting that Resolution No. 114905 granted petitions and ordered district formed for improvement of portions of 45th and Elizabeth Streets, recommends that proceedings be amended to include paving as required on Elizabeth, and that they include improvements as required.

RESOLUTION NO. 118372, recorded on Microfilm Roll No. 80, adopting recommendation of City Engineer filed in office of City Clerk May 28, 1954, under Document No. 491284; authorizing City Engineer to amend proceedings for improvement of 45th Street and

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Elizabeth Street each between center line of Ocean View Boulevard and T Street, by grading, paving and installing curbs, sidewalks, sewer laterals and water services, as required, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from City Engineer, with City Manager's stamp of approval, reporting that petitions have been previously granted for improving portions of Juniper Street, 39th Street, Pepper Drive, Sycamore Drive and Marigold Street, was presented. It recommends that the Council order district formed to improve portions of Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street, and Public Right of Way, by grading, paving, installing curbs, sidewalks, cross gutters, sewer encasement and supports, sewer laterals, water services, guard fences, asphalt concrete berms, culverts, retaining walls, head wall, curb inlets, and cut-off walls.

RESOLUTION NO. 118373, recorded on Microfilm Roll No. 80, adopting recommendation of City Engineer, filed under Document No. 491285, to order district formed to improve portions of Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street, Public Right of Way in Lot 7 Ex-Mission Lands; directing 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 of proposed improvements, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for sidewalks on portion of Redwood Street, signed by owners of 80.5% of property frontage, was presented. It recommends granting and that proceedings be combined with those previously ordered by Resolutions Nos. 111388 and 114374 for installation of sidewalks in streets in Hubner Knolls Subdivision and other streets in that area. It requests that the Council order district formed to grade, install sidewalks and curbs as required on Redwood Street, Chollas Station Road, Winlow Street, Marvin Street, 55th Street, Hubner Road.

RESOLUTION NO. 118374, recorded on Microfilm Roll No. 80, granting petition to install sidewalks on portion of Redwood Street, and that proceedings be combined with those previously ordered by Resolutions Nos. 111388 and 114374 for installation of sidewalks in streets in Hubner Knolls Subdivision and other streets in the area; directing 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 of grading, installing sidewalks and curbs as required on Redwood Street, Chollas Station Road, Winlow Street, Marvin Street, 55th Street and Hubner Road, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

In connection with the next matter, the City Engineer said that this is the 4th time before the Council; in and out; for and against it, in answer to Councilman Kerrigan.

The Mayor said that there is nothing the Council can do.

Councilman Kerrigan pointed out that the subdivision had been put in without sidewalks, but that the Council can't order them in face of a 64% petition of protest.

Councilman Dail said that property owners sign petitions, then protest.

Councilman Kerrigan said that if the sidewalks are put in when property is subdivided, they would have been included in the cost of the lots.

Communication from the City Engineer (which brought about the foregoing discussion), reported protest of 63.5% of property frontage against sidewalks in Richmond Hills area. It mentions petitions for and against by majority of frontage several times in last few months, that plans have been prepared but not filed. It recommends abandonment in view of the protest.

RESOLUTION NO. 118375, recorded on Microfilm Roll No. 80, adopting recommendation of the City Engineer filed under Document No. 491287, to abandon proceedings for sidewalks in Richmond Hills area; abandoning the proceedings started under Resolution No. 116521, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Certificate of City Clerk on results of canvass of Special Election held Tuesday, May 25, 1954, in La Mesa Colony Tract No. 5 - whole number of votes cast, 46; number of votes in favor of annexation 32; number of votes against annexation 16; votes for and against annexation is recorded in Elections Returns Book, was presented.

RESOLUTION NO. 118376, recorded on Microfilm Roll No. 80, declaring result of Special Election held in territory designated "La Mesa Colony Tract No. 5, in County of San Diego, State of California, Tuesday, May 25, 1954, upon proposition to annex to City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Resolution refers to election having held as ordered by Ordinance No. 6071 (New Series), adopted April 20, 1954; that the City Clerk has duly canvassed the returns of the Special Election and result of canvass as certified to the Council has been examined. The proposition or measure voted upon was: "Shall La Mesa Colony No. 5 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 the said Annexation?" It lists whole number of votes cast as 48; votes given in favor of annexation 30; votes given against annex-

ation 16. It recites that votes cast for and against annexation are recorded in Election Returns Book of The City of San Diego, that book is considered part of records of the Council; that more than 1/2 of voters voting cast votes in favor of annexation, and the proposition or measure is declared to be carried; directing City Clerk to enter on minutes a statement showing the proposition or measure voted upon, the whole number of votes cast, number of votes for and against proposition or measure, and statement that votes given in the territory for and against the proposition or measure are recorded in Election Returns Book; and make results of canvass of election returns public immediately by publishing in official newspaper of the City: The San Diego Union.

Communication from Eugene V. Conway, president, Federated Sportsmen of San Diego County, dated May 25, 1954, being copy of letter addressed to Mayor John Butler, enclosing Resolution prepared by Organized Sportsmen and conservationists of San Diego County, was presented. It states that the group is a council composed of 19 conservation clubs with total membership of over 5,000 persons. It asks for wide publicity in the press and that Conservation Week be set aside, and states that sport fishers of San Diego have arranged with Organized Sportsmen for day of fishing at which time a percentage of profits are to be used by conservationists in programs to preserve natural resources of the State.

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

Communication from Union-Tribune Publishing Co., San Diego 12, dated May 26, 1954, signed by Walter J. Schneider, Business Manager, regarding Resolution No. 118058 advising that claims of the company had been denied - Documents Nos. 487049 and 487050 - was presented. It refers to method of storing the news print damaged while stored on property of the Harbor Department, and damage done by rainstorm on January 12, 1954, and on January 24, 1954, after which there was nothing done by the City to make repairs.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, it was referred to the City Manager for report.

Communication from San Diego Chamber of Commerce, dated May 27, 1954, signed by R. T. Blair, Jr., Secretary to the Board of Directors, was presented. It advocates serious consideration by the Council of means of keeping San Diego from developing slum area - and endorses recommendation of Metropolitan Planning Committee of the Chamber to provide for minimum size restrictions of residences as recommended by the Planning Director.

RESOLUTION NO. 118377, recorded on Microfilm Roll No. 80, referring to Council Conference communication from San Diego Chamber of Commerce, filed under Document No. 491288, relative to minimum size standards for dwellings, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Mrs. Lawrence Krettler, 1631 Cable Street, San Diego 7, expressing belief that there is something more important for the police officers to accomplish than guard intersection of Voltaire Street and Sunset Cliffs during rush hour, was presented. It recommends use of 4-way stop sign. It mentions the turn where 6th Street enters Cabrillo Freeway, and difficulty to enter. The communication makes other observations about traffic.

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

Communication from Maude P. Niederhaus, 533 Genter St., La Jolla, dated May 27, 1954, expressing alarm at deterioration and lack of enforcement of sign control in La Jolla business area, was presented. It advocates legislative machinery that will regulate signs in La Jolla.

RESOLUTION NO. 118378, recorded on Microfilm Roll No. 80, referring to Council Conference communication from Maude P. Niederhaus, filed under Document No. 491290, relative to enforcement of sign control in La Jolla business section, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from George A. Peterson, 7800 Ivanhoe Avenue, La Jolla, dated May 27, 1954, re new type of zone in La Jolla to regulate sign control, was presented. It states that obnoxious signs do not attract; they detract. It states that in order to beautify the suburban communities, steps should be taken. The ordinance expresses the belief that such an ordinance would benefit tourist industry and the community at large.

RESOLUTION NO. 118379, recorded on Microfilm Roll No. 80, referring to Council Conference communication from George A. Peterson, filed under Document No. 491291, favoring sign control in suburban communities, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118380, recorded on Microfilm Roll No. 80, directing notice of filing of assessment and of time and place of hearing thereof, of the Street Superintendent's Assessment No. 2247 made to cover costs and expenses of work done upon paving

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and otherwise improving Alley Block A First Addition to Ocean Front, under Resolution of Intention No. 114742, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118381, recorded on Microfilm Roll No. 80, directing notice of filing of assessment and of time and place of hearing thereof of the Street Superintendent's Assessment No. 2249 for paving and otherwise improving Chamoune Avenue under Resolution of Intention No. 113885, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118382, recorded on Microfilm Roll No. 80, directing notice of filing of assessment and of time and place of hearing thereof of the Street Superintendent's Assessment No. 2248 for paving and otherwise improving Sapphire Street under Resolution of Intention No. 113753, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118383, recorded on Microfilm Roll No. 80, directing notice of filing of assessment and of time and place of hearing thereof of the Street Superintendent's Assessment No. 2246 for paving and otherwise improving Z Street under Resolution of Intention No. 113754, was on motion of Councilman Godfrey, seconded by Councilman Wincote, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 118384, recorded on Microfilm Roll No. 80, accepting bid of Ets-Hokin & Galvan, and awarding contract, for improvement to ornamental lighting in Broadway, under Resolution of Intention No. 117254, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The City Engineer reported in writing that low bid is 25.2% below the estimate.

RESOLUTION OF AWARD NO. 118385, recorded on Microfilm Roll No. 80, accepting bid of Ets-Hokin & Galvan, and awarding contract, for installation of street lighting system in Diamond Street and Cass Street, under Resolution of Intention No. 117255, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The City Engineer reported in writing that low bid is 19.9% below the estimate.

RESOLUTION OF AWARD NO. 118386, recorded on Microfilm Roll No. 80, accepting bid of San Diego Gas & Electric Company, and awarding contract for furnishing electric current for lighting ornamental street lights in San Diego Lighting District No. 1, for period of one year from and including June 15, 1954, in accordance with Engineer's Report and Assessment filed March 12, 1954 in office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118387, recorded on Microfilm Roll No. 80, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 11 Subdivision of Lots 20 to 50 Block N Teralta, under Document No. 490815, and Plat No. 2618 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 the plat in office of City Engineer, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118388, recorded on Microfilm Roll No. 80, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 31 University Heights, under Document No. 490812, and Plat No. 2621 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 in office of City Engineer the plat, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118389, recorded on Microfilm Roll No. 80, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Udall Street, under Document No. 490810, and Plat No. 2602 showing exterior boundaries of district to be included in assessment for work and improvement upon the street; directing City Clerk upon passage of Resolution of Intention to file the plat in the office of the City Engineer, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 118390, recorded on Microfilm Roll No. 80, for grading and sidewalking Missouri Street, under Resolution of Intention No. 117565, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

In connection with the next matter, Councilman Burgener asked if the improvement adjoins public housing.

The City Engineer said that it is "straight away stuff", adjoining private property.

RESOLUTION ORDERING WORK NO. 118391, recorded on Microfilm Roll No. 80, for paving and otherwise improving Olney Street and Felspar Street, under Resolution of Intention No. 117678, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 118392, recorded on Microfilm Roll No. 80, 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, under Resolution of Intention No. 117677, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 118393, recorded on Microfilm Roll No. 80, for paving and otherwise improving Alley Block 95 Ocean Bay Beach, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 118394, recorded on Microfilm Roll No. 80, for paving and otherwise improving Alleys Blocks 3 and 4 Ocean Front, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 118395, recorded on Microfilm Roll No. 80, for paving and otherwise improving Clove Street, Plum Street, Oliphant Street and Newell Street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118396, recorded on Microfilm Roll No. 80, for paving and otherwise improving portion of Alley Block 11 Subdivision of Lots 20 to 50 Block N Teralta, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118397, recorded on Microfilm Roll No. 80, for paving and otherwise improving Alley Block 31 University Heights, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118398, recorded on Microfilm Roll No. 80, for paving and otherwise improving Udall Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118399, recorded on Microfilm No. 80, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 102 Central Park, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118400, recorded on Microfilm No. 80, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 78 Point Loma Heights, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118401, recorded on Microfilm Roll No. 80, ascertaining and declaring wage scale for paving and otherwise improving 53rd Street, Santa Margarita Street and San Jacinto Drive, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118402, recorded on Microfilm Roll No. 80, approving diagram of property affected or benefited by work and improvement on paving Alleys in Blocks 7 and 2 Alhambra Park, under Resolution of Intention No. 113748, and to be assessed to pay the

expenses; directing City Clerk at same time of the approval, to certify the fact and date thereof, and immediately deliver the diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118403, recorded on Microfilm Roll No. 80, approving diagram of property affected or benefited by work of improvement to be done on paving Alley Block 37 Ocean Beach; Santa Cruz Avenue, and Public Right of Way, described in Resolution of Intention No. 113749, and to be assessed to pay expenses; directing City Clerk at same time of the approval, to certify the fact and date thereof, and immediately deliver the diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118404, recorded on Microfilm Roll No. 80, approving diagram of property affected or benefited by work of improvement to be done on paving Alleys Blocks 194, 195, 196, 197, 223, 224, 225 and 226 Pacific Beach, under Resolution of Intention No. 114248, and to be assessed to pay expenses; directing City Clerk at same time of the approval, to certify the fact and date thereof, and immediately deliver the diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118405, recorded on Microfilm Roll No. 80, approving diagram of property affected or benefited by work of improvement to be done on paving Everts Street, under Resolution of Intention No. 115630, and to be assessed to pay expenses; directing City Clerk at same time of the approval, to certify the fact and date thereof, and immediately deliver the diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118406, recorded on Microfilm Roll No. 80, approving diagram of property affected or benefited by work of improvement to be done on paving Santa Isabel Drive, and Olvera Avenue, under Resolution of Intention No. 115897, and to be assessed to pay expenses; directing City Clerk at same time of the approval, to certify the fact and date thereof, and immediately deliver the diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118407, recorded on Microfilm Roll No. 80, directing the City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 3 Normal Heights, under Resolution of Intention No. 116054, and to be assessed to pay the expenses, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118408, recorded on Microfilm Roll No. 80, directing the City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 25 Ocean Beach, as particularly described in Resolution of Intention No. 116281, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118409, recorded on Microfilm Roll No. 80, directing the City Engineer to furnish diagram of property affected and benefited by work and improvement on 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 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118410, recorded on Microfilm Roll No. 80, directing the City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Boundary Street, under Resolution of Intention No. 116400 and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118411, recorded on Microfilm Roll No. 80, directing the City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Logan Avenue and Florence Street, under Resolution of Intention No. 116621 and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118412, recorded on Microfilm Roll No. 80, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving 17th Street, under Resolution of Intention No. 116402, and to be assessed to pay expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, with City Manager's stamp of approval, stating that Resolution No. 115651 granted petitions to grade and pave Alley Block 2 Bartlett Estate Company's Subdivision and North and South Alley Block 27 H. M. Higgin's Addition; recommending that proceedings be amended to include drainage structures and concrete encasement as required and that improvements include portion of Broadway, was presented.

RESOLUTION NO. 118413, recorded on Microfilm Roll No. 80, adopting recommendation of City Engineer, filed in office of City Clerk May 21, 1954, under Document No. 490827; authorizing City Engineer to amend proceedings for improvement of Alley Block 2 Bartlett Estate Company's Subdivision and North and South Alley Block 27 H. M. Higgins Addition, in accordance with the recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, with City Manager's stamp of approval, stating that Resolution No. 111940 granted petitions to grade and pave Alleys Blocks 76 Ocean Beach and 88 Ocean Beach Extension No. 2, including sewer laterals if required; recommending that proceedings be amended to include drainage structures and pipe supports as required, and that improvement include portion of Bacon Street, was presented.

RESOLUTION NO. 118414, recorded on Microfilm Roll No. 80, authorizing City Engineer to amend proceedings for improvement of Alleys Blocks 76 Ocean Beach and 88 Ocean Beach Extension No. 2, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, with City Manager's stamp of approval, stating that Resolution No. 111943 granted petition and ordered district formed to improve portions of Alleghany Street by grading, paving and installing curbs, sidewalks, sewer laterals and water services as required; recommending that proceedings be amended to include drainage structures and cross gutters as required - portion of drainage work is to go on portion of S.E. 1/4 of Quarter Sec 103 Rancho de la Nacion, property of San Diego Unified School District - was presented.

RESOLUTION NO. 118415, recorded on Microfilm Roll No. 80, adopting recommendation of City Engineer, filed in office of City Clerk May 21, 1954, under Document No. 490826; authorizing City Engineer to amend proceedings for improvement of portions of Alleghany Street in accordance with the recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118416, recorded on Microfilm Roll No. 80, granting permission to W. D. Olson to install sanitary sewers in portion of Orange Avenue, between 52nd Street and 54th Street, to serve portions of Lots 13 and 14 Lemon Villa, and portion of Orange Crest, in accordance with Document No. 491153, and upon conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118417, recorded on Microfilm Roll No. 80, establishing parking time limit of 2 hours between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted,

Both sides of Thorn Street between 4th and 5th Avenues; establishing parking meter zone; directing 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118418, recorded on Microfilm Roll No. 80, authorizing and directing San Diego Gas & Electric Company to install a 600 lumen overhead street light at each of 25 locations set out in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118419, recorded on Microfilm Roll No. 80, authorizing and empowering City Manager, for and on behalf of the City, to execute Permit Agreement with United States of America giving permission to occupy for purpose of right of way portions of Blocks 229, 232, 235, 238, 241, 244, 247, 250 Middletown, description of property and terms and conditions set forth in form of permit agreement filed in office of City Clerk under Document No. 491431, agreement executed in order that the City might aid and assist the United States of America in furthering its defense plans, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118420, recorded on Microfilm Roll No. 80, approving Change Order No. 1, dated May 19, 1954, heretofore filed with City Clerk as Document No. 491336,

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issued in connection with contract between The City of San Diego and L. B. Butterfield for installation of Adams Avenue and Mansfield Street 12-inch pipeline, contract contained in Document No. 487538; changes amounting to increase in contract price of \$3,600.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118421, recorded on Microfilm Roll No. 80, approving Change Order No. 2, dated May 20, 1954, heretofore filed with City Clerk as Document No. 491338, issued in connection with contract between City of San Diego and W. H. Clint for construction of Catalina Street Plant, contract contained in Document No. 487065 on file in office of City Clerk; changes amounting to increase in contract price of \$65.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118422, recorded on Microfilm Roll No. 80, approving Change Order No. 3, dated May 17, 1954, heretofore filed with City Clerk as Document No. 491340, issued in connection with contract between City of San Diego and R. E. Hazard Contracting Co. for improvement of Harbor Drive, Laurel Street to Wake, contract contained in Document No. 486361 on file in office of City Clerk; changes amounting to increase in contract price of approximately \$1,290.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118423, recorded on Microfilm Roll No. 80, granting permission to Rose Helen Cox, 5705 Lindo Paseo, San Diego 15, to install 24-foot driveway on northerly side of El Cajon Boulevard between points 14 feet and 38 east of the east line of 46th Street, to widen existing 22-foot driveway 13 feet to west, so as to provide 35-foot driveway on northerly side of El Cajon Boulevard between points 62 feet and 97 feet east of east line of 46th Street; also to widen existing 20-foot driveway on east side of 46th Street, 10 feet to north so as to provide 30-foot driveway on east side of 46th Street between points 33 feet and 63 feet north of northerly line of El Cajon Boulevard, all adjacent to Lot 9 except northerly 50 feet feet, Granada Tract, subject to conditions in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118424, recorded on Microfilm Roll No. 80, granting revocable permit to Charles F. Greaser, 4774 Oregon Street, San Diego, to install and maintain 6-inch cast iron sewer line between property line and sidewalk; to be placed 1 foot outside property line and run in northwesterly direction, parallel to westerly line of Lot 1 Block 545 Old San Diego Subdivision, to point of intersection with public sewer; to serve property at 2230 San Diego Avenue; subject to approval of Chief Plumbing Inspector and City Manager, subject to conditions contained in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118425, recorded on Microfilm Roll No. 80, granting revocable permit to Handlery Hotels, Inc., a corporation, to install an areaway in the sidewalk area on the south side of Beech Street, between Seventh Avenue and Eighth Avenue, adjacent to El Cortez Hotel Addition, on conditions contained in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118426, recorded on Microfilm Roll No. 80, granting permission to William Kesling to install lavatory waste with 45° Ell in trap arm on residence located at 919 Braemar Lane; subject to approval of Chief Plumbing Inspector and City Manager, and upon conditions contained in the Resolutions, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118427, recorded on Microfilm Roll No. 80, granting permission to Carl R. and Frank I. McWilliams, 3265 Adams Avenue, San Diego, to install 2 550 gallon gasoline storage tanks underneath sidewalk area, between property line and curb line, at 3265 Adams Avenue, subject to conditions contained in the Resolution (on a revocable basis), was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118428, recorded on Microfilm Roll No. 80, granting permission to San Diego Unified School District (George R. Saunders, Construction Engineer), to run waste and soil lines outside building line at John James Audubon Elementary School, 8111 San Vicente Street, San Diego 14, on minimum slope of 1/8" per foot; all main lines to be of next larger diameter than required by Code; subject to approval of Chief Plumbing Inspector and City Manager, upon conditions set out in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118429, recorded on Microfilm Roll No. 80, granting permission to Harry B. Steele, 1160 Savoy Street, to install and maintain underground electrical conduit across alley Block 2 Rosecrans Park, extending from Pole #1199 to residence located at 1160 Savoy Street, upon terms and conditions (revocable) contained in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118430, recorded on Microfilm Roll No. 80, approving expenditure of \$3,265.00 from funds heretofore appropriated by Ordinance No. 5900 (New Series), for purchase of portion of Acre Lot 23 Pacific Beach, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118431, recorded on Microfilm Roll No. 80, authorizing and empowering 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 Harry L. Foster and George H. Foster, of portions of land through Blocks 266 and 289 San Diego Land and Town Company's South Chollas Addition, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The Resolution says that City of San Diego is desirous of acquiring portions of Lots 11 to 24 Block 266 South Chollas Addition for public street purposes, and Harry L. Foster and George H. Foster, owners of the property, are desirous of acquiring portions of Blocks 266 and 289 San Diego Land and Town Company's South Chollas Addition in exchange; value of portions of Lots 11 to 24 is \$80.00; value of portions of Blocks 266 and 289 is \$830.00, and that City Manager has recommended the exchange.

It repeals Resolution No. 118063, and authorizes City Clerk to deliver deed to Property Supervisor with instructions that it be delivered when he shall have received \$750.00 together with easement deed from the Fosters.

Ordinance, having been introduced, and continued week-to-week from several previous meetings approving annexation to City of San Diego of portions of Tidelands of San Diego Bay, known and designated as "San Diego Harbor Tidelands", was presented to the Council again.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, it was continued 1 week - June 8 (being held until June 10, instead, since the 8th is election day and meeting is not to be held on the 9th).

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 was dispensed with by 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. 6141 (New Series), recorded on Microfilm Roll No. 80, appropriating \$35,000.00 from Unappropriated Balance Fund, for providing funds in addition to funds heretofore appropriated by Ordinance No. 5671 (New Series), for construction of alterations to offices in City-County Administration Building, and for purchase of necessary equipment therefor, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, 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 Wincote, seconded by Councilman Kerrigan, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the reading was dispensed with by 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. 6142 (New Series), recorded on Microfilm Roll No. 80, appropriating \$5,065.00 from Capital Outlay Fund for providing funds for payment of assessments against City-owned land in La Jolla Shores near Kellogg Park, and against City-owned land near Redwood and Haller Streets, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, 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 Burgener, seconded by Councilman Kerrigan, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the reading was dispensed with by 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. 6143 (New Series), recorded on Microfilm Roll No. 80, estab-

118429 - 118431
Ordinance introduced
6141 N.S. - 6143 N.S.

6/1/54

lishing grade of Alley Block 49 Olive Hill, between south line of Meade Avenue and north line of El Cajon Boulevard, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Wincote, Kerrigan, Dail, 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, reading 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 passage a written or printed copy.

ORDINANCE NO. 6144 (New Series), recorded on Microfilm Roll No. 80, establishing grade of Dudley Street, between easterly line of Catalina Boulevard and westerly line of Silver Gate Avenue, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Wincote, Kerrigan, Dail, 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, reading 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 passage a written or printed copy.

ORDINANCE NO. 6145 (New Series), calling and providing for and giving notice of Special Election to be held in territory known as "Rolando Tract No. 2", in County of San Diego, State of California, on Tuesday, June 29, 1954, for purpose of submitting to electors residing therein question whether territory in said Rolando Tract No. 2 shall be annexed to, incorporated in and made part of City of San Diego, and that property therein shall, after such annexation, be subject to taxation equally with property within The City of San Diego to pay bonded indebtedness of the City outstanding at date of such annexation, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Wincote, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, ordinance approving annexation to City of San Diego of certain territory in the County of San Diego, State of California, designated as "La Mesa Colony Tract No. 5", was introduced.

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

Petition of business firms and property owners requesting the taking of the necessary steps to provide for entrance and exit drive to off-street parking for property located at 6172-6198 University Avenue, was presented. It states that prior to annexation of the property, while in Rolando, there was verbal agreement by County Engineer Mack and Supervisor Bird that it would be provided. It requests necessary action through the proper department.

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

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

RESOLUTION NO. 118432, recorded on Microfilm Roll No. 80, stating that it is the opinion of the Council that the proposed initiative ordinance as submitted to the people in Proposition A on the ballot at the Special Election to be held in The City of San Diego on June 8, 1954, is susceptible of the construction that it is unlawful for the City to supply water to its inhabitants if the water has contained therein any Fluorine, Sodium Fluoride, Sodium Silico Fluoride, or any Fluoride compound, and that if the ordinance (the initiative Ordinance calls for prohibition against fluoridation of the San Diego Municipal water supply) is adopted it would force the City to expend large sums of money in treating the water supply so as to eliminate any of such compounds described in the ordinance, 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 Mayor declared the meeting adjourned at the hour of 11:45 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

Charles B. Wincote
Vice Mayor of The City of San Diego, California

By

August M. Skadstrom
Deputy

6144 N.S. - 6145 N.S.
Ord. introduced.
Pet. under U.C. ref to Mgr.
118432 under U.C. re fluoridation

REGULAR MEETING

Chamber of the Council of The City of San Diego,
Thursday, June 3, 1954

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

The meeting was called to order by the Mayor at 10:07 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Louis and Ethel P. Theaman from decision of the Board of Zoning Adjustment denying permission to move in a garage with apartment above and convert it to a single-family residence, on portion of Lot 52 Las Alturas Villa Sites - southwest corner of 58th and Olvera Streets, in Zone R-1, the Clerk read the Finding of Facts, by D. E. South, Zoning Administrator, on Resolution No. 8139, Application No. 12835.

Glenn A. Rick, City Planning Director, showed members of the Council photographs and maps of the property, and nearby area. He said that there are no protests he knows of. Mr. Rick spoke of trying to prevent metes & bounds descriptions, and told of improvements needed. He stated that what has been done before, looks like violation of the subdivision ordinance.

Mrs. Theaman, who appeared, was asked how long she had owned the property. The appellant replied about 1 year.

Mr. Rick said that over a year ago Mr. Shipman tried to get a variance on the same property. He told the Council that Councilman Wincote's secretary had tried to buy the property, but that Mr. Wincote had advised against it.

Councilman Kerrigan spoke of necessity to get back to Councilman Godfrey's basic question (compliance with requirements for the granting of a variance).

Mrs. Theaman said that she wants to live on the acre.

Mr. Rick observed that variance is not the way to cut the property.

Mrs. Theaman told the Council that she does not see why she has to improve 58th Street, and do other work.

Mr. Rick showed pictures to Councilman Godfrey, which included improvements. He said that Mrs. Theaman wants to move a building onto the property.

Mrs. Theaman stated that she has lost the permit for the building on account of time lost. She said that she has the last lot on the street.

Mr. Rick explained to Mrs. Theaman regarding record of survey map, and the requirements for improvements by the City Engineer.

Councilman Kerrigan pointed out that there are separate problems in each instance, especially regarding cesspools. He said that the Health Department may say "no" to request for permission to put in a cesspool.

Councilman Schneider, addressing Mrs. Theaman, said she ought to talk to the Planning Director regarding the purpose of requiring a subdivision.

Mr. Rick said that he would do all that he can to help.

Councilman Schneider said that the appeal should be continued a week.

Mrs. Theaman said she was going out of town; 10 days or 2 weeks would be better.

Councilman Dail spoke to Mrs. Theaman regarding another property.

Councilman Schneider told Mrs. Theaman that it might cost more now to divide the property by subdivision and do the improvements required, but it would be a benefit to the property.

Councilman Schneider moved to continue the hearing 2 weeks - to June 17, 1954 - which motion was seconded by Councilman Dail. The motion carried.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Louis Roman from decision of Board of Zoning Adjustment in connection with conditions attached to the granting of permission to construct 30-foot by 75-foot building for storage of merchandise, Lot 9 Acacia Park, with maximum of 50 percent of floor area for storage of builders' supplies, at southwest corner of Choctaw Drive, 125 feet northwest of El Cajon Boulevard, to be used in connection with existing business on adjoining lots in C Zone (lot in question being in R-4 Zone), the Clerk read the finding of facts signed by D. E. South, Zoning Administrator, on Resolution No. 8164, Application No. 12606.

Glenn A. Rick, City Planning Director, passed around to members of the Council photographs of the property and surrounding areas. He referred to Mr. Roman's objections to some of the conditions attached to the approval. He stated that a solid 6-foot wall, as required, is not to Mr. Roman's liking, although the original application showed a concrete block wall. Also, Mr. said that Mr. Roman objects to a wood fence to protect the adjoining property.

Mr. Roman told the Council that the neighborhood objects to a concrete wall, in that there are no others, and it would not be in keeping; it would look like an institution. He declared that it would make an enemy of the neighbor to put up the wood adjoining fence, in that he would be unable to trim the existing hedge. Mr. Roman said that he is trying to improve the property.

Councilman Kerrigan asked how the matter was brought up.

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Mr. Roman's reply was that the building supply is operated in the wrong location, according to the inspector.

Mr. Rick stated that the lot in question is R-4 property, on Choctaw, but that a builders' supply had been found to be a proper use, and that there was approval for 2 lots on El Cajon. There was no approval on the Choctaw property, across from existing apartment houses, according to him. He contended that the conditions set up were to protect the neighborhood. He related the conditions, at the request of Councilman Burgener.

Mr. Roman stated that all the neighbors are in favor of a wood wall, instead of blocks.

Mr. Said he thought Mr. Roman had been done a favor in the permitting of a wood fence, on the side.

Mr. Roman he would not put a fence against the hedge, and that he wants to use the drive where the curb is broken. He stated that he would put a "nice" fence on the front.

Mr. Rick showed Mr. Roman the application.

Mr. Roman said that the concrete wall shown was not in his handwriting.

Councilman Schneider moved to refer the matter back to the Board of Zoning Adjustment.

That did not satisfy the appellant, referring to the previous continuance.

Mr. Rick insisted that he does not change the applications.

Councilman Kerrigan moved to refer the appeal back to the Zoning Adjustment Board.

Mr. Rick asked why Mr. Roman would trim a hedge against a wall.

Mr. Roman replied that he has explained it to the Zoning Adjustment Board. He spoke of his time being wasted, that he wants to start. He contended that he doesn't want something out of reason.

Mr. Rick said that the Board is trying to do its duty in requiring that some things be hidden in the yard.

Councilman Schneider said that the Board is the Council's advisers.

Mr. Roman contended that it does not make sense for the Council to have more say than his neighbors.

Councilman Schneider spoke regarding protection to the neighborhood.

Mr. Roman asked if a concrete wall is better than a wooden fence.

Mr. Rick replied that it is much better.

The appeal was referred back to the Board of Zoning Adjustment - with no hearing time set for continuance before the Council, by

RESOLUTION NO. 118433, recorded on Microfilm Roll No. 80, referring the appeal of Louis Roman back to the Board of Zoning Adjustment for further consideration, on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on petition Mid City Heights, et al, for rezoning 4 corners of Clairemont Drive and Clairemont Mesa Boulevard from the prevailing R-4, R-2 and R-1 to RC and CP, was presented, and read.

A hearing was held, as set out on the agenda.

Glenn A. Rick, City Planning Director, showed a map and explained to the Council the matter involved.

Ed Wilson, representing the petitioners, was heard. He said that there was a little delay in starting the shopping center, answering a question. Mr. Wilson said that he spoke for Tavares (Carlos Tavares).

Mr. Rick explained regarding the exclusion of property, as stated in the report. He said that "they" had started out with a modern concept of a shopping center, and added that other centers have been set up.

Mr. Tavares was heard. He said that it was passed by the Adjustment Board, but that the Planning Commission took off a portion.

The Mayor read from another report, signed by Mr. Burton, addressed to the Planning Commission.

Mr. Tavares mentioned having turned down all corners.

The Mayor said that the Commission did not accept the recommendation.

Mr. Tavares explained to the Council from a map, and said that he wants the corners rezoned, primarily for gas stations. He said that American public wants to buy gas at corners, and that the practice is prevalent all over the United States. He told of having put in 7-1/2 miles of main highways, and that he owns all the property. Mr. Tavares also told of having spent much time with gasoline people to select sites for stations. Answering the Mayor, he identified the location as the north shopping center.

Councilman Schneider said that the proposal would not be so fatal.

Councilman Kerrigan referred to there being 2 different recommendations.

Mr. Tavares asked for zoning of all 4 corners, but informed the Council that only 2 service stations would be put in now. He spoke of wanting to "pattern the whole thing", and added that the Board of Adjustment has agreed fully. He added that agreement was with 1 lot exception.

Mr. Rick said that the Zoning Adjustment Board had been approached by Mr. Wilson. He told the Council that the beacon was there before Clairemont went in. He spoke of the southwest corner desire for a station.

Mr. Tavares said that he was not there, that he had spent so much time and money to get a good thing.

Mr. Rick spoke of change of policy, in that there are R-2 duplexes on one corner. It is contrary to a modern concept of building a city, he told the Council. He agreed that petitioner has a monopoly over the whole area. He held a discussion with Mr. Tavares over the previous actions.

Hearings
118433

Councilman Schneider spoke of the venture as a big operation; not a neighborhood thing.

Mr. Tavares told of having spent 4 millions of dollars for the road; and maintained that the developers have the right to pick the gas station site right.

There was discussion between Mr. Tavares and Councilman Kerrigan as a result of the Councilmen's questioning regarding reason for the road, the development for purpose of making money; etc.

Councilman Schneider moved to refer the matter to the City Attorney to draw an ordinance based on the recommendation.

Councilman Schneider then moved to direct the City Attorney to prepare an ordinance to change the zoning, as in the notice of hearing.

Mr. Rick spoke of by-passing the procedure regarding notice.

RESOLUTION NO. 118434, recorded on Microfilm Roll No. 80 - requesting the City Attorney to prepare and present the necessary ordinance rezoning portion of Pueblo Lot 1237 and portions of Clairemont Unit No. 9 and Clairemont Unit No. 15 from R-1, R-2 and R-4 Zones to RC and CP Zones - at the four corners of Clairemont Drive and Clairemont Mesa Blvd. - in accordance with "Notice of Zone Hearing" dated April 21, 1954, for consideration by the Council within 2 weeks, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

In connection with the next matter, the City Manager made a brief verbal report.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for addition to Pacific Beach Recreation Building at 1405 Diamond Street, received May 12, 1954, from 8 bidders, was presented.

It recommends award to Al E. Riley, Incorporated, low bidder, in amount of \$13,044.00 - 18.6% above estimate of City Engineer.

RESOLUTION NO. 118435, recorded on Microfilm Roll No. 80, accepting bid of Al E. Riley, Incorporated, for addition to Pacific Beach Recreation Building at 1405 Diamond Street; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for construction of Rest Room and Staff Building in East San Diego Park and Recreation Area (4096 - 54th Street), received from 7 bidders on May 24, 1954, was presented.

It recommends award to Raymond D. Haas, low bidder, in amount of \$12,298.00 - 5.4% below estimate of the Engineer.

RESOLUTION NO. 118436, recorded on Microfilm Roll No. 80, accepting bid of Raymond D. Haas for construction of rest room and staff building in East San Diego Park and Recreation Area (4096 - 54th Street); awarding contract, authorizing and instructing 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 Burgener, adopted.

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received May 21, 1954, from 7 bidders, for construction of storm drain in Lot 54 Ex-Mission Lands of San Diego, Lot 44 Las Alturas Villa Sites, Logan Avenue and Euclid Avenue, was presented. It recommends award to Pace Construction Company, low bidder, in amount of \$7,022.40 - 12.2% below estimate of the Engineer.

RESOLUTION NO. 118437, recorded No. 80, accepting bid of Pace Construction Company for construction of storm drain in Lot 54 Ex-Mission Lands of San Diego, Lot 44 Las Alturas Villa Sites, Logan Avenue and Euclid Avenue; awarding contract, authorizing and instructing 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 office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received May 20, 1954, from 4 bidders, for construction of storm drain in 69th Street at Imperial Avenue, was presented. It recommends award to V. R. Dennis Construction Company, low bidder, in amount of \$1,997.00, low bidder - 3.5% above the estimate of the Engineer.

RESOLUTION NO. 118438, recorded on Microfilm Roll No. 80, accepting bid of V. R. Dennis Construction Company for construction of storm drain in 69th Street at Imperial Avenue; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, presenting Resolution authorizing bids for Liquid Chlorine for period of one

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year (7/1/54 to 6/30/55) as per specifications on file in office of City Clerk bearing Document No. 491441, was presented.

RESOLUTION NO. 118439, recorded on Microfilm Roll No. 80, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of Liquid Chlorine for water purification and for sewage treatment, for period of one year, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118440, recorded on Microfilm Roll No. 80, authorizes bids for furnishing feric chloride for one year, was adopted.

RESOLUTION NO. 118441, recorded on Microfilm Roll No. 80, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Comfort Station at Motor Boat Ramp, Shelter Island, bearing Document No. 491440; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The Mayor explained to the Councilmen the proposal and the reasons for work to be done in the particular manner and location.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of O.D. Arnold's Hazelwood Heights Unit No. 2, subject to posting adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 118442, recorded on Microfilm Roll No. 80, authorizing and directing City Manager to execute, for and on behalf of City of San Diego, contract with O.D. Arnold & Sons, for installation and completion of unfinished improvements and the setting of monuments required for O. D. Arnold's Hazelwood Heights Unit No. 2 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118443, recorded on Microfilm Roll No. 80, adopting Map of O. D. Arnold's Hazelwood Heights Unit No. 2 and accepting public streets - Chollas Road, Collura Street, Krenning Street, Palm Street, Quince Street, Redwood Street, Rombough Place, 51st Street - and unnamed easements shown for public purposes; declaring them to be public streets and easements dedicated to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that streets and unnamed easements are accepted on behalf of the public; directing 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.

At the request of Mona Andreen, of the City Attorney's office, recommendation of the Planning Commission, and 2 Resolutions authorizing contract with Clifford O. Boren Contracting Co., Inc. for completion of improvements and adoption of the Final Map of Delta Heights, etc., was held.

(To the Clerk's office Mrs. Andreen had advised of sale of portion of the property, necessitating change in description).

Communication from J. F. Holtmyer, 333 W. Washington, San Diego 3, requesting renewal of his "shop" Resolution No. 107436, was presented. It says "I don't see why I shouldn't have a permanent resolution as long as I have the required zoning change".

On motion of Councilman Schneider, seconded by Councilman Burgener, it was referred to Zoning. (The Clerk sent the item to the Planning Department.)

Communications from E. M. Rogers, M.D., 825 Prospect, La Jolla, dated May 27, 1954, and printed form from M. Nell Carpenter (Mrs. S. R.) 6420 La Jolla Blvd., dated May 20/54, having to do with deterioration and lack of enforcement of sign control in La Jolla business section, was presented. They ask for legislative machinery that will regulate signs in La Jolla.

RESOLUTION NO. 118444, recorded on Microfilm Roll No. 80, referring to Council Conference communications filed under Document No. 491378 relative to enforcement of sign control in La Jolla business section, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from San Diego Municipal Employees' Association, Inc., 202 Broadway Pier, San Diego 1, signed by Mary E. Harvey, Executive Secretary, was presented. It requests reconsideration of Council decision to base retirement benefits on the last five years average salary rather than on the highest five years average salary in the new retirement ordinance. Among other things, it states that a joint meeting of the MEA Executive Committee and Retirement Committee it was directed that the letter be sent to the Council to remind it again that for the past 8 months employees have been given impression that they were to obtain benefits equal to the State system.

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

118439 - 118444
Communication.

Communication from R. M. Irving, 1817 Dale, San Diego 2, dated May 31, 1954, was presented. It opens by saying that the newly completed Sutherland Dam will stand as a monument to deceit and deception as practiced by politicians and public officials upon the unsuspecting voter. It mentions the project having been begun some 28 years ago and ended about a year later with an announcement to the public that bedrock could not be found and that money had been exhausted, after over a million dollars had been expended. It refers, also to the 16 million dollar sewer bond proposal scheduled for June 8, and asks if it doesn't have some of the earmarks of the Sutherland Dam fiasco. In addition to further comments, it suggests that the Council make a statement of a reasoned analysis of the "pros" and "cons" of the sewer bond issue so that voters may make the right decision on election day. It says that "we have had considerable heat but very little light on the subject."

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

RESOLUTION NO. 118445, recorded on Microfilm Roll No. 80, authorizing and empowering the City Manager to do all the work in connection with moving of one Type A-421 automatic chlorinator from Alvarado Canyon Pumping Plant to Chollas Chlorinator Station, and installation of new converter, aspirator and necessary wiring at the Station, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

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

RESOLUTION NO. 118446, recorded on Microfilm Roll No. 80, authorizing City Manager, on behalf of City of San Diego, to sign waiver of notice of special meeting of shareholders of Green Mutual Water Company of San Diego County, held in office of the Company on South San Diego Boulevard, P.O. Box 518 Escondido, California, May 18, 1954, and continued to May 20, 1954, at which meeting an agreement of merger of stock of Longview Mutual Water Company of San Diego County was authorized by shareholders present, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The Resolution mentions recent purchase of land in watershed of San Dieguito River for purpose of protecting and insuring City's right to fully develop the river as part of water system of The City; that land was entitled to receive water service from Green Mutual Water Company of San Diego County, and as owner of acreage received certificates of stock in the Company; that recently there was held a meeting of shareholders of the Company for securing consent of stockholders of both corporations to the merger of the corporations under title of Green Mutual Water Company; that Corporation Code of the State requires that if less than 20 days' notice of meeting in which merger is adopted all shareholders were not present it is necessary for absent stockholders to sign waiver of notice of the meeting; that the City as a municipal corporation has no particular interest in the merger and is not affected legally by the merger, and the Manager has recommended to the Council that he sign a waiver of notice.

RESOLUTION NO. 118447, recorded on Microfilm Roll No. 80, granting revocable permit to Richard J. Ruhr, 3749 Paul Jones Avenue, San Diego, to install and maintain a 4-inch cast iron sewer line between property line and sidewalk, to be placed 1 foot outside property line and run in southerly direction, parallel to Easterly line of Lot 20 Block 246 Pacific Beach Subdivision, to point of intersection with public sewer; to serve property at 2175 Grand Avenue; subject to approval of Chief Plumbing Inspector and City Manager, and upon conditions in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118448, recorded on Microfilm Roll No. 80, granting permission to San Diego Unified School District (George R. Saunders, Construction Engineer) to install soil line outside of Building 10-A and Building No. 8, connecting to sewer in 47th Street at Samuel L. Gompers Junior High School, 905 - 47th Street, at grade of 1/8" per foot; subject to approval of Chief Plumbing Inspector and City Manager, and upon express conditions set out in Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118449, recorded on Microfilm Roll No. 80, determining and declaring that public interest, convenience and necessity of City of San Diego require construction, operation and maintenance of park and recreation center upon property in City of San Diego (in City Gardens and Electric Line Addition); that public interest, convenience and necessity demand acquisition of the property, and declaring Intention of City of San Diego to acquire property under Eminent Domain Proceedings; directing City Attorney to commence action in Superior Court of State of California, for purpose of condemning the property, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

(Although the Resolution does not so state, the land is for Mission Bay Park).

RESOLUTION NO. 118450, recorded on Microfilm Roll No. 80, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of City of San Diego, a deed quitclaiming to Mary Savage Sabin, 2637 44th Street, Lot 17 Block B Swan's Second Addition, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The Resolution states that Marion Savage Sabin requested that property belonging to the City be put up for sale, and accompanied request by deposit of \$100.00 to cover costs; that at public auction she submitted the only bid in sum of \$250.00, the minimum amount fixed for the sale.

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RESOLUTION NO. 118451, recorded on Microfilm Roll No. 80, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as act and deed of City of San Diego, quitclaim deed quitclaiming to Ralph Claric and Ralph F. Claric, father and son, portions of Lots 9 and 10 Block 4 Dells Park; portions of Lots 20, 21, 22, 23, 24 Block 1 G. H. Crippen's Addition - reserving abutter's rights, etc. - was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolution states The City is desirous of acquiring portions of Lots 6, 7, 8 Block 4 The Dells Park for construction of Wabash Freeway; that Ralph and Ralph F. Claric are owners and are willing to deed to City in exchange for quitclaim deed from the City of portions of Lots 9, 10 Block Dells Park and portions of Lots 20, 21, 22, 23, 24 Block 1 G. H. Crippen's Addition; that value of parcels owned by the Clarics and the City \$750.00 each; that City Manager has recommended the exchange.

RESOLUTION NO. 118452, recorded on Microfilm Roll No. 80, 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 Solomon Building Company easement for right of way for public sewer and appurtenances in Lots 17 and 18 Carruthers Addition, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolution states that City is desirous of acquiring portion of Lots 17 and 18 Carruthers Addition as easement for construction of public sewer and appurtenances; that the Company is owner of property, and is willing to deed to City in exchange for quitclaim from the City; that value of each portion is \$25.00; that the property is no longer required by the City and that City Manager has recommended the exchange.

RESOLUTION NO. 118453, recorded on Microfilm Roll No. 80, accepting deed of Mary H. Brown, bearing date May 26, 1954, conveying Lot 16 Block 7 Campo Del Dios; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118454, recorded on Microfilm Roll No. 80, accepting deed of Harry E. Duncan and Olive I. Duncan, bearing date May 25, 1954, conveying Lot 9 Block 68 Campo Del Dios Unit 2, and portion of Northeast 1/4 of Northeast 1/4 (Lot 1) of Southeast 1/4 of Northeast 1/4 and Northeast 1/4 of Southeast 1/4 of Section 6 T13S, R2W, S.B.M.; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118455, recorded on Microfilm Roll No. 80, accepting deed of Thorleif Madsen, bearing date May 26, 1954, conveying Lots 4, 5, 7 Block 33 Campo Del Dios Unit 2; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118456, recorded on Microfilm Roll No. 80, accepting deed of Beth V. Paynter, bearing date May 26, 1954, conveying Lot 1 Block 34 and Lots 3 and 4 Block 70 Campo Del Dios Unit 2; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118457, recorded on Microfilm Roll No. 80, accepting deed of Charles R. Turner, bearing date May 25, 1954, conveying Lot 3 Block 42 Campo Del Dios Unit 3, and Lot 3 Block 87 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118458, recorded on Microfilm Roll No. 80, accepting deed of Tom Vanos and Ruth Vanos, bearing date May 26, 1954, conveying Lot 1 Block 35 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118459, recorded on Microfilm Roll No. 80, accepting deed of William Arthur Carey and Inez W. Carey, bearing date May 24, 1954, conveying easement and right of way for street purposes in portion of Pueblo Lot 173; setting aside and dedicating land as and for public street, and naming it Bangor Street; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118460, recorded on Microfilm Roll No. 80, accepting deed of San Diego Unified School District, bearing date May 18, 1954, conveying easement and right of way for street purposes in portion of Southwest Quarter of Lot 14 Horton's Purchase of Ex-Mission Lands; setting aside and dedicating the land to the public use as and for public streets, naming various parcels 47th Street, Elm Street, Brookline Street and Marilou Road; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118461, recorded on Microfilm Roll No. 80, accepting deed of Alice J. Ewing, bearing date May 17, 1954, conveying easement and right of way for drainage control purposes in portion of Lot 19 Block 34 La Jolla Hermosa Unit #2; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118462, recorded on Microfilm Roll No. 80, accepting deed of V. M. Butterfield, bearing date April 13, 1954, conveying easement and right of way for storm drain and sewer purposes in portion of Lot 40 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 the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118463, recorded on Microfilm Roll No. 80, accepting deed of Clairemont Company, bearing date May 24, 1954, conveying easement and right of way for storm drain, public sewer and water pipeline purposes in portion of Pueblo Lot 1191; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118464, recorded on Microfilm Roll No. 80, accepting deed of Louise L. Cosgrove, bearing date April 19, 1954, conveying easement and right of way for storm drain and sewer purposes in portion of Lot 40 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 the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

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 in full 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 passage a written or printed copy.

ORDINANCE NO. 6146 (New Series), recorded on Microfilm Roll No. 80, appropriating \$14,000.00 from Capital Outlay Fund, for providing funds for construction of addition to Pacific Beach Recreation Building, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

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

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the reading in full 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 passage a written or printed copy.

ORDINANCE NO. 6147 (New Series), recorded on Microfilm Roll No. 80, appropriating \$13,500.00 from Capital Outlay Fund, for providing funds for construction of Rest Rooms and Staff Building in East San Diego Park, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Wincote.

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6/9/54

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 in full 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 passage a written or printed copy.

ORDINANCE NO. 6148 (New Series), recorded on Microfilm Roll No. 80, appropriating \$4,250.00 from Unappropriated Balance Fund, for providing funds for purchase of equipment by Central Stores, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

Ordinance establishing a City Employees' Retirement System for employees of The City of San Diego, and superseding in part Ordinance No. 10792 adopted November 29, 1926, was presented.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, it was continued one week.

(Accompanying the Ordinance was communication from San Diego Fire Fighters Association, Local Number 145, signed by R. W. Shukraft, President, dated June 2, 1954).

On motion of Councilman Kerrigan, seconded by Councilman Burgener, ordinance creating positions of Assistant to the Port Director, and Public Relations Officer in the Classified Service, and establishing Schedule of Commission, was introduced, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, Ordinance incorporating portions of Acre Lots 21, 22, 23 Pacific Beach into R-2 Zone, as defined by Section 101.0406 of San Diego Municipal Code and repealing Ordinance No. 119 (New Series), adopted January 3, 1933, insofar as it conflicts - and setting hearing for Thursday, June 10, 1954, was introduced, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

The Clerk was advised by the Mayor that the Council would hold no meeting on Wednesday, June 9, 1954 (in lieu of Tuesday, June 8, 1954, which is the Election holiday). The agenda was to be prepared, according to direction, for Thursday, only.

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

Charles B. Wincote
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,
Wednesday (in lieu of Tuesday, which was
election day) June 9, 1954

Vice Mayor Wincote adjourned the meeting, in the absence of a quorum, to the hour of 10:00 o'clock A.M., Thursday, June 10, 1954.

ATTEST:

FRED W. SICK, City Clerk

Charles B. Wincote
Vice Mayor of The City of San Diego, California

By

August M. Hadstrom
Deputy

6148 N.S.

Ord. introduced

Ord. continued

6/10/54

ADJOURNED MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, June 10, 1954
10:04 o'clock A.M.

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey
Absent---Mayor Butler from the City

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the adjourned meeting was adjourned.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadstrom
Deputy

John D. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, June 10, 1954

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

Vice Mayor Wincote called the meeting to order at the hour of 10:04 o'clock A.M.

The Minutes of the meetings of June 1, 3, 8, 1954, were presented to the Council.

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

The next matter was listed on the agenda as a special order of business. Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approving the final map of College Manor Unit No. 2, a 3-lot subdivision of portion of Lot 10 La Mesa Colony, was presented.

RESOLUTION NO. 118465, recorded on Microfilm Roll No. 80, adopting map of College Manor Unit No. 2, portion of Lot 10 La Mesa Colony; accepting portion of Rose Street and unnamed easements shown for public purposes; declaring them to be public street and unnamed easements; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that they are accepted on behalf of the public; directing City Clerk to transmit the map to the Clerk of the Board of Supervisors, 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 the Street Superintendent's Assessment No. 2235 made to cover costs and expenses of paving and otherwise improving Rose street, Hobart Street, Stewart Street, Millar Street, Catoctin Drive, 63rd Street, Pembroke Drive and Public Rights of Way under Resolution of Intention No. 111366, the Vice Mayor stated that the matter was taken up in Conference with the City Engineer, and it had been determined to leave the district as is.

The City Engineer stated that it had been a question regarding repairs to headwall, and a "bird bath" paving. He told the Council that the contract had agreed to fix up the marked area in the paving. There is no more to be done for the drain, he stated. The engineer spoke again - as he had at the previous hearing - of area having been rip-rapped, and that in the future it is the City's responsibility. He pointed out that the City has an easement for drain, and that repair seems adequate.

118465
Hearing

6/10/54

H. A. Beekley had a discussion with the City Engineer and members of the Council, including the matter of improvements.

The City Engineer spoke of being able to make the back end of the lot usable.

Mr. Beekley said that possibly he and Mr. Miner could each build a second residence.

The City Engineer said that the property is in R-1 Zone.

Councilman Dail said that application could be made for zone variance.

Vice Mayor Wincote pointed out that they would have to go through regular channels.

Karl Baker spoke to the City Engineer regarding rip rap.

The Engineer told of broken concrete used - rather than the type of rip rap Mr. Baker had in mind. (Mr. Baker said he was an engineer, and didn't agree that what was used is rip rap).

Councilman Schneider said that the City Engineer could be requested to add to the rip rap, for protection - if necessary.

Mr. Baker said that the broken pipe has not been taken care of adequately.

The Engineer said that the Inspector stated it has, and that it is the City's responsibility in the future.

On motion of Councilman Schneider, seconded by Councilman Dail, the hearing was closed.

RESOLUTION NO. 118466, recorded on Microfilm Roll No. 80, overruling and denying the appeals of James and Effie Ogden, Charles W. Hill, Karl H. Baker, Frank Miner and Herman A. Beekley, from the Street Superintendent's Assessment No. 2235 made to cover costs and expenses of paving and otherwise improving Rose Street, Hobart Street, Stewart Street, Millar Street, Catoctin Drive, 63rd Street, Pembroke Drive and Public Rights of Way, under Resolution of Intention No. 111366; overruling and denying all other appeals thereon; confirming and approving the Assessment; 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 Dail, adopted. (Councilman Wincote voted "Nay"; Mayor Butler was absent.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portions of Lots 32 and 33 La Mesa Colony into R-2 Zone, the Clerk reported that no written protests had been received. No protests were entered.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, Ordinance incorporating portions of Lots 32 and 33 La Mesa Colony into R-2 Zone, as defined by Section 101.0406 of The San Diego Municipal Code and repealing Ordinance No. 5631 (New Series) insofar as it conflicts, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, introduced, by the following vote: 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 portions of Acre Lots 21, 22, 23 Pacific Beach into R-2 Zone, the Clerk reported that no protests had been received. No protests were entered.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, 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. 6149 (New Series), recorded on Microfilm Roll No. 80, incorporating portion of Acre Lots 21, 22, 23 Pacific Beach into R-2 zone; repealing Ordinance No. 119 New Series, insofar as it conflicts, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The following matter was taken up out of order, ahead of the two preceding items, due to the large number of persons present in connection with the scheduled hearing, on Ordinance amending San Diego Municipal Code by adding Chapter X Article I Division 4 Section 101.0409.1 providing for establishment of a Suburban Commercial Zone.

Vice Mayor Wincote spoke of the necessity of laying down rules of procedure for the hearing. He asked Mr. McKellar if 1/2 hour for his side (the proponents) would be sufficient.

Mr. McKellar replied "yes".

Next, the Vice Mayor asked if the opposition was satisfied.

An unidentified man said that there were many opponents.

Councilman Dail said that the Council had not had the opportunity to study the proposal.

An unidentified man said it was "not fair".

The Vice Mayor asked the Clerk to read the 2 ordinances.

As a Result, the Clerk read the ordinance referred to above, and ordinance amending San Diego Municipal Code by amending Section 95.0106 pertaining to regulation of signs in certain zones.

Councilman Godfrey was excused.

118466
6149 N.S.
Hearings

Councilman Godfrey returned.

Councilman Schneider asked for an indication of how controversial this ordinance is.

There was small opposition shown in the lobby.

Councilman Burgener said that the 2 (the S-C Zone, and the sign regulation, ordinances) must go together.

The Clerk then started to read the "Sign" amendment, but was interrupted.

Douglas D. Deaper, Deputy City Attorney, said that it is the same as on the books, and suggested reading the change regarding the S-C Zone.

Councilman Wincote, acting as Vice Mayor, expressed the belief that it should all be read.

The reading then continued.

Councilman Dail asked the City Attorney to explain regarding the necessity for application, to all areas, in that he said it could not relate to individual sections of the City.

Mr. Deaper said that the Ordinance would be adopted under police power, and agreed that it would apply to the entire City. He referred to the measure as an enabling ordinance. After the zone is established, all would follow the normal procedures for zoning and re-zoning, he said. He told of the hearings which would be required.

The Vice Mayor asked that speakers avoid repetition.

Wm. P. Mahedy, attorney, asked members of the opposition to the ordinances to meet in the hall, to see if they could come back with a concerted front.

On motion of Councilmen, the Vice Mayor announced that the hearing would be postponed temporarily.

At this point the Council took up the 2 zoning hearings referred to in the beginning of this hearing.

Other action was taken, also, but it is all kept together, to maintain a sense of coherency.

Mr. Mahedy, when the group of opponents returned to the Council Chamber, said that they will not stay on the limitation of time prescribed by the chairman. He stated that he represented 2 clients, but that there are others with similar beliefs.

Councilman Godfrey wanted both sides heard, but urged that they be given equal time. He advocated giving each side 1/2 hour, to start.

On motion of Councilman Godfrey, seconded by Councilman Burgener, 1/2 hour was allotted to each side.

Edmund Sullivan, Attorney, counsel for the La Jolla Town Council, was heard first. He pointed out that the organizing force is in La Jolla. He said that principal portion relates to conditions in La Jolla. He told of its interest in the SC Section. He mentioned people seeking suburban life - all over the United States. It is a reasonable classification, he declared. When people try to escape the unpleasant commercialism, they want to leave the glaring signs, according to the speaker. He agreed that the suburban area contains a commercial area, but that it is different in that it is for the benefit of the area and does not seek to attract buyers from a distance. Suburban dwellers want rest, he stated.

There was applause, which the Vice Mayor stopped. He told the large group that a more orderly hearing, which would go faster, could be conducted minus applause or demonstrations.

Mr. Sullivan spoke of development close to the shore line which has a reflected brilliance of signs in the clouds. He agreed that aesthetics is a touchy subject, and that the proponents are not suggesting aesthetics alone. He told of many towns regulate matters regarding aesthetics - including loud and unusual noises. He pointed out that court decisions must be read to determine their meanings. Judges and legislators do not always say that they mean, he told the Council. Ordinances are often indefinite, making them not effect, he stated. Mr. Sullivan said that the Council is acting in an area where it needs not pretend to ignore the existing situations. The Council has already regulated signs; that a suburban area is a lawful area. He declared that this would be only an enabling ordinance, that it comes later when owners avail themselves of terms of the ordinance. He told the Council that somebody always says that he did not know of the provisions, and tries to delay action. He asked people in favor of the ordinance to arise.

The Vice Mayor said that the Council is listening to the facts, and that he opposed the idea of standing. He pointed out that any group can pack a hall.

Councilman Dail stated that ordinances are not passed on the basis of popularity contests.

Mr. Sullivan said that he was using the method to demonstrate the problem, and the interest in it. He stated that 4 service clubs in La Jolla support the ordinance; 12 property owners on streets involved support it; the La Jolla Town Council supports it. Letters in excess of 450 people support the proposal. He requested adoption.

Douglas McKellar asked for approval of the SC Ordinance by the Council. Tourist business is important to San Diego, but it has diminished in the last few years, he said. Mr. McKellar pointed out that La Jolla appeals to visitors on account of being a lovely community. Property owners in La Jolla indicate strong favor in the passage of the ordinance. He read names of property owners in favor - all of whom own commercial property, Mr. McKellar said. He filed the letters for record. He told of there being letters from 525 La Jolla people who approve.

Robert C. Watts, merchant on Girard Street, spoke in his own behalf, and for other merchants in La Jolla, asked that the Council uphold the ordinance.

William McKenzie, real estate, told of La Jolla real estate people not using signs for property sale or rental.

Joseph E. Padget, president of the City Planning Commission, was heard. He said that merchants and land owners seek solution to the problem. It is important to the city and to tourists to preserve the small town atmosphere (of La Jolla), he said. Mr. Padget declared that it is a distinctive area; persuasive means, but that a few oppose. He said that the City Attorney made suggestions regarding proper zone. Mr. Padget stated that the situation has gone on for more than a year. The proposed ordinance is the result. He

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agreed that it is not a zone for people who do not want it, but for those who do. He said that there is no objection for a majority or 2/3 to be on a petition before being set down for a public hearing. He spoke of a real honest majority, for proper policing. Mr. Padget declared this to be good zoning, and that there has been a record by the Planning Commission favoring it.

Selby Scott, member of the La Jolla Contractors Association, favored protection to the area.

Dr. Roger Ravel told the Council that he flew back from the east last night for this hearing. He said that about 90% of the people, he had been told, don't like ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ Southern California. He related that he had told them that he did not live in Los Angeles, but in La Jolla. Then Dr. Ravel spoke of La Jolla's charm and beauty which should be preserved. He said that he was not opposing the sign people.

Mr. Mahedy, of the law firm of Martin and Mahedy, was heard, representing Foster & Kleiser and Cordtz (both outdoor advertising firms). He contended that the ordinance has to be for all - not for just La Jolla, which would be discriminatory. He told of 2 preceding drafts which had to do with signs, which he read, referring to SC zone. Mr. Mahedy told the Council that the regulation was "stricken out in this draft". Next, he read regarding what is permitted in the area. He pointed out that armories and bath houses are not permitted. Then, he read about the application and the burden on the applicants. He declared that the regulation is discriminatory and unnecessary. He pointed out that the City has the necessary zones now, which can be applied to La Jolla. Mr. Mahedy said that if the ordinance is passed, it would apply to all suburban areas. He charged that it would set up discriminatory machinery. Mr. Mahedy said that the president of the Planning Commission (Mr. Padget, who had spoken earlier in the meeting) favors the ordinance, and declared that it is pre-judged. The advertising business is an honorable business, according to him, and added that it brings both money and employment. He said that such an ordinance is subject to attack. He emphasized that the sign board people don't intend to be driven out of business by the La Jolla people.

A. W. Harper (pres., San Diego Neon Sign Company) told the Council that he resents comments regarding the sign business. He contended that people from San Diego are not for it (the ordinance); that La Jolla people are trying to control the city. He declared that La Jolla merchants call the sign people for signs, and that the sign people do not solicit the business in La Jolla. He told of having been in business since 1921; and that he had never been told that signs are against health. He spoke of having put a light high on Valencia Hotel, which is used as a pilot light by ships at sea. Mr. Harper said that San Diego has the R-1A Zone. He asked why the La Jolla area doesn't go to R-1A Zone, instead of trying to put the sign business out of commission.

John Quimby, San Diego Labor Council, said that he could understand the La Jolla feeling. He agreed that a good job is being done to police La Jolla. However, there is the matter of employment which he felt would be curtailed in the sign industry, if the ordinance were adopted. Mr. Quimby pointed out that the economics of the town revolves around aircraft, and a few other industries. He declared that the City has over 13,000 unemployed. He said that tourists are important to workers, like beauty and industrialism. He expressed opposition to the 2 ordinance, saying that it spreads through the whole city.

Robert Peterson, of Oscar's Restaurants and Jack in the Box restaurant - all restaurants - was heard. He spoke of having made a survey regarding people coming in, and found relation of his business to "impulse business". He said that he does not want to be put out of business on account of being limited on signs.

Allen Price, president of the local motel association, spoke next. He said that the issue before the Council is important to motels. He declared that if the ordinance is passed, a small group could petition for re-zoning, and that they would not have the opportunity to operate.

Harry Florentine, Restaurant and Tavern Association, read a letter which he said he would file, opposing the ordinance regarding signs.

Wanda Smith, of San Diego County Industries, said that she had been authorized by the Board of Directors and membership to oppose the legislation. She said it would be a dangerous weapon regarding the re-zoning; and that the sign industry is representative of a large payroll. Everybody benefits from advertising, according to Miss Smith. She told of having come to know of the importance of diversity of industry. She declared that when industry comes, the City cripples them. Action in passing the ordinance would create a precedent, in her opinion.

I. Jacobson, Jacobson Sign Studio, spoke of the Great White Way in New York which people from all over the world come to see. He said it is not detrimental to the health and welfare. He declared that the ordinance has no foundation, regarding signs. He said that the sign people are working on a policy basis, rather than on definite regulations. He told of having applied to the Planning Commission for a sign at the Mission Valley Nursery, and having been advised that he could not have it. Mr. Jacobson spoke of having applied to the Planning Commission for a sign at the Town & Country Hotel, also in Mission Valley, and had been told that a small sign was needed.

Councilman Dail told of variance to permit the sign, at the Town & Country.

Mr. Jacobson declared that there is the matter of discrimination involved.

There was argument between Mr. Jacobson and Councilman Dail regarding the Jacobson statement that he was not applying for a liquor license (referring to a recent newspaper article).

Vice Mayor Wincote, at this point, interrupted the proceedings by saying that he was trying to abide by a set of rules laid down at the beginning of the hearing.

Again Mr. Jacobson charged that the ordinance is discriminatory, and he asked for "more time".

G. L. McMann, representing the Sign Contractors' Guild of San Diego, was heard. He declared that none of the contractors in his group has put up signs in La Jolla, unless solicited. He re-iterated that they do not put them up, unless they are wanted. There is no record on the health or welfare situations on account of signs, he declared. He said, also, that there are more fires in homes than in businesses. La Jollans are

getting to "see some of San Diego" by coming down to this hearing, Mr. McMann declared. Is it right to restrict workers from making a living?, he asked. It is going to be an eye strain and cause wrecks for people to find places, on account of the small signs authorized, he stated. Mr. McMann said that 1-1/2 years ago all had agreed on the sign matters, all were happy; now "this thing comes up". It was his contention that a small petition should not regulate the whole city. The Council should look at the business point of view, not that of a little local area, according to him. He said that it deserves thought and consideration.

There was discussion between the Vice Mayor, Councilmen Dail and Godfrey, regarding application of the rules for the hearing.

Councilman Schneider said that Mr. McKellar had said that his side was finished, and that he was willing to stay until 2 P.M. if necessary.

The next speaker gave the name which could have been O'May, or O. May. He said that he is in the oil business. He spoke of having to get people into the businesses. He told of cooperating wherever possible with neighbors, so as not to depreciate neighborhoods. Businesses have become sign posts of the community, according to the speaker.

J. W. Percival told of owning an automobile place in La Jolla, and that it had been said that the ordinance would not affect his property. He stated that the City Attorney's office had given him a copy of the ordinance. The ordinance is severe, and provides for practically a black-out to the suburban areas, he declared. Mr. Percival said that it is terrible, and that he opposes the proposal. The public at large is not familiar with the ordinance, he charged. La Jolla people are organized, and the proponents of the issue, he said. Mr. Percival asked for a deferment of 60 days, and stated that in his opinion, the thing should be put in the paper either as news or as advertising.

Laurence Smith, representing the City and County automobile dealers, spoke. He contended that if districts come into rezone, it will be a deterrent to business - especially regarding Sec. F regarding not having more than 5 employees in a shop. Regarding the signs, the present ordinance is sufficient, he said.

Hap Holliday, representing the Grocery Association, spoke next. In La Jolla grocers conform to requirements, he said. He spoke of great plans for future in San Diego - for which signs are a necessity. He told about a new store in Lemon Grove which had spent \$10,000. for a fence, to improve the neighborhood. Mr. Holliday told the Council that he is going to Dallas - apparently the great amount of money comes from Texas - to see if he can get new businesses. He mentioned Safeway is to build a new store. The grocery business is big - and that they have to be able to tell people about it.

Morrey Collins, of the electricians' union, spoke next. He declared that the ordinance would affect people, and cut down employment. He urged doing what can be, to get other industries.

The Vice Mayor announced that rebuttal would now be heard.

Mr. Sullivan said that some speakers had referred to the health of people. He quoted a statement regarding health on police power in jurisprudence, regarding various phases on account of health. The necessary implication by the opposition is that it is against zoning, Mr. Sullivan said. He said that he does not want to destroy zoning. He spoke for a balance, and said that zoning is needed. Mr. Sullivan told of restriction regarding necessity for limitation on industries. La Jolla has created and maintained a distinctive area, and that it is desired that it be maintained. According to the speaker, the opposition thinks there would be an improper regulation. Next he referred to the Sign Ordinance. Mr. Sullivan said that there would be generous sign provided. He said that it is a question of balancing the deadlock. Mr. Sullivan contended that the only way to preserve a distinctive community is by adoption of regulatory ordinance. He declared that it would not affect La Jolla - or any other part of the City - unless applied to a particular area. He agreed to suggestion, where the area is not suburban. He stated that he was reasonably certain that SC area in La Jolla would be a proper classification. Mr. Sullivan pointed out that objection is through an argument which always is leveled at all zoning ordinances - but that should be decided by the courts.

Dr. Ravel expressed the belief that the ordinance has possibly been misconstrued, and that it would be applied only block-by-block - where wanted. There has been a move on for signs on Girard Avenue in La Jolla (the shopping district) to conform to "this" ordinance, Dr. Ravel said. A few have not agreed, but some have been corrected through policing by the town. Some signs, however, have been erected without knowledge and then the group cannot police them, Dr. Ravel told the Council.

It was moved by Councilman Godfrey, seconded by Councilman Burgener, to close the hearing.

The roll was not called at this point, on account of further discussion by members of the Council.

Vice Mayor Wincote spoke of having tried to make a decision regarding the hearing.

Councilman Godfrey expressed favorable reaction to sticking with the rules. Councilman Godfrey moved, and Councilman Burgener seconded to "stick with the rules".

The roll was called on the motion to close the hearing, resulting in: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--Councilman Schneider. Absent--Mayor Butler.

As a result of the roll call, the Vice Mayor declared the hearing closed.

Councilman Kerrigan stated that the hearing should be continued - to Thursday of next week, and be referred to Council Conference in the meantime.

Councilman Godfrey moved to continue the closed hearing 2 weeks.

Next, Councilman Kerrigan moved to continue the subject 2 weeks, with hearing closed, which motion was seconded by Councilman Godfrey.

Dr. Ravel asked if there would be a further hearing.

Several members of the Council replied "no; the hearing is closed".

Councilman Kerrigan stated that if there is a change there would be a hearing needed.

Councilman Burgener agreed that if it is changed, it should be re-heard.

The roll was called on the motion to continue and close hearing.

The Vice Mayor declared a 10-minute recess, in order to clear the Council Chamber of the great number of persons interested only in the foregoing hearing.

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Upon reconvening, the roll call showed the following:

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

Three items were considered at this time, out of order, all affecting property located in Pueblo Lot 1286.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting Resolution suspending 2 sections of Municipal Code re tentative map to divide one parcel in Pueblo Lot 1286 into 3 lots; submitting Resolution approving Tentative Map subject to 5 conditions; and communication from John and Frances Tyler "appealing" from decision of Board of Zoning Adjustment re dividing the property, were presented. The communicants request permission to divide the property without construction of improvements usually required of a subdivider, etc.

Frances Tyler spoke to the Council about the property, designated by the Planning Department as "Rakestraw Property". Mrs. Tyler had a statement which she read. She spoke about having tried to interest neighbors in putting in the street and sewer. They did not want what had been recommended, however, by the Planning Commission. She spoke of not being able to dedicate property as requested, inasmuch as she does not own it, nor do the sellers. It is private, she pointed out.

Councilman Kerrigan asked who would dedicate.

Mrs. Tyler said that for public use, on East Roseland Drive.

Councilman Kerrigan wondered that there is no public street, if Mrs. Tyler could get a permit.

Mrs. Tyler read the Planning Commission's resolution. She said that basis for decision was that many lots would be 1/2 the size of hers (1/2 lots). She said that the Commission is not permitting anything, but asking for grading in front of other peoples' property. If the grading should be put in, the neighbor would be 8 feet below, and that someone would have to build a retaining wall. Mrs. Tyler told of having 10 signatures. She said it is a used and traveled easement.

Councilman Kerrigan said that the Council can't decide today.

The Vice Mayor pointed out that it was already past 12 o'clock, and that Glenn A. Rick, Planning Director, had left the meeting in that he was speaking to another group.

Councilman Dail was excused.

Mrs. Tyler said that Mr. Rick "voted" in favor of the waiver. After some discussion on that point, she agreed that he "recommended".

Councilman Godfrey said that the Council will know about it for Tuesday. Douglas D. Deaper, Deputy City Attorney, said that Mrs. Andreen (Deputy City Attorney) had spoken of a possible solution.

Mrs. Tyler said that Harry Haelsig, Asst. Planning Director, had stated that it might be possible to have the situation worked out on a neighborhood basis.

Vice Mayor Wincote pointed out that there is no sewer now.

Mrs. Tyler told of preferring to have a sewer, but that there are difficulties. She said that purchase is being made subject to dividing the property. She told the Council that the Health Department had said that a septic tank could be used, but that sewers would be "nice".

On motion of Councilman Burgener, seconded by Councilman Godfrey, the 3 items were continued until Tuesday, June 15, 1954.

The next item was taken out of order.

Communication from The San Diego Community Theatre requesting review of Planning Commission's decision relative to proposed structure behind the Old Globe Theatre, in Balboa Park, was presented.

George Harris, business manager of the community theatre, was heard. He told of need for a building in which to construct sets. The theatre has to be dark between productions, on account of having no place to prepare sets. He had made a suggestion for building behind the theatre, which trees and the theatre itself will hide, according to Mr. Harris. He pointed out that it would be "far from the public eye". Mr. Harris said that the Planning Department had said that the building should be turned down, because it does not conform to other buildings in the park. Siding, alone, on the structure would cost \$8,000. according to Mr. Harris. He asked for a review of the decision.

Councilman Schneider asked if the problem had been presented to the Park and Recreation Department.

Mr. Harris replied "yes", but it was not definite what was wanted. He related that Park Director Allen Perry had said that it would be an advantage to have the building.

Councilman Wincote said that it should be referred to the City Manager.

The City Manager told the Council that he could report back next week.

Councilman Godfrey moved to continue the communication 1 week, refer it to the City Manager, and have it placed back on the agenda for next Thursday - June 17 - which motion was seconded by Councilman Burgener, and carried.

The next item, being Resolution granting petition for closing 15-foot path between Lots 9 and 10 Block 41 La Jolla Hermosa Unit No. 2; and repealing Resolution No. 118134, was presented.

Councilman Burgener said that the affected property owners were not familiar with the proposition. He asked for a delay.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the matter was continued to Tuesday, June 15, 1954.

Communications -
Continued items

Councilman Dail returned.

In connection with the following items, the Vice Mayor explained that the Council would go through them rapidly, inasmuch as they were largely routine and had already been considered in the conference preceding this meeting. Many of them have to do with actions recommended and presented by City departments.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids for Small Water Main Replacements Group No. 13, received from 4 bidders, on May 25, 1954, was presented. It recommended award to W. V. Hutchison Company, low bidder, in amount of \$69,996.11 - estimate was \$80,427.00. This item had been before the Council on June 1, 1954, and continued.

RESOLUTION NO. 118467, recorded on Microfilm Roll No. 80, accepting bid of W. V. Hutchison Company for Small Water Main Replacements, Group 13; awarding contract; authorizing and instructing City Manager to enter into and execute contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received May 28, 1954, for furnishing 30 2" cold water disc meters, from 3 bidders, was presented. It recommends award to Industries Supply Company, of San Diego, low bidder, at \$118.00 for each.

RESOLUTION NO. 118468, recorded on Microfilm Roll No. 80, accepting bid of Industries Supply Company of San Diego for furnishing 30 2" cold water disc meters; awarding contract; authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for construction of storm drain in Talbot Street east of Canon Street and in P.L. 190, received from 7 bidders on May 26, 1954, was presented. It recommends award to Walter H. Barber, low bidder, in amount of \$9,622.37 - 19.8% below estimate of City Engineer's office.

RESOLUTION NO. 118469, recorded on Microfilm Roll No. 80, accepting bid of Walter H. Barber for construction of storm drain in Talbot Street and in P.L. 190; awarding contract; authorizing and instructing City Manager to enter into and execute contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for installation of traffic signals and safety lighting systems at intersections of Mission Boulevard at Garnet Street, and B Street at Ninth Avenue, received from 3 bidders on May 28, 1954, was presented. It recommends award to Ets-Hokin & Galvan, low bidder, in amount of \$14,940.40 - 5.5% below estimate of City Engineer's office.

RESOLUTION NO. 118470, recorded on Microfilm Roll No. 80, accepting bid of Ets-Hokin & Galvan for installation of traffic signals and safety lighting systems; awarding contract; authorizing and instructing City Manager to enter into and execute contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids (being an offer) to rebuild and renew 40 of City's Model "E" Park-O-Meters from Magee-Hale Park-O-Meter Company of Oklahoma City, Oklahoma, at \$24.70 each, with delivery charges included to and from San Diego, was presented. It recommends accepting offer and that Purchasing Agent be authorized to issue a purchase order for the work.

RESOLUTION NO. 118471, recorded on Microfilm Roll No. 80, accepting offer of Magee-Hale Park-O-Meter Company to rebuild and renew 335 Model "E" Park-O-Meters; authorizing and directing Purchasing Agent to issue purchase order pursuant to correspondence on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118472, recorded on Microfilm Roll No. 80, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing City of San Diego with its requirement (approximately 10,000 cubic yards) of Decomposed Granite for period of one year, July 1, 1954 through June 30, 1955, in accordance with Notice to Bidders, etc., on file in office of City Clerk bearing Document No. 491707, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118473, recorded on Microfilm Roll No. 80, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing City of San Diego with Lubricating Oil requirements for period of one year commencing July 1,

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1954 and ending June 30, 1955, in accordance with Notice to Bidders, etc., on file in office of City Clerk bearing Document No. 491708, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118474, recorded on Microfilm Roll No. 80, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing City of San Diego with requirement of Pre-Mixed and Transit-Mixed Concrete for period of one year, July 1, 1954, through June 30, 1955, in accordance with Notice to Bidders, etc., on file in office of City Clerk bearing Document No. 491709, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Feller Heights, a 4-lot subdivision of portion of North Half of Pueblo Lot 172 located on south side of Charles Street east of Gage Drive, subject to 10 conditions, was presented.

RESOLUTION NO. 118475, recorded on Microfilm Roll No. 80, approving Tentative Map of Feller Heights, subject to conditions in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by P. Q. Burton, recommending that name of Camino del Oro, easterly of La Jolla Shores Drive, be changed to Calle del Oro, due to problem in house numbering system, was presented. It states letters were sent to property owners who chose the proposed name, which meets with approval of interested departments.

RESOLUTION NO. 118476m recorded on Microfilm Roll No. 80, adopting recommendation of Planning Commission for changing name of Camino del Oro east of La Jolla Shores Drive, to Calle del Oro; directing City Attorney to prepare and present Ordinance changing the name, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication entitled "Driver Education Project Report", signed by Patricia H. Ross, Instructor, H. L. Weisbrod, Department Chairman - Casa de Piedra Rancho Rt. 3 Box 1005 Escondido, California, attaching a long "Invitation for personal check on your driving (also to family and friends)", was presented.

RESOLUTION NO. 118477, recorded on Microfilm Roll No. 80, referring to Council Conference communication from H. L. Weisbrod and Patricia H. Ross, was on motion Burgener, seconded by Councilman Godfrey, adopted.

Communication L. Jorgensen, 4025 Van Dyke Ave., San Diego, dated 6-1-54, opposing use of Fluorine in City water, etc., was presented.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, it was ordered filed.

Communication from Thompson & Colegate, Attorneys at Law, 444 North Palm Canyon Drive, Palm Springs, California, dated June 5, 1954, signed by Henry V. Cleary, was presented. It deals with a request under date of April 21, 1954, for hearing re lease with W. H. & Chas. Coleman (not identified).

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

Communication from E. B. Zink, 629 University Avenue, San Diego 3, California, dated June 1, 1954, was presented. It refers (again) to 2 undedicated areas in North La Jolla: East Roseland Drive from Torrey Pines Road, and Ardath Road, resulting in numbering system, etc. It requests attention to the streets and the bringing about of a uniform numbering system.

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

RESOLUTION NO. 118478, recorded on Microfilm Roll No. 80, directing notice of filing of assessment and of time and place of filing of Assessment No. 2250 made to cover costs and expenses of work done upon paving and otherwise improving Jennings Street, Albion Street and Silvergate Avenue, under Resolution of Intention No. 111923, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118479, recorded on Microfilm Roll No. 80, directing notice of filing of assessment and of time and place of filing of Assessment No. 2251 made to

cover costs and expenses of work done upon paving and otherwise improving Martin Avenue under Resolution of Intention No. 113494, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 118480, recorded on Microfilm Roll No. 80, accepting bid of Griffith Company, a corporation, and awarding contract, for paving and otherwise improving Commercial Street, under Resolution of Intention No. 117357, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The City Engineer reported in writing that low bid is 31.9% below the estimate.

RESOLUTION OF AWARD NO. 118481, recorded on Microfilm Roll No. 80, accepting bid of M. H. Golden Construction Company, a corporation, and awarding contract, for paving and otherwise improving Jamacha Road and Flicker Street, under Resolution of Intention No. 117358, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The City Engineer reported in writing that low bid is 38.4% below the estimate.

RESOLUTION OF AWARD NO. 118482, recorded on Microfilm Roll No. 80, accepting bid of Daley Corporation, a corporation, and awarding contract, for paving and otherwise improving Mohawk Street, 71st Street and 72nd Street, under Resolution of Intention No. 117359, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The City Engineer reported in writing that low bid is 34.2% below the estimate.

RESOLUTION OF AWARD NO. 118483, recorded on Microfilm Roll No. 80, accepting bid of San Diego Gas & Electric Company, a corporation, for furnishing electric current for lighting ornamental street lights located in San Diego Lighting District No. 2, for period of one year from and including July 1, 1954, in accordance with Engineer's Report and Assessment filed March 22, 1954 in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 118484, recorded on Microfilm Roll No. 80, for paving and otherwise improving Alley Block 102 Central Park, within limits and as described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 118485, recorded on Microfilm Roll No. 80, for paving and otherwise improving Alley Block 78 Point Loma Heights, within limits and as described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 118486, recorded on Microfilm Roll No. 80, for paving and otherwise improving 53rd Street, Santa Margarita Street, and San Jacinto Drive, within limits and as described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 118487, recorded on Microfilm Roll No. 80, for furnishing electric current for lighting ornamental street lights located in La Jolla Shores Lighting District Number One, for period of one year from and including September 15, 1954, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 118488, recorded on Microfilm Roll No. 80, for furnishing electric current for lighting ornamental street lights located in Midway Drive Lighting District Number One, for period of one year from and including October 1, 1954, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118489, recorded on Microfilm Roll No. 80, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current for lighting ornamental street lights located in University Avenue Lighting District, for period of one year from and including August 7, 1954, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

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RESOLUTION NO. 118490, recorded on Microfilm Roll No. 80, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 56 Ocean Beach, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118491, recorded on Microfilm Roll No. 80, ascertaining and declaring wage scale for paving and otherwise improving Grand Avenue, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118492, recorded on Microfilm Roll No. 80, ascertaining and declaring wage scale for paving and otherwise improving Russ Boulevard, 25th Street, and 26th Street, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118493, recorded on Microfilm Roll No. 80, directing City Clerk to publish in the official newspaper at least before 1st of July, 1954, Notice of Authorization of Agreement is intended to be authorized with La Mesa-Spring Valley School District to provide adequate personnel by Park and Recreation Department to supervise recreation activities on playground at Rolando Park Elementary School, which agreement involves payment of money out of appropriations of more than one year, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118494, recorded on Microfilm Roll No. 80, approving request of Ets-Hokin & Galvan, dated May 21, 1954, contained in Change Order No. 1, for extension of 30 days, to and including June 22, 1954, heretofore filed with City Clerk as Document No. 491746, in which to complete contract for installation of traffic signals on Cass and Faniel Streets, et al., contract contained in Document No. 484048; extending completion time to June 22, 1954, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118495, recorded on Microfilm Roll No. 80, approving Change Order No. 2, filed with City Clerk as Document No. 491748, issued in connection with contract between City of San Diego and Ets-Hokin & Galvan for installation of traffic signals and safety lighting on Wabash Boulevard, Section "B", contract contained in Document No. 484528 on file in office of City Clerk; changes amounting to increase in contract price of \$367.56, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118496, recorded on Microfilm Roll No. 80, authorizing City Manager to execute, for and on behalf of the City, lease with Campbell Chevrolet Company of portions of Fairbairn's Sub of Orange Hill Park Reserve according to Map No. 939 and portions of Judson's Sub of Orange Hill Park Reserve, for term of 10 years at yearly rental of \$900.00; description and terms and conditions to be set forth in form of lease filed in office of City Clerk under Document No. 491854; real property has value of \$8,000.00; leased for reason that City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118497, recorded on Microfilm Roll No. 80, granting revocable permit to Feliciano P. Ben to install 4-inch cast iron sewer line between property line and run in southerly direction, parallel to westerly line of Lot 24 Block 410 H. C. Skinner's Addition, to point of intersection with public sewer; subject to approval of Chief Plumbing Inspector and City Manager, upon conditions set forth in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118498, recorded on Microfilm Roll No. 80, granting revocable permit to G. S. Dale, 3308 Harbor View Drive, San Diego, to install 4-inch vitrified clay concrete encased sewer line between property line and sidewalk; to be placed 2 feet outside property line and run in southerly direction, parallel to easterly line of Lot 11 Block 5 Golden Park Subdivision, to point of intersection with private sewer; to serve property at 930 Golden Park Place; subject to approval of Chief Plumbing Inspector and City Manager, upon conditions set forth in Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118499, recorded on Microfilm Roll No. 80, granting Stanley Picard, 1169 Pacific Beach Drive, San Diego, permission to install a 50-foot driveway

on south side of Pacific Beach Drive, between Dawes and Everts Streets, adjacent to Lot 22 Southern Title Subdivision of Pueblo Lot 1801, to provide access to off-street parking for 5 cars, plus driveway entrance to 4 garages in connection with 10-unit apartment being built, subject to conditions contained in the Resolution, was Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118500, recorded on Microfilm Roll No. 80, granting permission to San Diego City Schools, Park Boulevard at El Cajon Avenue, San Diego, to install and maintain underground conduit for electric and telephone services across Torrey Pines Road and future Hidden Valley Road, to the Ellen Browning Scripps Elementary School at La Jolla, subject to the various terms contained in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118501, recorded on Microfilm Roll No. 80, granting permission to Western Metal Supply Company, 7th and K Streets, San Diego 12, California, to install and maintain 1 2,000-gallon gasoline tank in sidewalk area between property line and curb line on east side of 8th Avenue, 80 feet south of L Street - upon a revocable basis - on conditions contained in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118502, recorded on Microfilm Roll No. 80, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against property in portion of Pueblo Lot 256 described in the 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 the property be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118503, recorded on Microfilm Roll No. 80, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against property in portions of Block "G" Starkey's Prospect Park described in the 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 the property be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118504, recorded on Microfilm Roll No. 80, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against property in portion of Lot 256 of the Pueblo Lands of San Diego described in the 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 the property be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118505, recorded on Microfilm Roll No. 80, authorizing Sydney M. Franklin, Fire Marshal, to attend the 1954 Arson Investigation Short Course, sponsored by the University of California, at Berkeley, June 21 to 25, 1954; authorizing incurring of all expenses in connection with the trip, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118506, recorded on Microfilm Roll No. 80, authorizing Glenn A. Rick, City Planning Director, to attend hearing before Senate Interim Committee on Public Lands, to be held in Sacramento, California, June 23, 24, 25, 1954; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118507, recorded on Microfilm Roll No. 80, vacating easement for general public purposes, in southerly 15.0' of Lot 194 Clairemont Unit No. 2, title to revert to owners free from rights of the public; directing the City Clerk to cause certified copy of the resolution, attested under seal, to be recorded in office of County Recorder of San Diego County, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The Resolution states that Subdivision of Clairemont Unit No. 2 established general easements for public purposes, that easement was acquired more than one year and less

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than five years next preceding date of the resolution and has not been used since acquired by the City of San Diego on March 2, 1951; that easement is unnecessary for present or prospective public use by the City.

RESOLUTION NO. 118508, recorded on Microfilm Roll No. 80, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of and as act and deed of The City of San Diego a quitclaim deed quitclaiming to Richard J. Wilson and Thelma J. Wilson, husband and wife, as joint tenants, its reversionary rights heretofore conveyed to The City of San Diego by El Cajon Valley Company by deed recorded in Book 1630 at Page 100 of Official Records in portions of Lots 103 and 115 El Cajon Valley's Company Lands, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The Resolution states that the Wilsons are desirous of subdividing the land; that reversionary interest owned by The City constitutes obstruction to subdividing in the City would be required to sign the subdivision map as owner of an interest, or relinquish its rights prior to the subdivision; that reversionary rights owned by the City have no value as disclosed by last report of the City Auditor, and that City Manager has recommended that the City quitclaim its reversionary interest to the owners of the property.

RESOLUTION NO. 118509, recorded on Microfilm Roll No. 80, allowing bill of San Diego City and County Convention Bureau, dated June 3, 1954, in sum of \$136.62 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund for fiscal year 1953-1954, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Ordinance which had been before the Council for several months, and continued week-to-week, approving annexation to 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", was presented again.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, it was continued for one week - to June 17, 1954.

In addition, the following action was taken, after recommendation of the City Manager that it be continued one week.

RESOLUTION NO. 118510, recorded on Microfilm Roll No. 80, referring matter of adoption of proposed Ordinance Approving Annexation to City of San Diego of portions of Tidelands of San Diego Bay, in County of San Diego, known as "San Diego Harbor Tidelands", to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the reading of the next ordinance was dispensed with by 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. 6150 (New Series), recorded on Microfilm Roll No. 80, approving annexation to City of San Diego of territory in County of San Diego, State of California, designated as "La Mesa Colony Tract No. 5", was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the reading of the next ordinance was dispensed with by 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. 6151 (New Series), recorded on Microfilm Roll No. 80, creating positions of Assistant to Port Director and Public Relations Officer in the Classified Service of The City of San Diego, and establishing Schedule of Compensation therefor, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Ordinance amending San Diego Municipal Code by adding new section to be known as and numbered Section 101.0615 regulating Living Floor Space - Dwellings - was presented.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, a hearing was set for the hour of 10:00 o'clock A.M., Thursday, July 8, 1954.

Ordinance amending San Diego Municipal Code by amending various sections, and adding several sections - regulating transportation, storage and use of Liquid Petrol-

118508 - 118510
6150 N.S. - 6151 N.S.
Hearing set on Ord.

eum Gas - was presented.

(The Ordinance was a new draft - previous one having been filed).

RESOLUTION NO. 118511, recorded on Microfilm Roll No. 80, referring to Council Conference proposed Ordinance amending San Diego Municipal Code governing transportation, storage and use of Liquid Petroleum Gas, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

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

On motion of Councilman Godfrey, seconded by Councilman Burgener, the reading of the ordinance was dispensed with by 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. 6152 (New Series), appropriating \$8,500.00 from Unappropriated Balance Fund, for providing funds for reconditioning used Park-O-Meters, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Ordinance establishing City Employees' Retirement System for employees of the City of San Diego, and superseding in part Ordinance No. 10792 adopted November 29, 1926 - which had been continued to this meeting from June 8, 1954 - was presented.

On motion of Councilman Godfrey, seconded by Councilman Burgener, the Ordinance was continued to Tuesday, June 15, 1954.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, Ordinance amending Section 86.20.2 of the San Diego Municipal Code which regulates parking in the Civic Center Parking Lots - and authorizing lease for public parking purposes any portion of the parking lots immediately north and south of the Civic Center Building between hours of 6:30 P.M. and 7:30 A.M. of any 24-hour period, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The next item on the agenda - regarding sign regulations - was considered earlier in the meeting - was held over for 2 weeks (to June 24, 1954)

On motion of Councilman Burgener, seconded by Councilman Kerrigan, Ordinance dedicating portion of Pueblo Lot 307 for street purposes and naming it Congress Street, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

On motion of Councilman Burgener, seconded by Councilman Godfrey, Ordinance dedicating portion of Lot 28 Ex-Mission Lands of San Diego (Horton's Purchase) for street purposes and naming the same 47th Street, was introduced by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

On motion of Councilman Godfrey, seconded by Councilman Burgener, Ordinance changing name of Spreckels Avenue in Lomita Village Units 1, 2, 4 to Sawtelle Avenue, was introduced, by the following vote: 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 resolution, not listed on the agenda:

RESOLUTION NO. 118512, recorded on Microfilm Roll No. 80, endorsing and approving position taken by Colorado River Board, and joins in respectfully urging representatives of this State in the Senate and House of Representatives to stand united in opposition to enactment of legislation - Colorado River Storage Project S. 1555 and H.R. 4449, 83d Congress) and the Fryingpan-Arkansas Project (S. 964 and H.R. 236, 83d Congress) for reasons that projects would adversely affect quantity and quality of water to which California is entitled, and could not be constructed without unwarranted Federal subsidies and financing upon a formula lacking economic feasibility, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The City Manager requested, and was granted, unanimous consent, to present the next resolution, not listed on the agenda:

118511 - 118512
6152 N.S.
Ords. introduced

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RESOLUTION NO. 118513, recorded on Microfilm Roll No. 80 - authorizing San Diego Lodge No. 168 of B.P.O. Elks to conduct Flag Day service in Balboa Park on June 14, 1954, at 7:30 P.M., was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

The Resolution states that week commencing June 13 through June 19, 1954, has been declared "Know Your America Week", that said Lodge has planned a Flag Day Service in commemoration, to be held on June 14, and that it is the opinion of the Council that the celebration is one all inhabitants of the City should observe.

The City Manager requested, and was granted permission to present the next item, not listed on the agenda:

Communication from the Purchasing Agent reporting on bids received May 25, 1954, for resurfacing Arenas, Camino del Collado et al., Specification 686 (III) from 4 bidders, was presented. It recommends award to Griffith Company, low bidder, in amount of \$19,990.32 - estimate was \$19,682.25.

RESOLUTION NO. 118514, recorded on Microfilm Roll No. 80, accepting bid of Griffith Company for resurfacing Arenas, Camino del Collado, et al; awarding contract, authorizing and instructing 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 office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

The City Manager requested, and was granted permission to present the next item, not listed on the agenda:

RESOLUTION NO. 118515, recorded on Microfilm Roll No. 80, setting public hearings for Tuesday, June 22, 1954 at 10:00 o'clock A.M., and for Thursday, June 24, 1954 at 10:00 o'clock A.M. in the Council Chamber, Administration Building, Civic Center, for purpose of affording public opportunity to be present and express themselves with reference to Annual Appropriation Ordinance proposed to be adopted for fiscal year 1954-1955; directing City Clerk to publish for 5 days in official newspaper prior to the hearings, a notice of Public Hearings, notice to contain statement that proposed ordinance will not be adopted until after public hearings have been heard, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

The City Clerk was directed to list the hearings as the first item of business for each of the 2 days.

The City Manager requested, and was granted permission to present the next item, not listed on the agenda - but which had been before the Council on June 3, 1954, and held up at the request of Mona Andreen, Deputy City Attorney.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Delta Heights Annex Unit No. 1, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 118516, recorded on Microfilm Roll No. 80, authorizing and directing 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. 1 subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118517, recorded on Microfilm Roll No. 80, adopting Map of Delta Heights Annex Unit No. 1, a subdivision of portions of Lots 19 and 20 Wadsworth's Olive Grove Map No. 482, together with portions of easterly one-half of Baily Avenue (formerly Summit Avenue) and northerly one-half of Laurel Street having been vacated and closed to public use on October 3, 1952, by Decree Quietening Title rendered in Superior Court of State of California in and for County of San Diego (Case No. 176171), certified copy of degree having been filed in office of Recorder of San Diego County in Book 4613 Page 591 of Official Records, on October 6, 1952; accepting on behalf of the public Baily Avenue, Palm Street, Olive Street, Nutmeg Street, Maple Street and unnamed easements shown on the map, together with all abutters' rights of access in and to proposed Chollas Parkway; declaring them to be public streets and easements dedicated to the public; authorizing and directing Clerk of the City to endorse upon the map, as and for the act of the Council, that they are accepted on behalf of the public; directing 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 Burgener, seconded by Councilman Kerrigan, adopted.

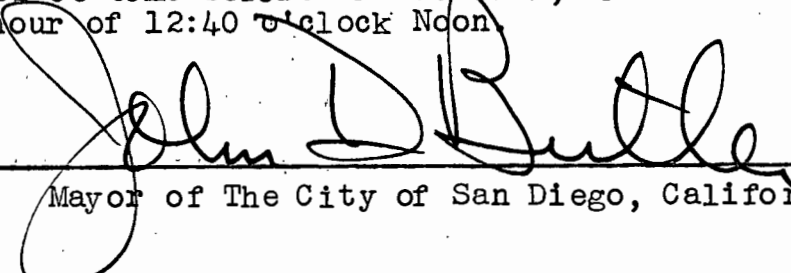
Councilman Kerrigan complimented Vice Mayor Charles B. Wincote for his able handling of the S-C Zone and the Sign Ordinances hearings.

There being no further business to come before the Council, the Vice Mayor declared the meeting adjourned at the hour of 12:40 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By 


Mayor of The City of San Diego, California

118513 - 118517

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, June 15,
1954

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Absent---Councilmen None
Clerk----Fred W. Sick

The Mayor presented Dr. Willard A. Page, pastor of the Old San Diego Community Church. Dr. Page gave the invocation.

The Minutes of the Council Meetings of Wednesday, June 9, 1954 (not held; only adjourned to Thursday, June 10, 1954) and the June 10, 1954 meeting, were approved without reading - after which they were signed by the Mayor.

The Mayor awarded service pins to the following employees, honoring their lengthy service with the City of San Diego:

Mrs. Katherine Russ, Senior Recreation Leader, Recreation Division of the Park and Recreation Department - 30 years;

Miss Ada McLouth, Senior Librarian, Governmental Reference Library located in the Civic Center - 25 years;

Mrs. Mary C. Rhoads, Librarian I, Circulation Department of the Public Library - 25 years.

The Mayor announced that Edwin W. Beal, Chief Plumbing Inspector - 30 years; - and Austin I. Sisson, Assistant Civil Engineer - 30 years; to whom services awards were to have been made, were not present, and that their awards would be made later.

The next matter was set on the agenda as a special order of business:

Communication from Frontier Coordinating Council, dated June 8, 1954, signed by Jim Dandurand, president; and communication from Frontier Coordinating Council, signed by James R. Dandurand, also, were presented.

The Mayor recognized Mr. Dandurand, who told the Council about lack of street lights along Frontier Street between Rosecrans Street and West Point Loma Boulevard. He declared it to be a bigger problem than in other areas of the City. Mr. Dandurand spoke of there having been 2 deaths on the street. He spoke of letter from the City Manager dated December 28, 1954, regarding needed lighting. He read a portion of the letter, which he filed. He told of the Manager's reference to funds having been included in the budgets 1953 and 1954; but having been retracted on account of government activity in connection with removal of some of them.

Councilman Burgener stated that the condition is serious.

RESOLUTION NO. 118518, recorded on Microfilm Roll No. 81, referring to Council Conference communication from Frontier Coordinating Council, by Jim Dandurand, president, concerning pedestrian safety in that community, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving of bids for construction of Sanitary Outfall Sewer from Grand Avenue and Figueroa Boulevard to De Anza Point Sewage Pump Station (W.O.21205) - Specification No. 413 - the Clerk reported that 7 bids had been received. The bids were presented to the Council, and 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. 492048;

Rogers Construction Company, accompanied by bond written by United States Fidelity and Guaranty Company in the sum of 10% of the amount bid, given Document No. 492049;

Walter Schafer and Lawrence T. Stowers, dba Schafer & Stowers, accompanied by bond written by American Surety Company of New York in the sum of 10% of total amount bid, given Document No. 492050;

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, given Document No. 492051;

Councilman Kerrigan was excused:

H. H. Peterson, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$3,000.00, given Document No. 492052;

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L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of 10% of amount of bid, given Document No. 492053;

William H. Clint, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of 10% of amount of accompanying bid, given Document No. 492054.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving bids for Small Water Mains, Rolando Village and Vicinity - Specification No. 96 - the Clerk reported that 6 bids had been received. They were presented to the Council, and on motion made and seconded, 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 the amount bid, given Document No. 492055;

W. A. Robertson, S. E. Robertson, B. W. Robertson, W. L. Robertson and D. V. Upshaw doing business as W. A. Robertson & Company, accompanied by bond written by Fidelity and Deposit Company in the sum of 10% of the amount of the bid, given Document No. 492056;

Walter Schafer and Lawrence T. Stowers, dba Schafer & Stowers, accompanied by bond written by American Surety Company of New York in the sum of 10% of total amount bid, given Document No. 492057;

W. V. Hutchison Co., accompanied by bond written by Fireman's Fund Indemnity Company in the sum of 10% of the amount of the accompanying bid, given Document No. 492058;

Royal Pipeline Construction Co., Inc., accompanied by bond written by The Home Indemnity Company in the sum of 10% of bid, given Document No. 492059;

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, given Document No. 492060.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving bids for paving and otherwise improving Alleys Block 66 Resubdivision of Blocks 39 and 56 Normal Heights, under Resolution of Intention No. 117465, the Clerk reported that 4 bids had been received. They were presented to the Council, and on motion made and seconded, they were publicly opened and declared.

The bids were as follows:

Dan McF. Chandler, accompanied by bond written by Pacific Employers Insurance Company in the sum of \$450.00, given Document No. 492061;

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. 492062;

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. 492063;

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. 492064.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving bids for sewers in Klauber Avenue, Pierino Drive, Zeller Street, Plover Street, Hilger Street, Gibson Street, Tarbox Street, Madera Street and Public Rights of Way, under Resolution of Intention No. 117467, the Clerk reported that 7 bids had been received. They were presented to the Council, and on motion made and seconded, they were publicly opened and declared.

The bids were as follows:

H. C. Dennis, accompanied by bond written by American Surety Company of New York in the sum of \$12,000.00, given Document No. 492065;

Councilman Kerrigan returned to the meeting.

Charles J. Dorfman, accompanied by bond written by Peerless Casualty Company in the sum of \$10,000.00, given Document No. 492066;

Walter H. Barber and H. R. Breeden, as joint venturers, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of \$11,000.00, given Document No. 492067;

H. H. Peterson, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$15,000.00, given Document No. 492068;

L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of \$20,000.00, given Document No. 492069;

Cameron Bros. Construction Company, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$12,000.00, given Document No. 492070;

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Walter Schäfer and Lawrence T. Stowers, dba Schafer & Stowers, accompanied by bond written by American Surety Company of New York in the sum of \$10,000.00, given Document No. 492071;

Sim J. Harris Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$11,500.00, given Document No. 492072.

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

***Councilman Kerrigan was excused

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for sewers in Maple Street, Laurel Street, 44th Street, Alleys, 45th Street, Highland Avenue, Public Rights of Way, Olive Street and Fairmount Avenue, under Resolution of Intention No. 117468, the Clerk reported that 4 bids had been received. They were presented to the Council, and on motion made and seconded, they were publicly opened and declared.

The bids were as follows:

Walter H. Barber & H. B. Breeden, as joint venturers, accompanied by bond written by Hartford Accident & Indemnity Company in the sum of \$9,000.00, given Document No. 492073;

Councilman Kerrigan returned.

H. H. Peterson, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$15,000.00, given Document No. 492074;

Cameron Bros. Construction Company, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$8,500.00, given Document No. 492075;

Walter Schafer and Lawrence T. Stowers, dba Schafer & Stowers, accompanied by bond written by American Surety Company of New York in the sum of \$8,500.00, given Document No. 492076.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, they were referred to the City Manager and to 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 Quimby Street, under Resolution of Intention No. 117466, the Clerk reported that 4 bids had been received. They were presented to the Council, and on motion made and seconded, they were publicly opened and declared.

The bids were as follows:

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, given Document No. 492077;

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. 492078;

Giffith Company, accompanied by bond written by National Surety Corporation in the sum of \$600.00, given Document No. 492079;

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. 492080.

On motion of Councilman Schneider, seconded by Councilman Burgener, they were referred to the City Manager and to 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 for lighting ornamental street lights located in San Diego Lighting District No. 3, for a period of one year from and including July 16, 1954, the Clerk reported that one bid had been received. It was presented to the Council, and on motion made and seconded, it was publicly opened and declared.

The bid was as follows:

San Diego Gas & Electric Company, accompanied by certified check in the sum of \$791.35 written by San Diego Trust and Savings Bank, given Document No. 492081.

On motion of Councilman Burgener, seconded by Councilman Schneider, it was referred to the City Manager and to 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. 117901, for paving and otherwise improving Alley Block I Altagena, the Clerk reported that no 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 filed.

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. 117902, for paving and otherwise improving Alley Block 22 Ocean

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Beach, 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 verbally, and no written protests were filed.

On motion of Councilman Winote, seconded by Councilman Kerrigan, 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 Assessment No. 2238 made to cover cost and expenses of paving and otherwise improving Island Avenue, under Resolution of Intention No. 112505, 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 verbally, and no written appeals were filed.

RESOLUTION NO. 118519, recorded on Microfilm Roll No. 81, confirming and approving Street Superintendent's Assessment No. 2238 made to cover cost and expenses of paving and otherwise improving Island Avenue, under Resolution of Intention No. 112505; authorizing and directing Street Superintendent to attach his warrant thereto and issue 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 Winote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2239 made to cover cost and expenses of paving and otherwise improving Alley Block 4 Eastgate, under Resolution of Intention No. 113132, the Clerk reported that written appeal had been received from Edwin J. Frey. It was presented to the Council.

The City Engineer reported a 3.2% appeal, and spoke of a 4" drop off. He said that the City would take care of that work, which is beyond the limits of the contract.

RESOLUTION NO. 118520, recorded on Microfilm Roll No. 81, confirming and approving Street Superintendent's Assessment No. 2239 made to cover cost and expenses of paving and otherwise improving Alley Block 4 Eastgate, under Resolution of Intention No. 113132; authorizing and directing Street Superintendent to attach his warrant thereto and issue 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 Godfrey, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2240 made to cover cost and expenses of paving and otherwise improving Alley Block 63 University Heights, and Meade Avenue, under Resolution of Intention No. 114359; the Clerk reported that no written appeals had been received.

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

RESOLUTION NO. 118521, recorded on Microfilm Roll No. 81, confirming and approving Street Superintendent's Assessment No. 2240 made to cover cost and expenses of paving and otherwise improving Alley Block 63 University Heights, under Resolution of Intention No. 114359; authorizing and directing Street Superintendent to attach his warrant thereto and issue 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 Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2241 made to cover cost and expenses of paving and otherwise improving Alley Block 22 City Heights, the Clerk reported a written appeal from Mrs. L. D. Nanney. It was presented to the Council.

The City Engineer reported a 1.1% appeal, based on question of why one lot was assessed higher than the rest.

Mrs. Nanney asked why.

The City Engineer spoke of putting in a lateral on a vacant lot.

Mrs. Nanney disagreed; she said that it is not a vacant lot; the assessment is \$90.00 higher than it should be. She spoke of there being 2 lots - constituting 65 feet, with 1 house across both.

The City Engineer and Willard Olson, from the City Engineer's Office, said additional sewer lateral is on 1 25-foot lot - already in on 60-foot lot.

Douglas D. Deaper, Deputy City Attorney spoke of there being no solution.

Mr. Olson told the Council about there being 2 subdivisions; the property is "mixed up".

Discussion was entered into by members of the Council, Mr. Olson and Mrs. Nanney.

The Mayor pointed out that the lateral is shown on the plans, was put in; cost can't be waived.

Councilman Dail declared that there is a house on the 25-foot lot, and that it covers the whole area.

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As a result of discussion about property on each side of the house, Mrs. Nanney said that there are about 5 or 6 feet on each side.

There would be necessity for a field check, according to the Mayor.

Councilman Dail contended that the City should reimburse the appellant.

Councilman Wincote, asked about the status of a similar situation about 3 months ago.

The question was not answered.

Councilman Godfrey moved to continue the hearing 1 week - and refer the problem to conference.

Councilman Dail said that the Council might discuss some way to reimburse.

Councilman Schneider said that it depends upon the reasonableness of the City.

Councilman Wincote told of the necessity for paying the assessment; then of an effort to find some solution. He stated that the City can't re-assess the district, which would raise the assessment of others.

RESOLUTION NO. 118522, recorded on Microfilm Roll No. 81, overruling and denying the appeal of Mrs. L. D. Nanney, from the Street Superintendent's Assessment No. 2241 made to cover costs and expenses of work of paving and otherwise improving Alley Block 22 City Heights, under Resolution of Intention No. 113261; overruling and denying all other appeals; confirming and approving Street Superintendent's Assessment No. 2241; directing him to attach his warrant and issue same in manner and form provided by law, and directing to record in his office the warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118523, recorded on Microfilm Roll No. 81, referring to Council Conference, for reports from the City Manager and City Attorney - one week from this date - on other additional laterals installed under paving proceedings where laterals already existed, or where more than one lateral was provided, as in the case of Mrs. L. D. Nanney, 2941 Vancouver Ave., San Diego 4, where two laterals were installed to serve one house, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Assessment No. 2242 made to cover costs and expenses of paving and otherwise improving Diamond Street, under Resolution of Intention No. 109062, the Clerk reported that written appeal had been received from Ralph A. Skinner and Florabel Skinner, which was presented to the Council.

The City Engineer told of the 4.1% appeal having to do with curbing. He reported that appeals were unhappy about a gouge in the curbing, which the contractor has offered to replace it. No one appeared to be heard.

RESOLUTION NO. 118524, recorded on Microfilm Roll No. 81, overruling and denying appeal of Ralph A. Skinner and Florabel Skinner, from Street Superintendent's Assessment No. 2242 made to cover costs and expenses of paving and otherwise improving Diamond Street; overruling and denying all other appeals; confirming and approving the assessment; authorizing and directing the Street Superintendent to attach his warrant and issue it in manner and form provided by law, and directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Determination for improving

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 118010 of Preliminary Determination for Byron Street by paving and otherwise improving, the Clerk reported that no written protests had been received. No one appeared to be heard.

RESOLUTION NO. 118525, recorded on Microfilm Roll No. 81, determining that proposed improvement of Byron Street, under Resolution No. 118010 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 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. 118011 of Preliminary Determination for installation of sewer mains in Myrtle Avenue and Alley Block 8 Bungalow Park Addition, the Clerk reported that no written protests had been received. No one appeared to be heard.

RESOLUTION NO. 118526, recorded on Microfilm Roll No. 81, determining that installation of sewers in Myrtle Avenue and Alley Block 8 Bungalow Park Addition, under Resolution No. 118011 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 Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 118012 of Preliminary Determination for improvement of Thorn Street and Highland Avenue, the Clerk reported that no written protests had been received. No one appeared to be heard. RESOLUTION NO. 118527, recorded on Microfilm Roll No. 81, determining that paving and otherwise improving of Thorn Street and Highland Avenue, under Resolution of

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Preliminary Determination No. 118012 is feasible and that lands to be assessed therefor 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing of electric current for Loma Portal Lighting District No. 1, for period of one year from and including June 28, 1954, 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 verbally, and no written protests were presented.

RESOLUTION NO. 118528, recorded on Microfilm Roll No. 81, confirming the assessment of the total amount of costs and expenses of work or improvement of furnishing electric current for lighting Loma Portal Lighting District No. 1, in accordance with Engineer's Report and Assessment filed in office of City Clerk May 13, 1954; adopting the report as a whole, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on request for rezoning portion of Lot 16 Ex-Mission Lands, lying south of Federal Boulevard and west from Euclid Avenue, from R-1 to C and CP Zones, the Mayor reported that Mr. Block had told him that Morey Levenson, attorney for the proponents, is in the hospital as a result of another heart attack, and that he asked for a 2 weeks continuance.

A Mr. Kennedy, who did not give his first name or initials, told of purchasing Lot 30, and of having been "here before". He spoke of a previous protest.

In any event, the Council could hold a hearing, and direct the City Attorney prepare the ordinance, Mona Andreen, Deputy City Attorney, stated.

Councilman Kerrigan said that Levenson "had a different pitch".

Mrs. Andreen told about requirement for a hearing, to be set by the City Clerk.

Councilman Burgener suggested hearing the people who had come down to this hearing - then continue it.

Mr. Kennedy told the Council that he can go to the Planning Commission.

Councilman Wincote spoke of an awkward situation, and took the view that Mr. Levenson certainly has not had the heart attack for a stall.

The Mayor said that Mr. Block, of the Levenson firm, is not familiar with the case.

Councilman Schneider spoke for giving consideration.

The Mayor felt that the hearing could be continued to a date certain.

A man in the audience spoke up and announced that he owned the property.

The City Clerk, looking at the record, said that from the petition for the re-zoning Seegel owns the property.

Councilman Godfrey started to say that the only fair thing....then added that only one side is represented today, that the Mayor's suggestion is good. He thought the hearing could be set for 2 weeks....1 week, or 2.

Councilman Wincote felt that the Council could jump a hurdle, and order the ordinance drawn.

Mrs. Andreen said that if the re-zoning is not wanted (even after a hearing) the Council would not order an ordinance.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the hearing was continued 2 weeks - to June 29, 1954.

Asked if there were any opponents present, 7 people arose. However, there was no further action.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on re-zoning portions of Lot 68 Ex-Mission Lands, Highland Homes, portions of Palm Hill, et al, report from Planning Commission signed by P. Q. Burton recommending denial was presented. It gives several reasons for recommending denial in that it would create more "string-type" business zoning, which in many cases results in congested traffic situation, rows of business buildings, each attempting to get more and larger signs than the others, and in many instances, marginal enterprises with many business failures and changes in tenants. It says, among other things, that there now exists enough business zoning for a population of more than 100,000 persons, that parking is inadequate and that South 43rd Street is 90 feet in width, portion 80 feet, and that it should be widened to 100 feet from Logan Avenue south to City limits. The report was read to the Council.

Glenn A. Rick, City Planning Director, showed a map of the area, over which he joined members of the Council in a conference. He pointed out the various zones, including a portion in the County.

Councilman Dail told about gas tax use; business being picked up; spotty zoning; some variances.

Mr. Rick agreed, upon being questioned, that no property owners had protested the re-zoning; only City departments had.

Mrs. Jack Hoberg spoke for property owners on South 43rd Street, in favor

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Hearings

Re-zoning recommendations

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of changing the zoning from R-4 to commercial. She declared that residential zone is no longer suitable, and told of having over 1,000 feet of vacant property, which she re-iterated is not suitable for residences which she said owners will not release for that purpose. She described the commercial area. Now 90% of the business goes to National City she said, and added that she wants the business to stay in San Diego. Next, she described in detail the existing businesses, and pointed out that others are needed for benefit of community. Mrs. Hoberg spoke of the 175 members belonging to the Southcrest Civic Club. She told of having lived at her residence, in the area, 14 years. It has grown from 4 businesses to the present community. The others will come sooner or later, she said, that she declared that they are wanted now. It was her contention that the area does have enough off-street parking facilities, and that many of the streets are paved.

Elmer Woodworth, representing Southcrest Civic, as its president, spoke. He said that from the Club's standpoint, the "Mom & Pop" type of business which would probably go in, are approved. Super-markets, if they were to go in, would provide there own parking, he said. He said that he can't grasp the Planning Commission's figure of enough business area for "150,000" (the report had said 100,000).

Councilman Burgener said that he can't see why the area is sandwiched in between C and R-C Zones.

Councilman Burgener moved to direct the City Attorney to draw the ordinance to put the property into C Zone, which motion was seconded by Councilman Schneider.

Mr. Rick spoke to Mr. Woodworth regarding business and shopping - along lines of the Planning Commission's report. He spoke of not being able to make a relation with down-town property. He agreed that property owners "do have a point".

RESOLUTION NO. 118529, recorded on Microfilm Roll No. 81, requesting the City Attorney to prepare and present Ordinance to rezone portion of Lot 68 Ex-Mission Lands (Horton's Purchase) and Lot 21 Ocean Vista Gardens from R-4 to C, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Petition of Richard L. Parsons, 2660 E Street, San Diego, dated June 9, 1954, referring to conditions of road leading from the main highway into the Police Pistol Range as being deplorable in rainy weather, was presented.

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

The next 3 matters - all having to do with a tentative map for division of portion of Pueblo Lot 1286 into 3 parcels, which had been before the Council on June 10 and continued to this date, were considered again, out of order. Councilman Wincote called the Council's attention to Mrs. Frances Tyler's presence, and he asked that in order to keep her from waiting, the matter be considered at this time since the other items - by-passed - were not controversial.

The Mayor stated that the Council had decided in conference to waive improvements suggested by the Planning Department, to grant the requests regarding grading, curbing, water.

Councilman Wincote pointed out to Mrs. Tyler, who had come to the microphone, that she will have to take care of the sewage.

Mrs. Tyler told the Council that she will do her utmost to get sewer, and that the City refuses to accept dedication of portion of Ease Roseland Drive.

Glenn A. Rick, City Planning Director, stated that the situation is a confusing one, that the applicant wants to eliminate requirements regarding street improvements and dedication.

RESOLUTION NO. 118530, recorded on Microfilm Roll No. 81, suspending Sections 102.16-8 and 102.17-c of the San Diego Municipal Code in connection with Tentative Map for division of one parcel into 3 lots in portion of Pueblo Lot 1286 (Rakestraw property), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

There was discussion, item-by-item regarding requirements for the proposed property division.

Councilman Schneider stated that Mr. Rick will modify the requirements, regarding modification for sewer or an approved system.

Several eliminations were made during a lengthy discussion. Resolution providing for approval of Tentative Map was to be re-written by Mr. Rick.

RESOLUTION NO. 118531, recorded on Microfilm Roll No. 81, approving Tentative Map for division of 1 parcel into 3 lots located in Pueblo Lot 1286, subject to 2 conditions (having been reduced from the several conditions in the previous draft), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

On motion of Councilman Dail, seconded by Councilman Schneider, the communication from John and Frances Tyler appealing from the Board of Adjustment relative to the division, was on motion of Councilman Dail, seconded by Councilman Schneider, filed.

Communication from the Purchasing Agent, with City Manager's stamp of approval, reporting on 6 bids received April 2, 1954, for furnishing 2 3-1/2 cubic foot capacity concrete mixers, was presented. It recommends award to Hudson Equipment Company, low bidder, for \$427.80 each, plus sales tax.

RESOLUTION NO. 118532, recorded on Microfilm Roll No. 81, accepting bid of Hudson Equipment Company for furnishing 2 3-1/2 cubic foot capacity concrete mixers for \$427.80 each; authorizing and directing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

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Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for fire protective meters, was presented. It states that there are only 2 manufacturers, that Protectus has a long inlet and requires long valve chamber, that to accommodate longer meter larger valve chamber is required, which will cost more than \$50.00 which is difference in price between the 2 meters. It recommends award to Squires Belt Material at \$1,170.00 each net, plus State Sales Tax, f.o.b. San Diego.

RESOLUTION NO. 118533, recorded on Microfilm Roll No. 81, accepting bid of Squires-Belt Material Company for furnishing 2 6" Fire Flow Meters; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for improvement of Tierra del Fuego, Dana Basin and Santa Clara Point, Mission Bay (including construction of riprap and necessary backfilling on Santa Clara Point and on Tierra del Fuego; construction of boat launching ramp at Dana Basin on Sunset Point, construction of concrete drainage spillway and Type G Curb at Santa Clara Point; restoration of site and other work), received from 4 bidders on June 4, 1954, was presented. It recommends award to H. C. Dennis, low bidder, in amount of \$9,398.65 - 59.2% below estimate of City Engineer's office.

RESOLUTION NO. 118534, recorded on Microfilm Roll No. 81, accepting bid of H. C. Dennis for improvements at Mission Bay; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received May 18, 1954, from 3 bidders for fabricating and rubber lining 2 steel mixing chambers for Sewage Treatment Plant, was presented. It recommends award to Gates Rubber Company, low bidder, at 1008.80 less 2%, f.o.b. Denver, Colorado.

RESOLUTION NO. 118535, recorded on Microfilm Roll No. 81, accepting bid of Gates Rubber Company for fabricating and rubber lining 2 steel mixing chambers for Sewage Treatment Plant; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received June 2, 1954, from 6 bidders, for painting elevated tanks and standpipe, Specification No. 95, was presented. It recommends award to George C. Punton, low bidder, in amount of \$8,215.00 - estimate of Water Department was \$16,000.00.

RESOLUTION NO. 118536, recorded on Microfilm Roll No. 81, accepting bid of George C. Punton for painting elevated tanks and standpipe, specification No. 95; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received June 10, 1954, from 3 bidders, for overhauling Track assembly HD-20 (tractor), was presented. It recommends award to Diesel Technical Service, Inc., low bidder, for price of \$1275.00, plus sales tax.

RESOLUTION NO. 118537, recorded on Microfilm Roll No. 81, accepting bid of Diesel Technical Service, Incorporated, to over track assembly HD-20; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for installation of traffic signals and safety lighting systems at intersections of 5th Avenue at G Street, 6th Avenue at F, 8th, 9th and 12th Avenues at E Street, received May 26, 1954, from 3 bidders, was presented. It recommends award to Ets-Hokin & Galvan, low bidder, in amount of \$28,160.00 - 10.6% below estimate of City Engineer's office.

RESOLUTION NO. 118538, recorded on Microfilm Roll No. 81, accepting bid of Ets-Hokin & Galvan for installation of traffic signals at intersections of 5th Avenue at G Street; 6th Avenue at F; 8th, 9th and 12th Avenues at E Street; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to plans and specifications on file in office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

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Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received for joint purchase by County of San Diego, San Diego School District and City of San Diego May 19, 1954 from 13 bidders, was presented. It goes into detailed reasons for the recommendation.

RESOLUTION NO. 118539, recorded on Microfilm Roll No. 81, rejecting all bids received May 19, 1954, for furnishing Passenger and Truck Tires for City of San Diego, County of San Diego, San Diego Unified School District for period of 1 year, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, that Public Works Department requires 1 pair of Allis-Chalmers TRACKS, assembly and ready for installation with 26" pads, was presented. It says that Allis-Chalmers tracks is available only from Shaw Sales and Service Company of San Diego, and no benefit can be secured by advertising for bids. It recommends purchase without bids at \$1,727.37 plus State Sales Tax (reflecting credit of \$734.63 due to design fault in original tracks).

RESOLUTION NO. 118540, recorded on Microfilm Roll No. 81, authorizing and directing Purchasing Agent to purchase from Shaw Sales & Service Company 1 pair of Allis-Chalmers Tracks, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, presenting Resolution authorizing bids for Copper Pipe and Fittings for Storeroom, under Document No. 491913, was presented.

RESOLUTION NO. 118541, recorded on Microfilm Roll No. 81, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Copper Pipe and Fittings, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, presenting Resolution authorizing bids for furnishing 40 outdoor toilets for Water Department, was presented.

RESOLUTION NO. 118542, recorded on Microfilm Roll No. 81, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 40 Outdoor Toilets, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The next 3 matters listed on the agenda - having to do with appeal of John and Frances Tyler re dividing portion of Pueblo Lot 1286 into 3 parcels - are shown earlier on the agenda.

The next 2 matters - having to do with Tentative Map of Allied Gardens Unit No. 4, were on motion of Councilman Schneider, seconded by Councilman Burgener, continued to Thursday, June 17, 1954.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Loma Hill, a 2-lot subdivision located in portion of W-1/2 of Pueblo Lot 180, subject to posting adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 118543, recorded on Microfilm Roll No. 81, approving Map of Loma Hill Subdivision, subdivision of southerly 175 feet of portion of Pueblo Lot 180; accepting on behalf of the public unnamed easements shown for purposes, declaring them to be dedicated to public use; authorizing and directing City of the City to endorse upon the map, as and for act of the Council that they are accepted on behalf of the public; directing City Clerk to transmit 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 Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Minden Heights, was presented.

RESOLUTION NO. 118544, recorded on Microfilm Roll No. 81, suspending Sections 102.09 1 & 2, 102.08-1, 102.11-2, 102.11-1, 102.18, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Minden Heights, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Minden Heights, a 107-lot subdivision of

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of portion of Pueblo Lot 1174 - located southeasterly of Linda Vista Unit No. 4 on hillside between Ulric Street and Cabrillo Freeway, was presented.

RESOLUTION NO. 118545, recorded on Microfilm Roll No. 81, approving Tentative Map of Minden Heights, subject to 11 conditions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by P. Q. Burton, recommending that petition of R. L. Haniman for withdrawing request that property along La Jolla Boulevard in Bird Rock and Bird Rock Villas, for change from RC and R-4 Zones to C Zone, be granted.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the entire subject was ordered filed, including petition, notice, and communications.

Application from Botsford, Inc., 1116 S. 43rd Street, for cabaret license, on premises known as "The Ivanhoe", was presented together with recommendations for approval, was presented.

RESOLUTION NO. 118546, recorded on Microfilm Roll No. 81, granting permission to Stella Moore, 5238 La Plaz, to conduct cabaret with paid entertainment at the Ivanhoe, 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 Oliver E. Rehbein and Harry H. Rehbein for Class C Dine & Dance license at "Ciro's Cafe", 4231 El Cajon Blvd., was presented, together with recommendation for approval.

RESOLUTION NO. 118547, recorded on Microfilm Roll No. 81, granting application of Harry H. Rehbein for Class "C" license to conduct public dance at Ciro's Cafe, 4231 El Cajon Boulevard, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Carl M. King, Mayor of Burbank, California, accepting appreciation and thanks for cordial reception afforded Burbank Youth Symphony group while in San Diego, was presented. It states that those who came to San Diego to hear the Youth Symphony Orchestra had a wonderful time; that he felt sure relations between the cities were enhanced as far as the young people are concerned. It looks forward to San Diego's Youth Symphony Orchestra visit to Burbank in July, and states that they would be honored if the Mayor of San Diego or one of his official representatives will be able to attend.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, it was filed.

Communication from James Don Keller, District Attorney and County Counsel, dated June 10, 1954, was presented. It refers to transcript of testimony taken before San Diego County Grand Jury in matter of investigation of liquor license practices, filed in office of Clerk of County of San Diego, which contains testimony relating to Councilman Dail. It states that testimony given before the Grand Jury in which Mr. Dail was referred to has not provided basis for inquiry into the D.A.'s office re no association by Mr. Dail with illegal liquor license transactions.

RESOLUTION NO. 118548, recorded on Microfilm Roll No. 81, referring communication from District Attorney and County Counsel, relative to Grand Jury investigation of liquor licensing practices in San Diego, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Civic Club of Encanto, signed by Mrs. Harold Eddy, corresponding secretary, dated June 8, 1954, calling the Council's attention to condition of 69th Street from Madera Street to Akins Avenue, so as it will be passable for motor vehicles, was presented. It states that the street is now being used but is dangerous.

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

Communication from San Diego Public Safety Committee, dated June 8, 1954, signed by Ronald T. Strong, secretary, was presented. It refers to need for improving condition of 54th Street in front of the schools just south of El Cajon Boulevard. It refers to narrow paving and lack of improved shoulders resulting on congestion of cars in front of schools in turn creating traffic hazard for school children.

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

RESOLUTION NO. 118549, recorded on Microfilm Roll No. 81, approving plans, typical cross-sections, profiles and specifications for paving and otherwise improving

Alley Block 15 Fairmount Addition to City Heights, and Alley Block 2 Mountain View; approving Plat No. 2603 showing exterior boundaries of district to be included in assessment for work and improvement upon the alley; directing City Clerk upon passage of resolution of intention to file plat in office of City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118550, recorded on Microfilm Roll No. 81, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Godsall Lane, Alley Block 2 Idyllwild, and Pennsylvania Avenue; approving Plat No. 2570 showing exterior boundaries of district to be included in assessment for work and improvement upon the Lane, Alley and Avenue; directing City Clerk upon passage of resolution of intention to file plat in office of City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118551, recorded on Microfilm Roll No. 81, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Long Branch Avenue and Spray Street; approving Plat No. 2595 showing exterior boundaries of district to be included in assessment for work and improvement on the Avenue and Street; directing City Clerk upon passage of resolution of intention to file plat in office of City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118552, recorded on Microfilm Roll No. 81, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Oliver Avenue and Pacific Beach Drive; approving Plat No. 2591 showing exterior boundaries of district to be included in assessment for work and improvement on the Avenue and Drive; directing City Clerk upon passage of resolution of intention to file plat in office of City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 118553, recorded on Microfilm Roll No. 81, for closing portion of Front Street, described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 118554, recorded on Microfilm Roll No. 81, for paving the Alley Block 56 Ocean Beach, described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 118555, recorded on Microfilm Roll No. 81, for paving and otherwise improving Grand Avenue, described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 118556, recorded on Microfilm Roll No. 81, for paving and otherwise improving portions of Russ Boulevard, 25th Street and 26th Street, described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118557, recorded on Microfilm Roll No. 81, for paving and otherwise improving Alley Block 15 Fairmount Addition to City Heights, and Alley Block 2 Mountain View, described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118558, recorded on Microfilm Roll No. 81, for paving and otherwise improving portions of Godsall Lane, Alley Block 2 Idyllwild, and Pennsylvania Avenue, described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118559, recorded on Microfilm Roll No. 81, for paving and otherwise improving Long Branch Avenue and Spray Street, described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118560, recorded on Microfilm Roll No. 81, for paving and otherwise improving Oliver Avenue and Pacific Beach Drive,

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described in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118561, recorded on Microfilm Roll No. 81, appointing time and place for hearing protests, and directing notice of the hearing, for Ocean Beach Lighting District No. 1, for period of one year from and including August 14, 1954, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118562, recorded on Microfilm Roll No. 81, appointing time and place for hearing protests, and directing notice of the hearing, for University Avenue Lighting District No. 3, for period of one year from and including August 7, 1954, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118563, recorded on Microfilm Roll No. 81, approving diagram of property affected or benefited by work of improvement to be done on paving Mason Street, described in Resolution of Intention No. 115263, and to be assessed to pay expenses thereof; directing Clerk of the City at same time of the approval, to certify fact and date thereof, and immediately deliver diagram so certified to the Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118564, recorded on Microfilm Roll No. 81, directing City Engineer to furnish Council with diagram of property affected and benefited by work and improvement on paving and otherwise improving Alley Block 45 Normal Heights, described in Resolution of Intention No. 116493 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118565, recorded on Microfilm Roll No. 81, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Arbor Drive, described in Resolution of Intention No. 116399 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118566, recorded on Microfilm Roll No. 81, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Haines Street, described in Resolution No. 116401 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118567, recorded on Microfilm Roll No. 81, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving 35th Street, Webster Avenue, Pardee Street, 36th Street and Pardee Place, described in Resolution of Intention No. 116494 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118568, recorded on Microfilm Roll No. 81, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Wunderlin Avenue, described in Resolution of Intention No. 116721 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118569, recorded on Microfilm Roll No. 81, adopting recommendation of City Engineer, filed in office of City Clerk June 4, 1954, under Document No. 491617; authorizing City Engineer to amend proceedings for improvement of portions of Moore Street, Jefferson Street, Harney Street and Conde Street, in accordance with the recommendation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118570, recorded on Microfilm Roll No. 81, granting petition contained in Document 470215 for paving and otherwise improving Jellet Street; directing City Engineer to furnish the Council with description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited by and to

assessed to pay costs, damages and expenses of improvement; directing City Engineer to consolidate assessment district with assessment districts heretofore ordered by Resolutions Nos. 110207, 111273 and 112521, in accordance with City Engineer's recommendation contained in Document No. 491616 filed in office of City Clerk on June 4, 1954, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118571, recorded on Microfilm Roll No. 81, granting petition contained in Document No. 479433 for paving and otherwise improving Montalvo Street; directing 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; directing City Engineer to consolidate assessment district with assessment district heretofore ordered by Resolution No. 114271 for improvement of portions of Temecula Street, Mentone Street, Rialto Street and Alley Block 29 Loma Alta No. 2, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118572, recorded on Microfilm Roll No. 81, granting petition contained in Document No. 115163 for paving and otherwise improving Franklin Avenue; directing 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, on Franklin Avenue and on 49th Street, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118573, recorded on Microfilm Roll No. 81, granting petition contained in Document No. 491328 for change of grade of Alley Block 20 Paradise Hills; directing City Engineer to furnish description or map showing change or modification of grade, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118574, recorded on Microfilm Roll No. 81, granting permission to Solomon Building Co. to grade Broadway, between westerly line of 41st Street and point 135 feet westerly, in accordance with Document No. 491016, on conditions set out in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Department, signed by John Bate, Port Director, dated 7 June 1954 attaching for approval form of sublease to be entered into between High Seas Tuna Packing Company, Inc., and Eichenlaub Yacht & Marine Service, was presented. It states that sublease covers area of approximately 2400 square feet on Byron Street Mole for providing side yard space to Eichenlaub Yacht & Marine Service, rental being paid under terms of sublease identical to that set forth in master lease; it continues tenancy by sublessee which was initiated on 31 October 1951 under old High Seas Lease.

RESOLUTION NO. 118575, recorded on Microfilm Roll No. 81, ratifying, confirming and approving sublease, copy on file in office of City Clerk as Document No. 491802 between High Seas Tuna Packing Company, Inc., Sublessor, and Eichenlaub Yacht & Marine Service, Sublessee, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from Harbor Department, signed by John Bate, Port Director, dated 7 June 1954 attaching for approval form of sublease to be entered into between the Institute of Aeronautical Sciences and Air Supply Company, was presented. Sublease covers small office in Institute building at rental of \$45.00 per month; Harbor Commission will receive 20% or \$9.00 per month, of the rental.

RESOLUTION NO. 118576, recorded on Microfilm Roll No. 81, ratifying, confirming and approving sublease, copy of which is on file in Office of City Clerk as Document No. 491800, between Institute of Aeronautical Sciences, sublessor, and Air Supply Company, sublessee, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from Harbor Department, signed by John Bate, Port Director, enclosing for approval form of Cancellation and Surrender of Lease to be entered into between Harbor Commission and Edward T. Molitor, was presented. It states that it is the desire of all parties to mutually cancel lease entered into 15 December 1953, covering approximately 27,850 square feet of tidelands near intersection of Wake Boulevard and Harbor Drive.

RESOLUTION NO. 118577, recorded on Microfilm Roll No. 81, ratifying, confirming and approving cancellation of lease with Edward T. Molitor, entered into 15th of December 1953 - Document No. 484744 - was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from Harbor Department, signed by John Bate, Port Director, enclosing Resolution for work to be done by City forces on Harbor Job Series 18,000 -

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Fund 511 - construction of breakwater at small boat launching ramp on Shelter Island, total \$10,000.00, was presented.

RESOLUTION NO. 118578, recorded on Microfilm Roll No. 81, authorizing and empowering Port Director to do all work in connection with construction of break-water at small boat launching ramp on Shelter Island, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Resolution states that Harbor Department has recommended the work, that Port Director has submitted estimates and has indicated that it can be done by City forces more economically than if let by contract.

The next matter was continued to this meeting from June 10, 1954.

RESOLUTION NO. 118579, recorded on Microfilm Roll No. 81, granting petition for closing 15-foot path between Lots 9 and 10 Block 41 La Jolla Hermosa Unit No. 2, as recommended by Street Superintendent; directing City Engineer to furnish description of lands affected and benefited and to be assessed to pay costs, damages and expenses; repealing Resolution No. 118134, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118580, recorded on Microfilm Roll No. 81, prohibiting parking of automobiles at all times:

North side of Santa Barbara Place, between Mission Boulevard and Strandway; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118581, recorded on Microfilm Roll No. 81, authorizing and directing San Diego Electric Company to install a 6000 lumen overhead street light at each of the following locations:

Terrace Court at Jefferson Street;
Soto Street at Green Street;

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

RESOLUTION NO. 118582, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, extension of agreement between the City and Kenneth Gardner, for additional period of one year, to commence on first day of July, 1954, upon terms and conditions contained in original agreement for his employment, on file in office of City Clerk under Document No. 453225, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted. *period*

Resolution authorizing City Manager to execute agreement for water service to hot plant in Mission Gorge with M. H. Golden Construction Company, was presented.

RESOLUTION NO. 118583, recorded on Microfilm Roll No. 81, authorizing City Manager to execute agreement for water service to hot plant in Mission Gorge between City and M. H. Golden Construction, was on motion of Councilman Godfrey, seconded by Councilman Burgener, referred to Council Conference.

RESOLUTION NO. 118584, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, agreement between the City and La Mesa, Lemon Grove and Spring Valley Irrigation District, wherein the City agrees to take over obligation of serving water to consumers within Rolando Tract, annexed to City pursuant to Ordinance No. 6007 (New Series), and for that purpose to acquire water transportation facilities of the district now belonging to the Irrigation District, at cost to the City not exceeding \$44,712.07; authorizing and directing City Auditor to transfer that sum from appropriated unallocated reserve to Water Department Fund, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118585, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with San Diego Gas & Electric Company covering joint use of easements owned by respective parties wherein easements conflict, situated on property over which City has constructed and maintained its water pipelines from Sutherland Dam to San Vicente Dam, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Councilman Schneider wondered if the Resolution would provide for giving something away to the Gas Company. The City Manager replied that it was to clear up only conflicting easements.

RESOLUTION NO. 118586, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to execute for and on behalf of the City, lease with Helen C. Haas

and Louis J. Haas of Balboa Park Club Fountain, Balboa Park, for term of 2 years at monthly rental of \$50.00, or ten per cent 10% of gross income, whichever is greater, description of property and terms and conditions to be as set forth in form of lease filed in office of City Clerk under Document No. 491961, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118587, recorded on Microfilm Roll No. 81, approving Change Order No. 1, dated June 2, 1954, heretofore filed with City Clerk as Document No. 491786, issued in connection with contract between City of San Diego and R. E. Staite, for Repair of Piling on south side of Broadway Pier, contract contained in Document No. 491711, on file in office of City Clerk; changes amounting to increase in contract price of \$142.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118588, recorded on Microfilm Roll No. 81, authorizing City Attorney on behalf of the City to enter into agreement so that Frank F. Faust, plaintiff, may take decree quieting title to portions of Lots A and B Block 3 of Magnolia Park in action, Superior Court action No. 118967, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Resolution states that Faust is the owner of the property, that he has instituted an action seeking to quiet title, and alleging that City claims an interest in and to the property, but that the City has no interest; that the Council is advised by City Manager that City has no present or prospective use for any interest in and to the property and that it will be in interest of the City and its inhabitants to save the City unnecessary expense and costs in defending litigation if City agrees to approved judgment.

RESOLUTION NO. 118589, recorded on Microfilm Roll No. 81, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against property in portion of Pueblo Lot 1774 as described in the Resolution, together with all penalties and other expenses in connection therewith, be cancelled; that all deeds to The State for delinquent taxes of the property be cancelled; and that Property Supervisor be authorized and directed to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118590, recorded on Microfilm Roll No. 81, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portions of Lots 3, 4, 5, 6 Block 3, and portion of south 15.0 feet of F Street adjoining said lots on the North vacated and closed to public use on January 27, 1915, by Common Council, in Haffenden's Sunnydale, as described in the Resolution, together with all penalties and other expenses in connection therewith, be cancelled; that all deeds to The State for delinquent taxes of the property be cancelled; and that Property Supervisor be authorized and directed to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118591, recorded on Microfilm Roll No. 81, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion of Pueblo Lot 1774 as described in the Resolution, together with all penalties and other expenses in connection therewith, be cancelled; that all deeds to The State for delinquent taxes of the property be cancelled; and that Property Supervisor be authorized and directed to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118592, recorded on Microfilm Roll No. 81, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portions of Lots 9, 10, 11, 12 Block 4 The Dells Park, as described in the Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State for delinquent taxes of the property be cancelled; and that Property Supervisor be authorized and directed to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118593, recorded on Microfilm Roll No. 81, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion of land, being easement and right of way for public road in northeasterly 32.5 feet of Lots 14 and 15 Block 7 Point Loma Heights, as described in the Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State for delinquent taxes of the property be cancelled; and that Property Supervisor be authorized and directed to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

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therewith, be cancelled; that all deeds to the State of California for delinquent taxes of the property be cancelled; and that Property Supervisor be authorized and directed to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118594, recorded on Microfilm Roll No. 81, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, requesting that all taxes against portion of Pueblo Lot 1774, as described in the Resolution, together with all penalties and other expenses in connection therewith, be cancelled; that all deeds to the State for delinquent taxes of the property be cancelled; and that Property Supervisor be authorized and directed to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118595, recorded on Microfilm Roll No. 81, granting General Petroleum Corporation (R. E. Black, Asst. Oper. Manager, Southern Calif. Division) 2619 East 37th Street, Los Angeles 54, to install 2 31-foot driveways separated by 43 feet of full-height curb, on north side of Clairemont Mesa Boulevard east of Clairemont Drive; and to install 2 32-foot driveways, separated by 42 feet of full-height curb on east side of Clairemont Drive north of Clairemont Mesa Boulevard, adjacent to portion of Pueblo Lot 1237, at northeast corner of Clairemont Mesa Boulevard and Clairemont Drive, to provide access to service station at subject to location, subject to conditions contained in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118596, recorded on Microfilm Roll No. 81, authorizing expenditure of \$960.00 from funds heretofore appropriated by Ordinance No. 5900 (New Series) for improvement of Block 308 Pacific Beach; authorizing City Manager to issue requisition for that amount, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Asked about the next Resolution, the City Manager explained that funds are a little out of balance, and that adoption of the Resolution, which he reviewed item-by-item, would correct it.

RESOLUTION NO. 118597, recorded on Microfilm Roll No. 81, authorizing and directing City Auditor and Comptroller to transfer funds as follows:

- \$210.00 from Budget Office Fund to City Manager's Office Fund;
- \$315.00 from Civil Defense Impounded Savings to Planning Department Fund;
- \$250.00 from General Services Division Fund to Purchasing Division Fund;
- \$300.00 from Civil Defense Impounded Savings to Civil Service Fund;
- \$6,775.00 from Unallocated Reserve, Library Fund, to Police Department Fund;
- \$4,000.00 from Civil Defense Impounded Savings to Police Department Fund;
- \$1,000.00 from Budget Impounded Savings to Police Department;
- \$1,350.00 from Civil Defense Impounded Savings to Division of Animal Regulation Fund;
- \$540.00 from Safety Division Impounded Savings to Social Service Department Fund;
- \$13,210.00 from Unallocated Reserve Library Fund, to Park and Recreation Department Fund;
- \$500.00 from Safety Impounded Savings to Police and Fire Retirement System Fund;
- \$425.00 from Manager's Impounded Savings to Tax Assessment and Collection Fees;
- \$7,211.00 from Impounded Credits, Public Buildings Division Fund to Property Division Fund;

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

(The Resolution was originally written to cover a different group of transfers, but was re-written just before this meeting, so is unlike Resolution that appeared on the agenda.

RESOLUTION NO. 118598, recorded on Microfilm Roll No. 81, authorizing City Attorney to accept \$700.00 in full settlement of City's invoice No. 32232 dated November 17, 1953, in amount of \$1,811.29 issued against Joseph Avoyer in connection with construction of temporary pumping station for La Jolla Cliffs Subdivision, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118599, recorded on Microfilm Roll No. 81, allowing bill of San Diego City and County Visitors' Bureau, bearing date June 10, 1954, in sum of

\$2,844.72 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund for fiscal year 1953-54 for the sum, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118600, recorded on Microfilm Roll No. 81, allowing bill of San Diego Junior Chamber of Commerce, bearing date June 8, 1954, in sum of \$1300.00 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund for fiscal year 1953-54 for the sum, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118601, recorded on Microfilm Roll No. 81, approving claim of Hubinger Company on file in office of City Clerk under Document No. 488357 in amount of \$25.65; authorizing and directing City Auditor and Comptroller to draw warrant in favor of Hubinger Company in said sum in full payment, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118602, recorded on Microfilm Roll No. 81, approving claim of Mabel Laird on file in Office of City Clerk under Document No. 489895 in amount of \$87.92; directing City Auditor and Comptroller to draw his warrant in favor of claimant in said sum, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118603, recorded on Microfilm Roll No. 81, approving claim of San Diego Chapter, American National Red Cross, on file in Office of City Clerk under Document No. 490055 in amount of \$113.34; directing City Auditor and Comptroller to draw warrant in favor of the Chapter in said amount in full payment of the claim, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118604, recorded on Microfilm Roll No. 81, authorizing City Attorney to compromise case of Siebe v. City of San Diego for \$300.00; directing City Auditor and Comptroller to draw warrant in favor of Mr. and Mrs. Robert H. Siebe in amount of \$300.00 in full settlement of the case, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118605, recorded on Microfilm Roll No. 81, denying claim of James A. Beck, on file in Office of City Clerk under Document No. 491503, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118606, recorded on Microfilm Roll No. 81, denying claim of Sidney G. Forward, on file in Office of City Clerk under Document No. 490449, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118607, recorded on Microfilm Roll No. 81, denying claim of Rose H. Fowler, on file in Office of City Clerk under Document No. 477298, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118608, recorded on Microfilm Roll No. 81, denying claim of Gilbert S. Johnston, on file in Office of City Clerk under Document No. 490057, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118609, recorded on Microfilm Roll No. 81, denying claim of William F. Mitchell and Elizabeth M. Mitchell, on file in Office of City Clerk under Document No. 488337, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118610, recorded on Microfilm Roll No. 81, denying claim of Raymond Morack, on file in office of City Clerk under Document No. 489074, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

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RESOLUTION NO. 118611, recorded on Microfilm Roll No. 81, denying claim of James G. Sanderson, on file in Office of City Clerk under Document No. 490988, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118612, recorded on Microfilm Roll No. 81, denying claim of William Shafer, on file in Office of City Clerk under Document No. 490217, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118613, recorded on Microfilm Roll No. 81, denying claim of Mary A. Sprengel, on file in office of City Clerk under Document No. 489960, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118614, recorded on Microfilm Roll No. 81, denying claim of Robert L. Walton, on file in Office of City Clerk under Document No. 490534, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118615, recorded on Microfilm Roll No. 81, denying claim of Mrs. Harold West, on file in Office of City Clerk under Document No. 490533, was on motion of Councilman Godfrey, seconded by Councilman Wincote, 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 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 passage a written or printed copy.

ORDINANCE NO. 6153 (New Series), appropriating \$31,000.00 from Capital Outlay Fund, for providing funds for installation of Traffic Signals and Safety Lighting Systems at intersections of 5th Avenue at G Street; 6th Avenue at F Street; 8th, 9th and 12th Avenues at E Street, was on motion of Councilman Godfrey, 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.

Ordinance which had been listed on the agenda appropriating \$7,211.00 from Capital Outlay Fund re assessments on City-owned land in Rancho Mission of San Diego, was withdrawn by the Budget Department. Later, Resolution No. 118597, which had been re-written just prior to the meeting had the transfer of the same amount listed.

The item listed on the agenda, which had been continued from a previous meeting, establishing a City Employees' Retirement System, etc., was held over until after action on the following items:

On motion of Councilman Godfrey, seconded by Councilman Wincote, Ordinance granting to United States of America an easement and right of way for water pipeline across portions of Pueblo Lot 13 - more particularly set out in the Ordinance - was introduced by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Godfrey, seconded by Councilman Wincote, Ordinance amending Section 3 of Ordinance No. 5668 (New Series), adopted June 30, 1953, entitled "An Ordinance incorporating Lot 3 C.C. Seaman's Subdivision into R-2 Zone as defined in Section 101.0406 of San Diego Municipal Code, and repealing Ordinance No. 184 (New Series) adopted March 20, 1933, insofar as it conflicts", was introduced by the following vote: 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, not listed on the agenda:

RESOLUTION NO. 118616, recorded on Microfilm Roll No. 81, granting permission to erect and maintain by The Salvation Army, for a period commencing June 16 and ending June 30, 1954, a tent on an empty lot near corner of Linda Vista Road and Ulric Street, for conducting bible school and craft classes, subject to conditions in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The next matter, which had been held temporarily, was considered at this time.

Ordinance establishing City Employees' Retirement System was presented. Douglas D. Deaper, Deputy City Attorney, said that the Ordinance could be introduced "either way" (referring to the basis for the retirement based upon 2 methods of figuring the retirement), in that there have been duplicate sheets made.

Councilman Godfrey said that in the first discussion it was for the last 5 years, but that was drawn for the highest 5 years. He brought into the meeting inserts, which he read regarding 5 consecutive years.

Councilman Godfrey moved to introduce the ordinance as drawn (the highest 5 consecutive years), seconded by Councilman Schneider.

Councilman Kerrigan said that the Ordinance should be similar to that of the State - except 62 years and the 5 years, being variations. He said that the actuary had said that it does not make much difference which method is used. There is one employee who might be hurt, where he prefers to act as a caretaker at Sutherland Dam, he stated. He observed that there might be reaction at a later date, if there is a downward trend. He wanted an answer regarding peoples' vote regarding there being no change except by a vote of the employees. He wondered if the Ordinance could be amended, to make the change. He asked that the question be answered.

The Mayor asked about the 5-year matter as a substantial benefit.

Assistant City Attorney Shelley Higgins replied "yes, sir".

Councilman Kerrigan spoke about having asked regarding amendment at a later date, except by vote of employees, and that he had been told yes, "at that time".

Mr. Higgins said that if ratified, it would require a vote of employees in connection with the basic plan.

Councilman Kerrigan entered into discussion with Mr. Higgins.

The Mayor declared that Councilman Kerrigan was quibbling, and that he did not agree with the Councilman.

Councilman Wincote said that he was going to vote, but would make no comments (after Councilman Kerrigan had indicated that he disagreed, but would vote for the ordinance).

Councilman Kerrigan then stated that he is going to vote for the ordinance.

The Mayor said that the basic plan change base has to go to the employees.

Councilman Kerrigan spoke to Mr. Higgins regarding right to amend.

Mr. Higgins did not agree with Councilman Kerrigan in his understanding.

Councilman Godfrey spoke regarding the Kerrigan question. He declared that the Council makes a mistake by not asking for written opinions, in that there can be different understandings on the same comment. He spoke for need of a written legal opinion before adoption of the Ordinance. According to him, there is none now.

On motion of Councilman Godfrey, seconded by Councilman Burgener, the City Attorney was requested to give a written opinion regarding "peoples' ordinance" in the matter of amendment to the City Employees' Retirement System ordinance. (The Clerk wrote a note to the City Attorney's office advising that the Council desires such an opinion).

On motion of Councilman Godfrey, seconded by Councilman Schneider, the Ordinance establishing a City Employees' Retirement System for employees of the City of San Diego, and superseding in part Ordinance No. 10792 adopted November 29, 1926 (The "high 5 years") was introduced, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilman Wincote. Absent--Councilmen None.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at the hour of 12:00 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Hadstone
Deputy

John D. Butler
Mayor of The City of San Diego, California

6/17/54

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, June 17, 1954

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Absent---Councilmen None
Clerk----Fred W. Sick

A majority of members of the Council executed undertaking with San Diego Gas & Electric Company for furnishing electric current in San Diego Lighting District No. 1, for one year from and including June 15, 1954.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on continued appeal of Louis and Ethel P. Theaman from denial of permit to move garage with apartment above and convert to single-family residence at 58th and Olvera Sts., the Clerk presented communication from Mrs. Ethel Pearl Theaman postponement, was presented. There was brief discussion regarding date.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the continued hearing was continued one week - to June 22, 1954.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on petition for rezoning Pueblo Lot 104 from R-1C to R-1B Zone, raising minimum lot size from 10,000 to 20,000 square feet, report from the Planning Commission signed by P. Q. Burton was read. It identifies property on Point Loma just north of Government Reservation, and between Catalina Boulevard and Silvergate Avenue, bounded on north by Rosecroft Lane. Report states petition is signed by owners of 18 of 22 parcels - or more than 81%; 18 owners represent 5/8ths of land on area basis, that largest landowner did not sign application but was not opposed to rezoning except as it applied to his land. Owner has filed and Planning Commission approved tentative subdivision map showing lot sizes of approximately 15,000 sq. ft., midbetween R-1B and R-1C Zoning, according to the report. Communication points out that Mr. Oldfield was present with his attorney, representing property of Mrs. Oldfield, and that he through his attorney objected to including any of his land in the proposed rezoning, since he did not know whether he would subdivide his property or what course might be followed if decides to divide into smaller parcels. It reports that of the 22 parcels in Pueblo Lot 104 only 4 do not comply with requirements of proposed R-1B; 2 of them have been built on and other 2 are vacant and are not legal building sides, being landlocked with no street frontage (latter 2 are divisions in one of 4 parcels approved by zone variance on Oldfield property). It mentions previous variances on Oldfield Property with minimum lot area of over 20,000 sq. ft., that in first variance 2 rear lots were to be served by 40-foot easement; one of them having been divided into 2 parcels and neither is now a legal building site. All zone variances on Oldfield property have lapsed. It reports that Commission was agreeable to deleting southeast quarter of Pueblo Lot 104 from proposed rezoning because tentative subdivision map previously approved. The report says that although Mr. Oldfield asked that his property also be deleted, it was pointed out that he had on 2 occasions previously received zone variances permitting division into 4 parcels each containing over 20,000 sq. ft. It says that the Planning Commission voted 4-1 to recommend that all of Pueblo Lot 104 be rezoned from R-1C to R-1B except portion belonging to Mr. Matchinski, et al, shown on accompanying plat B-601. It points out that it is a report only and not a recommendation, but suggests that it be forwarded to City Attorney's office for drafting proper ordinance prior to setting for public hearing before the Council.

Glenn A. Rick, City Planning Director, showed the Councilmen a map of the property, which he explained in detail.

Frank Nottbush, attorney, showed Mr. Rick a map. They discussed the property. Members of the Council entered the discussion between the two.

Mr. Rick pointed out that the question before the Council today is the report. He said that the Oldfield and Matchinski properties can be included in the re-zoning, if the Council desires. He spoke to Councilman Wincote regarding Mr. Oldfield not complying with the law. Attack, if any, would be by the City against Oldfield regarding violation of the subdivision law.

Mr. Nottbush, representing the Oldfield property, showed a map, again, pointing out Navy property; Matchinski property, which has been cut up, and including an easement. If the City requires a road it would reduce the lot sizes, he stated. Mr. spoke about various roads, pointing to his map. Mr. Nottbush spoke about lots less than 6,000 square feet in area, and said that there are only about 5 vacant properties. He objected to prohibiting, by zoning, permission to have 10,000 square feet. Oldfield variance had lapsed; there was a new variance, and a "banjo" put in, according to Mr. Nottbush. He spoke of a letter from the Planning Department regarding expiration, then read letter from Union Title Co. re previous actions by deeds from Mrs. Oldfield. Two deeds had not been placed on record, but Mrs. Oldfield was not negligent, he pointed out. Oldfield and Matchinski properties are back-to-back, against the Navy property, Mr. Nottbush informed the Council. He declared that it would be an injustice to Oldfield if the ordinance be changed from 20,000 to 10,000 feet, but he wants to be to have a subdivision

Theaman hearing cont.
P/L 104 rezoning hearing

of 10,000 feet, using the "banjo". Mr. Nottbush said that it is not possible, now, to say if application will be made for a subdivision; that is a matter of future determination. He spoke of difficulty in selling 20,000 sq. ft. property, but might be able to sell as 10,000 sq. ft. He wanted the Oldfield property eliminated, Mr. Nottbush stated.

Councilman Burgener asked who originated the re-zoning.

The Mayor said that it was by property owners' petition.

Councilman Godfrey spoke about the Matchinski subdivision at 10,000 sq. ft. He referred, also, to Oldfield having made inconsistent divisions. He stated that he would be inclined to permit the property to remain at 10,000 sq. ft. area.

Answering Councilman Dail, Mr. Nottbush stated that he did not know if the Oldfields are in a position to file a subdivision now - on account of the expense involved for required improvements.

Mr. Rick spoke of statement having been made, and tentative map filed. He asked for a statement regarding there being no illegal sales to be made. He said that ground work has been laid for violation of the zoning.

Mr. Nottbush said that he has not had a chance to check the Oldfield variances.

Councilman Schneider said that if the deeds were not recorded, it is not the City's fault.

Mr. Nottbush replied that neither is it Mr. Oldfield's fault. (Matter was to have been taken care of by someone else, who had left the Title Company without following through instructions. He spoke of on a 10,000 ft map it would have to go to the Planning Commission. There was discussion between the speaker and Mr. Rick re dividing the property.

Councilman Godfrey thought that Oldfield would get the variances, but that he did not want a repetition of sales on less than permitted size.

Councilman Wincote spoke about an obligation on the part of the seller (Oldfield) to the purchasers).

Mr. Nottbush agreed, and said that if impossible for the purchasers to use their property the purchase price should be returned.

Councilman Godfrey declared that he is not so concerned with what's done, but wants no repetition.

Councilman Wincote said that, nevertheless, the 2 purchasers can't build.

Councilman Kerrigan and Godfrey spoke about necessity for variances.

Mr. Rick said that the 2 could apply for variance. He spoke of need for sewer and water. He informed the Council that the Health Department may not approve the septic tank. A decent road system and sewers will be wanted, he said. Mr. Rick spoke for an orderly manner of doing the thing, by subdivision.

There was discussion between Councilman Wincote and Mr. Rick regarding improvement to the street.

Mr. Rick said that several things go into the situation; he was not sure what will be required.

Councilman Godfrey spoke to Mr. Nottbush regarding forcing property into the 20,000 ft. area. He talked to Mr. Oldfield regarding problems on the lots, under variances, and of the improvements.

Mr. Oldfield agreed that if the property were to be broken into more than 4 lots, a subdivision would (have to) be filed. He spoke of the zoning being not necessary for the 4 lots. He told of having signed petition for creating 10,000 sq. ft. zone in effect now - that previously the zone had permitted smaller parcels. He told of having worked hard to get sewer, and that it is on the way now. He contended that he wants a private street, rather than dedicated street. He spoke of having intended to keep all the property, but that he is "getting along" in age. He said that he knew of the ordinance saying 10,000 sq. ft., and that he had divided with not less than 10,000.

Councilman Kerrigan was excused.

Mr. Oldfield spoke again about the deeds not having recorded, and referred to its being the Title Co.'s error. He told of having no intention to divide the "south portion", and expressed hope for extension of the variance. He had a discussion with Councilman Godfrey over the Godfrey question (re no repetition).

Councilman Godfrey said that the trouble is that there is no subdivision map, and that consideration should be given to filing a map.

Mr. Nottbush agreed that there was a mistake made in dividing, on account of the size.

Councilman Wincote said that property has actually been divided; that he can divide without a map; and spoke regarding the number of Oldfield children for whom the property was being cut up.

Mr. Oldfield discussed the subject, in detail, with Councilman Wincote.

Councilman Wincote expressed the belief that the "south portion" should be divided, and be recorded.

Councilmen Burgener and Godfrey said that the Council should not attempt to tell Mr. Oldfield how he should handle his own property, relative to its distribution.

Councilman Godfrey asked what restrictions if left in R-1C.

Councilman Kerrigan returned.

The Godfrey question was not answered.

Next, Councilman Godfrey asked about the cost.

Mr. Oldfield replied that the subdivision, improvements, etc., would cost more than it is worth.

The Mayor said that Mr. Oldfield would have to put in a letter, rather than make a statement on the map.

Councilman Wincote said that the City should get both.

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Asked how long a letter would take, Mr. Nottbush said it could be ready in an hour.

Councilman Godfrey favored "leaving out"

Councilman Godfrey moved to leave out the Oldfield property from the proposed rezoning, seconded by Councilman Burgener.

Douglas D. Deaper, Deputy City Attorney told the Council that letters do not have any legal significance, in that any subsequent owner could apply for variance.

RESOLUTION NO. 118617, recorded on Microfilm Roll No. 81, requesting City Attorney to prepare and present Ordinance to rezone portion of Pueblo Lot 104 from Zone R-1C to R-1B - deleting properties owned by Mr. Matchinski and by Mr. Oldfield, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the next ordinance was listed on the agenda as one for introduction, having been heard June 3, 1954.

It was an ordinance incorporating portion of Pueblo Lot 1237 and portions of Clairemont Units Nos. 9 and 15 into RC Zone and CP Zone at 4 corners of Clairemont Drive and Clairemont Mesa Drive.

Eli Levenson, attorney, representing Clairemont Shopping Center, told of his clients having bought re representations and agreements. He spoke of them having options, regarding the Shopping Center's location. He contended that the Council should give recognition regarding the overall Clairemont zoning. He said that deeds should be recorded, regarding the restrictions. He protested the item set on the hearing. Mr. Levenson contended that there should be * consideration - on the entire map. He said that the subject to be one for litigation. He felt that agreements of record should be gone into first. *further

The Mayor told Mr. Levenson that private agreements regarding the entire project are not a proper item for consideration here.

Councilman Dail spoke to Eli Levenson regarding the whole property, or on matters as they come up.

Eli Levenson said that if a piece at the time is taken it results in hodgepodge zoning. He told the Council that he is of the opinion that agreement has been violated.

Morey Levenson, attorney, declared that "all are violations".

Eli Levenson stated that some R-C zone was to be distributed, for the entire area residents of Clairemont. He said that the areas were to be set out on maps which were to be recorded. He told the Council that this is "pre-supposing" that there are violations of agreements. Nevertheless, he said that there is violation. He spoke of having tried to negotiate, in order to avoid a suit.

Councilman Godfrey asked if there could be negotiations.

Eli Levenson answered that negotiations have been on for several months, but that it looks like litigation is going to be necessary.

Morey Levenson stated that it would assist everybody, if the Council would withhold action, answering a question along that line put by Councilman Schneider.

Eli Levenson told the Council that they do not want to go into court without filing a protest with the Council.

Councilman Dail felt that he could not see how private agreements have any effect.

Morey Levenson spoke of having an interest, on account of recorded option, in the zoning.

Councilman Schneider asked that if the matter is held, if any particular time is needed.

Eli Levenson replied that he did not know about the time.

Councilman Schneider told of wanting no pressure on either side.

Eli Levenson suggested holding the matter 2 weeks.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the ordinance was continued 2 weeks - to July 1, 1954.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance amending San Diego Municipal Code, by amending Section 93.1511 and by repealing Sections 93.1513 and 93.1514 - Regulating Gas Appliances - requiring Vented Heaters - Douglas D. Deaper stated that the matter has been discussed by the Council over a long time. He said that the Ordinance is ready for introduction.

The Mayor stated that it is one of clarification.

Mr. Deaper said that it lessens the present requirements.

Mr. Horton, who did not give his first name or initials, asked when the "other two ordinance" had gone into effect.

Councilman Schneider was excused.

Mr. Deaper replied that he thought it was 10 or 15 years. He said that they are in the Municipal Code, added 2/10/53, and believed that it is not new.

Mr. Horton asked if the new ordinance requires heaters, installed under City approval, have to be removed.

Councilman Wincote answered that a heater, new or old, is to be vented.

Mr. Horton stated that requires a great expense.

Councilman Schneider returned.

The Mayor said "it is a hardship, certainly".

118617

P/L 1237 & Clairemont Units 9 & 15 zoning hearing
Gas appliances (vented heaters) Mun. Code amendment hearing

Mr. Horton referred to heater in his own home, in use more than 25 years. He told the Council that deaths have been caused by consumption of oxygen in the air. He carried on a discussion with the Mayor, and referred to the condition as asphyxiation. He pointed out that vented heaters consume 40% more gas than oxygen. He declared that death would be 400% quicker.

The Mayor said that the Ordinance comes about as a result of Health Department statements.

Mr. Horton told the Council that he had studied heaters 50 years - all kinds - and that all consume oxygen. He referred to hot plate being permissible, and stated that there is no difference against a hot plate and an unvented heater.

Councilman Godfrey informed Mr. Horton that he had never seen a hot plate that had the same characteristics as a heater.

Mr. Horton said that a small heater does not consume more oxygen than a hot plate. He stated that it would cost him \$1,000 or more to comply with the ordinance. Asked why so much, Mr. Horton replied that he has a dozen heaters.

The Mayor, referring back to an earlier comment about existing ordinance, said that Ordinance No. 1797 N.S. is substantially the same as the amendment in the Code.

Mr. Horton spoke of working under the State law, and that legislation had been forced through for extra business. He told of being repealed last year, then vetoed by the then-Governor Warren.

W. H. Schutte told of not having seen the ordinance. He read from a newspaper clipping. He informed the Council about this apartment, which was inspected, with vents through the roof. His heaters are radiant type, according to Mr. Schutte - approved by A.G.A. stamp. He contended the measure before the Council is wrong. He said that the vents are not connected directly with the heaters. Is a non-owner any more valuable than an owner? he asked. He declared the whole thing to constitute a discrimination. Mr. Schutte had a copy of directive issued by the Chief Building Inspector. He pointed out that the directive does not state who shall put in the vents. Next, he told of there having been the same case in Los Angeles, which a judge ruled unconstitutional. He can't see it, Mr. Schutte said. It was his view that lots of people like to see a gas log burning. There is nothing said about steam registers and clothes dryers, according to the speaker. He mentioned having been working around gas for years. It was his contention that residents are now getting "inferior gas". He asked the Council not to pass the ordinance, or make it retroactive.

Councilman Schneider asked if the effect is to repeal other ordinances.

Mr. Deaper's reply was that it makes it unlawful to use non-conforming appliances. He re-iterated that it had been proposed at the instigation of the Health Department.

Mr. Schutte referred to there being no health or fire hazard. If the City were going to call for fire proof lath, would it require all (including those who had already built) to re-plaster? he asked.

There was no answer to that question.

James P. Slater, from the Health Department, told of investigations regarding Los Angeles deaths. He said that vented heaters should be approved by A.G.A. Enforcement should apply where there are permits, but with others added, he told the Council. 85% of apartments and hotels have complied, according to Mr. Slater. He told of there having been 3 deaths in the last year - with about 7 or 8 a year.

Mr. Deaper said that when the ordinance was presented 6 weeks or 2 months ago, it applied to certain occupancies. There was a problem regarding definition, he said. In order to resolve the problem it was decided to make the order apply to all tenant-occupied units, according to him.

Mr. Slater commented that home accidents are a problem; they are important.

Discussion took place between Mr. Horton and Mr. Slater regarding deaths.

Mr. Slater spoke of there being deaths from both unvent heaters, and from improperly vented heaters. He would give the Health Department control. Answering Councilman Burgener regarding Pacific Beach deaths he mentioned a device installed which had caused the same situation as an unvented heater. He contended that a gas burner or a plate consume less gas than a heater.

Mr. Schutte said that more are killed on the Balboa Park Bridge and in San Diego Bay than are asphyxiated. He told of a change of gas escape, even from floor furnaces. People are funny, according to him; and you can't control them. In his last comment he told of an elderly who who had stopped up their overhead vents, cracks around doors and windows.

On motion of Councilman Schneider, seconded by Councilman Dail, the hearing was closed.

Speaking about the body of the ordinance, Mr. Deaper said that the Sections to be repealed were 93.1513 and 13.1514, instead of 95.1513 and 95.1514.

Councilman Schneider said the Health Department feels that there is a difference in own homes and other houses, apparently.

Councilman Dail discussed that point with Councilman Schneider.

Councilman Godfrey said that it can be determined by the owner if he wants vents. The food handling ordinance, he said, does not check housewives.

Councilman Burgener expressed the belief that the Ordinance should include all - including home owners.

Councilman Schneider referred to the repeal covering all homes.

Councilman Godfrey felt that it is no use to have an ordinance, except where there can be enforcement.

Councilman Wincote said that the proposal had been urged upon the Council by the Health Department, that there is "nobody for it".

Mr. Slater expressed himself in favor of the ordinance, and said that section is still in the State Housing Act regarding individual homes. He offered the information that it is contested. He felt that the other 15% (not covered, now) should be required to conform.

Hearing re amendment to Municipal
Code on Gas appliances (vented
heaters)

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Councilman Schneider maintained that the Council can't pass an ordinance for some; he had been told that it has to be for all.

Mr. Deaper said that the Attorney is not concerned with the owner-occupied. He contended that in remedying an evil, the Ordinance will not fall if it does not touch all. In that tenants can do nothing to help themselves, he declared the ordinance to be reasonable.

Councilman Burgener asked about protecting the home owner.

The question was not answered.

On motion of Councilman Dail, seconded by Councilman Wincote, the ordinance was introduced, as shown below.

After introduction, discussion continued.

Councilman Dail told of visiting a home where it was found that they finally agreed to the proposal.

Councilman Wincote said that Askew (J. B. Askew, M.D., Director of Health) had said that the Ordinance is the best that can be done, on account of the State law, which is contested.

Councilman Burgener insisted that owners should be included.

Councilman Dail made reference to his view on chicken handlers in the food handlers' ordinance (a previously-adopted ordinance), re-iterating his stand and outlined reasons for having voted against that ordinance inasmuch as it did not cover all.

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

Application from Steele Tomlinson, P.O. Box 372, 7227 Eads Avenue, La Jolla, for certificate of necessity to operate 2 additional U-Drive cars, under name of La Jolla Auto Livery, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, referred to the City Manager.

RESOLUTION NO. 118618, recorded on Microfilm Roll No. 81, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for preparation of exterior surfaces and application of two coats of paint to Serra Museum in Presidio Park, bearing Document No. 492123; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting that Director of Water Department had recommended to City Manager purchase of Chlorine Residual Recorder which has been on trial for 2 years at Alvarado Filtration Plant, was presented. It says that the Director states that device has been of great value in improving safe and economical operation of chlorinators at the Plant. It states equipment is exclusive to Wallace & Tiernan Sales Corp., and no other manufacturer makes equipment of the type; price is \$2,490.00 f.o.b. factory, or \$2,560.00 f.o.b. the Plant, plus State Sales Tax. It recommends purchase.

RESOLUTION NO. 118619, recorded on Microfilm Roll No. 81, authorizing and directing Purchasing Agent to purchase a Chlorine Residual Recorder from Wallace & Tiernan, f.o.b. Alvarado Filtration Plant, plus State Sales Tax, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The next 2 items listed on the agenda covering Tentative Map of Allied Gardens Unit No. 4, were withdrawn temporarily by the Planning Department - for later action. Will be found again, at the end of Minutes for this meeting.

Nevertheless, although it was to be held, the following discussion took place.

The City Manager said that the City Engineer knows of modifications.

The City Engineer told of subdividers wanting to spread access road and bridge over 2 subdivisions, instead of 1. He said agreement provides for putting up \$70,000.00 in Unit #4 - to be followed by the next unit. He said that it would be finished later. He read from a proposed Resolution. He asked for amount of \$235.00 per acre delineated, to be removed.

Douglas D. Deaper, Deputy City Attorney, said that the figure had come from Mr. Gabrielson of the City Engineer's office - not from the Attorney.

The City Engineer said the situation is to be the same as in Clairemont. He discussed with Councilman Godfrey.

Councilman Kerrigan moved to strike the \$235. per acre.

The City Engineer said that ceiling is being taken off.

(The matter will be found, again, on page 260 of these Minutes).

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code, in connection with Tentative Map for dividing portion of Lot 12 Redlands Tract into 2 parcels, was presented.

RESOLUTION NO. 118620, recorded on Microfilm Roll No. 81, suspending

Sections 102.07-2, 102.12-3 of San Diego Municipal Code in connection with Tentative Map of Subdivision of portion of Lot 12 Redlands Tract, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map for dividing portion of Lot 12 Redlands Tract, by Record of Survey, subject to repair of existing sidewalks and curbs and installation of sewer laterals under City permit procedure, was presented. It lists 4 findings made by the Commission, making the method permissible.

RESOLUTION NO. 118621, recorded on Microfilm Roll No. 81, approving Tentative Record of Survey Map for subdividing portion Lot 12 Redlands Tract into 2 parcels, following findings having been made: 1) area contains less than 5 acres, 2) which abut upon dedicated street or highways, 3) in which street openings or widening is not required in dividing land, and 4) lot design meets approval of Planning Commission and Council, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, suspending portion of San Diego Municipal Code insofar as they relate to Tentative and Final Maps of Tommasa Terrace, was presented.

RESOLUTION NO. 118622, recorded on Microfilm Roll No. 81, suspending Section 102.12-2, 102.18, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Tommasa Terrace, 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 Tommasa Terrace, a 7-lot subdivision of portion of Lot 26 La Mesa Colony, located southerly of Catoctin Drive and easterly of Art Street, subject to 11 conditions, was presented.

RESOLUTION NO. 118623, recorded on Microfilm Roll No. 81, approving Tentative Map of Tommasa Terrace, subject to conditions recited in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The agenda listed the continued item, being communication from San Diego Community Theatre requesting review of Planning Commission's decision re proposed structure behind Old Globe Theatre in Balboa Park - referred to the City Manager on June 10, 1954.

It had not been returned from the Manager's office, so on motion of Councilman Schneider, seconded by Councilman Burgener, it was continued with no date for consideration designated.

Communication from Servandina L. S. Montoya, being application for Class A Dine & Dance license at 1719 National Avenue, was presented together with recommendations for approval.

RESOLUTION NO. 118624, recorded on Microfilm Roll No. 81, granting application of Servandina L. S. Montoya for Class "A" license to conduct public dance at 1719 National Avenue on premises where intoxicating liquor is sold, subject to complying with existing ordinances and regulations, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Petition of property owners requesting meeting with City Council relative to improvement of La Jolla Mesa Drive, between Turquoise Street and Linda Rosa Avenue, was presented.

Mrs. W. E. Dougherty read a statement regarding previous efforts. She did not file the statement.

Councilman Dail was excused.

Mrs. Dougherty asked when work is going to be completed. She asked about additional width, and where it would come from. Will the City pay for resurfacing, and can there be a full-width street and sidewalks, she asked. Then she wondered if she would have to wait 10 to 20 years. These questions were contained in the statement referred to.

David C. Nenny, 5379 La Jolla Mesa Drive, said that Mission boulevard connects, and that other streets run into it.

Councilman Dail returned.

Mr. Nenny continued, by saying that some had been widened, paved, and sidewalked. There is a great deal of traffic on La Jolla Mesa Drive, according to him. He stated that shoulders are hard pan mud; dangerous; carries heavy traffic. Something should and could be done, Mr. Nenny said. He spoke of representing all property owners on both sides, who are willing to do their own part, if the City does.

C. E. Cline proposed that the Planning Commission revise the plan - for all in 60 ft. width. He said that numerous houses and retaining walls exist which would have to be

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torn down. He wanted a narrower street. Mr. Cline described the area as being near the school, with lots of children who walk in the streets. He related having personally hauled in quantities of dirt to correct the storm damage. Answering Councilman Schneider, he said he had not circulated a 1911 Act petition, on account of the requirements.

Councilman Burgener told of there having been a difference between the City Engineer and the Planning Department.

Mrs. Dougherty said that as it stands, there would be necessity to give up portion of the property.

Councilman Schneider suggested "let's refer it to the Manager for a report".

The City Manager said that it should involve meeting with the affected people.

Councilman Schneider moved to continue the matter 4 weeks.

The City Manager told the Council that it is more than a local street; it should be widened to 80 or 100 feet. He said that the Council would have to resolve if it would be a temporary measure, or finance it.

Councilman Godfrey said that it should be continued, and discussed in conference. He added that it should include reference to conference prior to talking to property owners.

RESOLUTION NO. 118625, recorded on Microfilm Roll No. 81, referring to Council Conference, for report to the Conference within 4 weeks, from the City Manager, on petition of property owners for improvement of La Jolla Mesa Drive, between Turquoise Street and Linda Rosa Avenue; continuing the entire matter for 4 weeks from this Resolution date (July 15, 1954), was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from L. H. Dowdy, 3641 Rosecrans Blvd., San Diego 10, dated June 7, 1954 (San Diego Liquid Gas & Appliance Co.), requesting permission to make a brief statement regarding installation of L.P.G. plant, office and display room, was presented.

Lewis H. Dowdy, Jr., spoke to the Council. He stated that it is proposed to build a plant, show rooms, and storage on Camino del Rio, west of the California Highway Patrol Office - at \$75,000. to \$80,000. He spoke for need of many utilities, both wholesale and retail. The location is important to customers, and added that the City of San Diego is a good customer. He declared that the zoning is proper. Mr. Dowdy told the Council that the land had been bought with the stipulation that it is a proper location. He told of having a Resolution which O.K.'s the location, and pointed out that neighbors are in accord with the request. Midway Businessmen, the First National Bank, and others, were cited as being in favor of the use. More and more trucks are using Butane, according to the speaker. He told of the City Council of Los Angeles looking into Butane to replace Diesel, and that Lockheed is doing the same (to reduce the smog nuisance). Mr. Dowdy said that they have been denied permission to build for 2 or 3 years. He spoke of having requested building permits, which the Fire Department had denied. Mr. Dowdy read the Resolution he had, at the request of the City Manager, regarding finding for property use.

Douglas D. Deaper, Deputy City Attorney, asked if the proposed site is the same location as the existing plant.

Mr. Dowdy replied that it would be. He stated that the Fire Department had said that it denied the permit on account of the Housing project; now the housing units are gone. Now the Fire Department is giving as reasons for denial, the heavy traffic, he reported.

Councilman Dail felt that the subject should go to conference.

The City Manager told the Council that the matter had been up several times.

Mr. Dowdy told of the matter being important; they are losing; Los Angeles people are coming. He said that it is the feeling of Los Angeles people that if they (the Dowdy's can't get a permit, that the major oil companies can. He asked for a permit - in writing, and pointed out that it had been held up for 2 years. If it is deemed to be an improper location, he can bring in experts (as had been done previously), Mr. Dowdy said.

Councilman Burgener said that this has nothing to do with the proposed ordinance on L.P.G. (on which experts had been brought in to testify regarding L.P.G.).

Councilman Wincote said that he can't understand why this should go to conference. The Council has heard experts, he observed.

Councilman Godfrey stated that the petitioners are entitled to an answer.

Councilman Dail pointed out that the Fire Chief has made a new statement.

Councilman Wincote said that it would be better to refer the request to the City Manager for reports - to be brought back to the Council.

Councilman Burgener insisted that it should go to conference.

Mr. Dowdy made a statement to the effect that the Fire Chief is not a qualified expert on the subject.

RESOLUTION NO. 118626, recorded on Microfilm Roll No. 81, referring to Council Conference the request of San Diego Liquid Gas & Appliance Co., signed by L. H. Dowdy, regarding effort to construct an L.P.G. plant, office and display room on Camino del Rio, west of the California Highway Patrol Office - for re-appearance before Council in meeting in 2 weeks (July 1, 1954), was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

Communication from Benjamin H. Kirk, 3424 Vancouver Ave., San Diego 4, Calif., dated June 10, 1954, making suggestions regarding use of Fluoridation which is probably on hand as sodium silico fluoride (as a result of the recent election), was presented. It suggests mixing a concentrated solution in distilled water for distribution.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, it

was referred to the City Manager.

Communication from Louie Jorgensen, 4025 Van Dyke Avenue, San Diego 5, dated 6-15-54, was presented. It refers to lawlessness in connection with individual parking on his property, the distruction of same, forging of the writer's name on checks, knowledge of the activity of the people who do not stop it, etc.

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

Communication from San Diego Chamber of Commerce, dated June 15, 1954, signed by Stanley Grove, General Manager, was presented. It refers discussions by the Tourist Industry and the Metropolitan Planning Committees followed by the City in connection with City-owned land on Torrey Pines-Camp Callan mesa. It speaks of the area as being ideal for additional recreational facilities and that in the future the community would prize the area just as it now does Balboa Park.

RESOLUTION NO. 118627, recorded on Microfilm Roll No. 81, referring to Council Conference communication from San Diego Chamber of Commerce re future development problems of Torrey Pines-Camp Callan area, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Ernest A. Strout, 7757 Whitefield Place, La Jolla, dated June 15, 1954, re needed repairs to said Place, and to his driveway, was presented.

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

Communication from La Jolla Visiting Nurse Association, 807 Kline Street, La Jolla, signed by Jean S. ZoBell, secretary, was presented. It endorses the proposal in connection with new commercial zoning ordinance for suburban area, and urges the Council to pass it.

RESOLUTION NO. 118628, recorded on Microfilm Roll No. 81, referring to Council Conference communication from La Jolla Visiting Association re proposed commercial zoning for suburban areas, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118629, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager, for and on behalf of City of San Diego, to execute acceptance of Change Order in connection with Navy Water Contract No. N123s-64638, continuing services for fiscal year beginning July 1, 1954, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118630, recorded on Microfilm Roll No. 81 - granting Tanner Motor Livery, Ltd., dba Gray Line Cab Co., permission to change color scheme of Gray Line taxicabs - fenders gray & tops white - also modifying current permit, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118631, recorded on Microfilm Roll No. 81, denying claim of Lawrence A. Chambers, on file in Office of City Clerk under Document No. 483734, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118632, recorded on Microfilm Roll No. 81, denying claim of Trinidad Chapon, on file in Office of City Clerk under Document No. 464061, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118633, recorded on Microfilm Roll No. 81, denying claim of Rosalie Bell, filed in office of City Clerk under Document No. 461770, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118634, recorded on Microfilm Roll No. 81, denying claim of Ruth M. Corle, on file in Office of City Clerk under Document No. 461991, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118635, recorded on Microfilm Roll No. 81, accepting subordination agreement, executed by Marie K. Jordan, beneficiary, and Bank of America

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National Trust and Savings Association, trustee, bearing date April 21, 1954, wherein they subordinate all their right, title and interest in and to portion of Isabella Street closed, adjacent to Lot 40 La Mesa Colony, to right of way and easement for street 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 the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118636, recorded on Microfilm Roll No. 81, accepting deed of V. M. Butterfield, bearing date April 13, 1954, conveying easement and right of way for street purposes in portion of Isabella Street closed, lying adjacent to Lot 40 La Mesa Colony; setting aside and dedicating it to public use as and for public street, and naming same 73rd Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118637, recorded on Microfilm Roll No. 81, accepting deed of Pete Lombardo and Vitina Lombardo, bearing date April 13, 1954, conveying easement and right of way for street purposes in portion of Isabella Street closed, adjacent to Lot 40 La Mesa Colony; setting aside and dedicating the land to public use as and for public street, naming it 73rd Street; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118638, recorded on Microfilm Roll No. 81, accepting deed of Wilhelmina Kreis Haddock, bearing date June 9, 1954, conveying easement and right of way for street purposes in portion of Alley (closed) lying adjacent to northeasterly line of Lot 8 Block 17 La Jolla Hermosa; setting aside and dedicating land to the 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 the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118639, recorded on Microfilm Roll No. 81, accepting deed of William Soucek and Emma Soucek, bearing date April 29, 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 in The City of San Diego; setting aside and dedicating land to public use as and for public street and naming same 58th Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118640, recorded on Microfilm Roll No. 81, accepting subordination agreement, executed by First Federal Savings & Loan Association, beneficiary, and Fidelity & Guaranty Company, trustee, bearing date June 3, 1954, wherein they 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 right of way and easement for street 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 the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118641, recorded on Microfilm Roll No. 81, accepting Deed of Tilghman C. Caldwell and Wilma J. Caldwell, bearing date May 27, 1954, conveying easement and right of way for street purposes in portion of Lot 1 Block "D" Oak Park; setting aside and dedicating land to the Public use as and for public street, and naming it 51st Street; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118642, recorded on Microfilm Roll No. 81, accepting Deed of Harry Howard Campbell and Mary Ann Campbell, bearing date May 27, 1954, conveying easement and right of way for street purposes in portion of Lot 23 Block "C" Oak Park; setting aside and dedicating the land to the public use as and for public street, and naming it 51st Street; authorizing and directing City Clerk to file the deed for record in Office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118643, recorded on Microfilm Roll No. 81, accepting deed of Edward J. Petersen and Gladys N. Petersen, bearing date May 27, 1954, conveying easement and right of way for street purposes in portion of Lot 24 Block 25 Fairmount Addition to City Heights; setting aside and dedicating land to public use as and for public street, naming it Polk Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118644, recorded on Microfilm Roll No. 81, accepting deed of Manuel F. Serpa and Rose C. Serpa, bearing date April 27, 1954, conveying easement and right of way for street purposes in portion Lot 1 Block 22 Western Addition; setting aside and dedicating land as and for public street, naming it Udall Street; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118645, recorded on Microfilm Roll No. 81, accepting subordination agreement, executed by John Hancock Mutual Life Insurance Company, as beneficiary, and Union Title Insurance and Trust Company, as trustee, bearing date May 12, 1954; setting aside and dedicating land for street purposes (not named); authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118646, recorded on Microfilm Roll No. 81, accepting subordination agreement, executed by Harold L. Maydole and Irma B. Maydole, beneficiaries, and Security Title Insurance Company, trustee, bearing date June 7, 1954, wherein they subordinate all their right, title and interest in and to portion of Lot 24 Block 25 Fairmount Addition to City Heights, to right of way and easement for street 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 the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118647, recorded on Microfilm Rool No. 81, accepting deed of Raymond B. Talbot, as Tax Collector for County of San Diego, bearing date May 18, 1954, conveying to the City all real property in Count y of San Diego, described as:

In Campo Del Dios Unit No. 1: Lot 15, Block 7;
Lot 3, Block 30
In Campo Del Dios Unit No. 2: Lot 8, Block 23
In Campo Del Dios Unit No. 3: Lot 2, Block 35
In Campo Del Dios Unit No. 4: Lot 13, Block 85;
Lot 6, Block 89
In Campo Del Dios Unit No. 5: Lot 6, Block 102;
Lots 2 to 5 incl., Block 104;
Lot 10, Block 104

authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118648, recorded on Microfilm Roll No. 81, accepting deed of Vernon H. Reed and Bettie J. Reed, bearing date May 28, 1954, conveying Lots 18, 19, 20 Block 8 Campo Del Dios Unit No. 1; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to 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. 118649, recorded on Microfilm Roll No. 81, accepting deed of Geo. A. Linhardt and Nellie S. Linhardt, bearing date June 10, 1954, conveying Lot 14 Block 7 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to 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. 118650, recorded on Microfilm Roll No. 81, accepting deed of Lemuel E. Bell and Henrietta Bell, bearing date June 10, 1954, conveying Lot 6 Block 36 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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RESOLUTION NO. 118651, recorded on Microfilm Roll No. 81, accepting Deed of Vera L. Sturges, bearing date June 9, 1954, conveying Lot 6 and Northeasterly 1/2 of Lot 7 Block 47 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to 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. 118652, recorded on Microfilm Roll No. 81, accepting Deed of Violet Philbrook, now known as Violet Philbrook Turner, bearing date June 9, 1954, conveying Lot 3 Block 43 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to 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. 118653, recorded on Microfilm Roll No. 81, accepting Deed of Eric D. Doane and Arlene B. Doane, bearing date June 3, 1954, conveying Lots 2, 6, 7, 8 Block 84 and Lots 14 Block 83 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to 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. 118654, recorded on Microfilm Roll No. 81, accepting Deed of Alta J. Watson and Charles S. Watson, bearing date June 2, 1954, conveying Lot 6 Block 51, Lot 7 Block 50, Lot 5 Block 35 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to 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. 118655, recorded on Microfilm Roll No. 81, accepting Deed of W. E. Seaborn and Esther R. Seaborn, bearing date June 2, 1954, conveying Lot 7 Block 85 Campo Del Dios Unit #4; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to 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. 118656, recorded on Microfilm Roll No. 81, accepting Deed of Harry J. Goetz and Donna M. Goetz, conveying Lots 3, 4, 5 Block 40 Campo Del Dios; authorizing and directing City Clerk to transmit the deed, together with certified copy of the 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. 118657, recorded on Microfilm Roll No. 81, accepting Deed of Ed Fletcher Company, bearing date May 28, 1954, conveying Southeast Quarter of Lot 6, Section 6 T 13 S R 1 W, together with portion of Oaks Tract; authorizing and directing City Clerk to transmit the 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 Burgener, adopted.

RESOLUTION NO. 118658, recorded on Microfilm Roll No. 81, accepting Deed of Grace M. Sissons, conveying easement and right of way for storm drain purposes in portion of Lot 6 Tract 1353 Normal Heights; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118659, recorded on Microfilm Roll No. 81, accepting deed of Solomon Building Company, bearing date May 17, 1954, conveying easement and right of way for sewer purposes in portion of Lots 17 and 18 Carruthers Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118660, recorded on Microfilm Roll No. 81, accepting Deed of San Diego Unified School District, bearing date May 25, 1954, conveying easement and

right of way for sewer purposes in portion of Alley Closed, in Block 4 Chesterton Extension together with portion of Templeton Street closed adjacent to Block 4; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Ordinance - which had been before the Council for several months - and continued week-to-week to this meeting, Approving annexation to 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", was presented again.

On motion of Councilman Schneider, seconded by Councilman Burgener, it was continued one week - to June 24, 1954.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the next ordinance 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 the day of final passage a written or printed copy.

ORDINANCE NO. 6154 (New Series), recorded on Microfilm Roll No. 81, incorporating portions of Lots 32 and 33 La Mesa Colony into R-2 Zone, as defined by Section 101.0406 of San Diego Municipal Code and repealing Ordinance No. 5631 (New Series), insofar as they conflict, 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 reading of the next ordinance 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 the day of final passage a written or printed copy.

ORDINANCE NO. 6155 (New Series), recorded on Microfilm Roll No. 81, amending Section 86.20.2 of San Diego Municipal Code which regulates parking in the Civic Center Parking Lots, 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 reading of the next ordinance 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 the day of final passage a written or printed copy.

ORDINANCE NO. 6156 (New Series), recorded on Microfilm Roll No. 81, dedicating portion of Pueblo Lot 307 for Street purposes, and naming it Congress 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 reading of the next ordinance 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 the day of final passage a written or printed copy.

ORDINANCE NO. 6157 (New Series), recorded on Microfilm Roll No. 81, dedicating portion of Lot 28 Ex-Mission Lands of San Diego (Horton's Purchase), for street purposes and naming same 47th 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 reading of the next ordinance 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 the day of final passage a written or printed copy.

ORDINANCE NO. 6158 (New Series), recorded on Microfilm Roll No. 81, changing name of Spreckels Avenue in Lomita Village Units 1, 2, 4 to Sawtelle Avenue, 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.

Ordinance continued
8154 N.S. - 6158 N.S.

At the hour of 12:27 o'clock Noon, the Council took a recess until 1:00 P.M. noon this date.

Upon reconvening, at the hour of 3:30 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

The next 2 matters, which had been continued from the morning meeting, were brought up again:

Two resolutions, shown also on page 252 of these minutes, were presented. The subject had been covered, having to do with Tentative Map of Allied Gardens Unit No. 4.

RESOLUTION NO. 118661, recorded on Microfilm Roll No. 81, suspending Sections 102.09, 102.11-2, 102.11-1, 102.12-6, 102.12-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Allied Gardens Unit No. 4, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 118662, recorded on Microfilm Roll No. 81, approving Tentative Map of Allied Gardens Unit No. 4, a subdivision located in portion of Lots 66 and 67 Rancho Mission, subject to 11 conditions - and subdivider shall furnish City a commitment approved by City Attorney's office prior to or concurrent with acceptance of final map of Allied Gardens Unit No. 4 to the effect that area outlined in "red" will be liable for completion of the drainage structure and bridge, and any remaining portion of improvement of A Street (lying southerly of "A-A" shown on the plat) which is not completed with the sum of \$70,000.00 referred to in the Resolution - was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The Mayor declared the meeting adjourned, immediately upon adoption of the 2 Resolutions.

ATTEST:

FRED W. SICK, City Clerk

By August M. Hadstrom
Deputy

John D. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California, Thursday, June 22, 1954 ^{TUES.}

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

Mayor Butler presented the Rev. John Storm, president of the San Diego College for Men.

Father Storm gave the invocation.

Councilman Burgener entered the meeting

The Minutes of the Regular Council Meetings of Tuesday, June 15, 1954, and Thursday, June 17, 1954, were presented to the Council by the Clerk.

On motion of Councilman Godfrey, seconded by Councilman Dail, 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 time set for hearing on the Annual Appropriation Ordinance (the budget) proposed to be adopted for the fiscal year 1954-55, the Mayor announced that the hearing would be held at this time.

Eugene T. Ageno, director of the Tax Payers Association, read a statement in the form of a letter from the Association, signed by Edward C. Hall, president. A copy was filed with the Clerk and with each member of the Council by John Leppert.

Councilman Dail said that the Capital Outlay Item - referred to as #4 in the letter - had been referred back to the City Manager, for return to the Council; and the sales tax item. He stated that the Council has given them consideration.

Mr. Ageno contended that the items should be set out, and listed in their order.

Councilman Kerrigan pointed out that Capital Outlay is not included.

Councilman Schneider told about postponement of street surfacing from other years. There are many lay-over problems, according to him.

Councilman Kerrigan declared that the City is growing, and that there is need for giving of services to all the people. He spoke of necessity to include libraries for all area - some of which are not even served by a "Bookmobile".

Allan Price, 545 Savoy Street, was heard. He asked if the Visitors' Bureau discussion is all right.

The Mayor told of having received Mr. Price's telegram. He said that the budget was set \$30,000 in an unallocated fund, and there is need for coordination, also.

Mr. Price agreed that it should be coordinated.

Councilmen Wincote said that the Council is considering that.

Mr. Price explained that tourists are the best source of new dollars. He said he has read that Tijuana may be removed from the free zone. He spoke of not being able to get people who are operating now to cooperate. Mr. Price said that it had been decided 2 years ago (he did not say by whom) that the City has enough tourists. He spoke of many other communities having gone ahead with big programs. Bomar (Tom Bomar, of the Visitors' Bureau) had reported, according to Mr. Price that there has been a 20% drop in cars entering California - 80% of those having been dropped out of visiting San Diego. He made a point of saying that there are various groups working on this same problem, but each does not talk to the other. They just won't work together, he said. He spoke of having tried to get voluntary coordination. It is ridiculous for the Visitors' Bureau to get over 50% of its funds from the City and County, he said.

Mr. Price, answering Councilman Schneider, said that the groups have not been approached. He spoke of advertising being carried in the National Geographic, which is a fine publication, in doctors' offices and the like, but that it is not widely read.

Councilman Dail talked to Mr. Price about re-organization. Without a recommendation, the program can't be handled, he said.

Mr. Price asked for 1 group, rather than several - headed by 1 individual - to handle the tourist phase. He spoke for the handling of tourists by departments under 1 head, who is experienced. He called for no bickering between the separate groups.

Councilman Kerrigan spoke to Mr. Price regarding a new organization, instead of several. He was asked if that is what he had in mind.

Mr. Price replied "yes", and amplified the idea by saying that a program can be presented to the Council. He charged that the Council will not take the lead. Mr. Price stated that 10 times as much as is contributed by the City and County can be raised, when properly organized. He asked the Council to withhold funds until a new organization is formed; as well going along with nothing. He answered Councilman Schneider, by saying that it does not make sense to have 3 staffs.

Councilman Godfrey asked why funds should be held up for all 3, when the attack is on only 1. He asked if the 3 are wanted together.

Mr. Price replied that the Visitors' Bureau is holding up "the deal".

Invocation
Minutes approved
Approp Ord. hearing

6/22/54

Deliberations on the problem are quite secret, as far as the Coordinating Committee is concerned, Mr. Price said.

The Mayor urged Mr. Price to get members of the organization to get "organized" and inform the Council of proposals.

Councilman Kerrigan moved to refer the matter to Conference.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, this hearing was closed (There is to be another on Thursday, June 24).

Councilman Kerrigan was excused
Councilman Dail was excused

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for construction of sidewalks on Missouri Street, under Resolution of Intention No. 117565, the Clerk reported that 5 bids had been received. They were presented to the Council.

On motion made and seconded, the bids were publicly opened and declared. They were as follows:

A. W. Thorpe, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of \$180.00, given Document No. 492435;
H. W. Gould, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of \$165.00, given Document No. 492436;
H. C. Dennis, an individual, accompanied by bond written by American Surety Company of New York in the sum of \$200.00, given Document No. 492437;
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 \$200.00, given Document No. 492438;
John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$900.00, given Document No. 492439.
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 latest time set for receiving bids for paving and otherwise improving of Olney Street and Felspar Street, under Resolution of Intention No. 117678, the Clerk reported that 6 bids had been received. They were presented to the Council.

On motion made and seconded, the bids were publicly opened and declared. They were as follows:

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$3,000.00, given Document No. 492447;
R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$3,000.00, given Document No. 492448;
H. C. Dennis, an individual, accompanied by bond written by American Surety Company of New York in the sum of \$4,000.00, given Document No. 492449;

Councilman Kerrigan returned

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$3,861.00, given Document No. 492450;
Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$3,000.00, given Document No. 492451;

Councilman Dail returned

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$3,300.00, given Document No. 492452.

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 lying easterly of and contiguous to Lots 1 to 24 inclusive Block 1 Tract 1352 Wilshire Place; 43rd Street and Public Right of way, under Resolution of Intention No. 117677, the Clerk reported that 3 bids had been received. They were presented to the Council.

On motion made and seconded, the bids were publicly opened and declared. They were as follows:

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 \$800.00, given Document No. 492453;
John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$800.00, given Document No. 492454;
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. 492455.

On motion of Councilman Schneider, seconded by Councilman Burgener, they 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 time set for hearing on Resolution No. 118158 of Preliminary Determination for paving and otherwise improving Alley Block 16 Bird Rock City by the Sea, and Easterly and Westerly Alley lying northerly of and contiguous to Block 2 Bird Rock Addition, within limits and as prescribed in the 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. 118663, recorded on Microfilm Roll No. 81, determining that paving and otherwise improving of Alley Block 16 Bird Rock City by the Sea, and Easterly and Westerly Alley lying northerly of and contiguous to Block 2 Bird Rock Addition, as described in Resolution No. 118158 of Preliminary Determination, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted. It declared work to be feasible.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 118159 of Preliminary Determination for paving and otherwise improving Alley Block 83 Point Loma Heights, 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. 118664, recorded on Microfilm Roll No. 81, determining that paving and otherwise improving Alley Block 83 Point Loma Heights as described in Resolution No. 118159 of Preliminary Determination, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted. It declared work to be feasible.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 118160 of Preliminary Determination for paving and otherwise improving A 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.

Mrs. Frank Osborne appeared, and spoke of there being 5 persons in the neighborhood. She asked if there would be a later hearing.

The City Engineer told the Council that there was a 73% petition for the work.

A petition of protest was passed up to the Clerk.

The City Engineer outlined the proposed improvement, for benefit of the Mayor, as well as properties affected.

The Mayor stated that the protest says it constitutes 75% in opposition.

RESOLUTION NO. 118665, recorded on Microfilm Roll No. 81, continuing hearing on proposed improvement of A Street between easterly line of Edgemont Street and line parallel to and distant 225.00 feet easterly until 10:00 o'clock A.M., Tuesday, June 29, 1954; requesting City Engineer to check the protests, and report to the continued hearing, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 118279 of Preliminary Determination for sewers in Alleys Blocks 111, 121, 122, 138, 139, 140, 143, 144 and 145 City Heights; Thorn Street, Redwood Street, Quince Street, Unnamed Street, Public Rights of Way, 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. 118666, recorded on Microfilm Roll No. 81, determining that improvement of Alleys Blocks 111, 121, 122, 138, 139, 140, 143, 144, 145 City Heights; Thorn Street, Redwood Street, Quince Street, Unnamed Street, and Public Rights of Way, as described in Resolution No. 118279 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 the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Councilman Schneider was excused

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 118280 of Preliminary Determination for paving and otherwise improving Alley Block 44 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41, portions of Acre Lots 16, 37, 45, 46 and Blocks 150 and 151 Pacific Beach, the Clerk reported that no written 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.

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RESOLUTION NO. 118667, recorded on Microfilm Roll No. 81, determining that improvement of Alley Block 4 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40 and 41 and portions of Acre Lots 16, 37, 45, 46 and Blocks 150 and 151 Pacific Beach, under Resolution No. 118280 of Preliminary Determination is feasible, and that lands to be assessed therefore will be able to carry the 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 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. 118281 of Preliminary Determination for paving and otherwise improving Jewell Street, between southerly line of Garnet Street and northerly line of Reed Avenue, 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. 118668, recorded on Microfilm Roll No. 81, determining that improvement of Jewell Street, under Resolution No. 118281 of Preliminary Determination is feasible, and that lands to be assessed therefore will be able to carry the 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 Burgener, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 118154 for paving and otherwise improving Alley Block I Montecello, 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 preparation and presentation of the Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 118155 for paving and otherwise improving Alley Block 46 Ocean Beach, and Sunset Cliffs Boulevard, 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 Wincote, seconded by Councilman Burgener, proceedings were referred to the City Attorney for preparation and presentation of the Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 118156 for paving and otherwise improving Ollie Street, Camulos Street, Liberty Street, and Venus 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 Wincote, seconded by Councilman Dail, proceedings were referred to the City Attorney for preparation and presentation of the Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing electric current for lighting ornamental street lights located in Five Points Lighting District No. 1, for period of one year from and including August 5, 1954, the Clerk reported that no written protests had been received.

RESOLUTION NO. 118669, recorded on Microfilm Roll No. 81, confirming and adopting as a whole the Engineer's Report and Assessment for Five Points Lighting District No. 1, filed in the office of the City Clerk May 20, 1954, 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 furnishing electric current for lighting ornamental street lights located in San Diego Lighting District No. 4, for period of one year from and including August 1, 1954, the Clerk reported that no written protests had been received.

RESOLUTION NO. 118670, recorded on Microfilm Roll No. 81, confirming and adopting as a whole the Engineer's Report and Assessment for San Diego Lighting District

No. 4, filed in the office of the City Clerk May 20, 1954, 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. 2244 made to cover costs and expenses of installing sanitary sewer main in Plantano Street, Castana Street, Nogal Street, Escuela Street, Cereza Street, Imperial Avenue and Public Rights of Way, the Clerk reported that communication had been received from the Street Superintendent. The communication states that there have been assessments - 144 and 145 made in the sums of \$84.60 and \$112.81 whereas they were dedicated for street purposes and named 47th Street by Resolution No. 109720. It requests that the Assessment Roll be ordered Corrected and Modified in order that amount levied against portion of 47th Street be spread to other lots within the district.

Douglas D. Deaper, Deputy City Attorney, said that it should be referred to the Street Superintendent to correct and modify the assessment roll.

RESOLUTION NO. 118671, recorded on Microfilm Roll No. 81, adopting recommendation of Street Superintendent contained in Document No. 492276, requesting that Assessment No. 2244 made to cover costs and expenses of installing sanitary sewer main in Plantano Street, Castana Street, Nogal Street, Escuela Street, Cereza Street, Imperial Avenue and Public Rights of Way, under Resolution of Intention No. 112878; directing the Street Superintendent to modify and correct the Assessment in accordance with the recommendation; continuing the hearing until 10:00 o'clock A.M., Thursday, June 24, 1954, 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 Assessment No. 2243, made to cover cost and expenses of paving and otherwise improving Cass Street under Resolution of Intention No. 113134, the Clerk reported no appeals having been filed.

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. 118672, recorded on Microfilm Roll No. 81, confirming and approving Street Superintendent's Assessment No. 2243 made to cover cost and expenses of paving and otherwise improving Cass Street, under Resolution of Intention No. 113134; authorizing and directing Street Superintendent to issue same; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2245, made to cover cost and expenses of paving and otherwise improving 62nd Street and Fergus Street, under Resolution of Intention No. 112883, the Clerk reported no appeals having been filed.

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. 118673, recorded on Microfilm Roll No. 81, confirming and approving Street Superintendent's Assessment No. 2245 made to cover cost and expenses of paving and otherwise improving 62nd Street and Fergus Street, under Resolution of Intention No. 112883; authorizing and directing Street Superintendent to issue same; directing him to record in his office the warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received April 23, 1954, for construction of storm drain and appurtenances in Bandini Street, and easement in Lot 9 Rodefer Hills, View Point Division, received from 4 bidders, was presented. It recommends rejection of the 3 bids - low bid is 65.2% above estimate of City Engineer's department.

RESOLUTION NO. 118674, recorded on Microfilm Roll No. 81, rejecting all bids received for installation of storm drain in Bandini Street and easements in Lot 9 Rodefer Hills View Point Division, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received June 3, 1954, for installation of sprinkler system at Intersection of Midway Drive, Ingraham Street, Ventura and Sunset Cliffs Boulevards, from 5 bidders, was presented. It recommends award to D & M Sprinkler Company, low bidder, at \$24,240.49 - 19.2% below the estimate.

RESOLUTION NO. 118675, recorded on Microfilm Roll No. 81, accepting bid of D & M Sprinkler Company for installation of Sprinkler System at intersection of Midway Drive, Ingraham Street, Ventura and Sunset Cliffs Boulevards; awarding contract, authorizing and instructing 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 office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing City's requirements of Ferric Chloride for Sewage Treatment Plant for period of one year beginning July 1, 1954, received June

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1, 1954, was presented. It recommends award to Dow Chemical Company of Los Angeles, sole bidder - 8000 gal tank cars f.o.b. San Diego \$5.55 per 100 lbs.; 1100 gal tank cars f.o.b. Seal Beach, Calif. \$4.40 per 100 lbs - subject to increase or decrease in price not to exceed 10%, and subject to buyer's acceptance. It states that the Company is sole manufacturer of the product in Southwestern United States, and that due to low cost it is impracticable for manufacturers in other parts of U.S. to ship to San Diego.

RESOLUTION NO. 118676, recorded on Microfilm Roll No. 81, accepting bid of Dow Chemical Company for furnishing City of San Diego with requirements of Ferric Chloride for period of one year beginning July 1, 1954; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for construction of 2 Tennis Courts in Mission Hills Park, on Washington Place west of Randolph Street, received from 6 bidders, was presented. It recommends award to Al E. Riley, Inc., low bidder, at \$10,693.00 - 28.7% below estimate.

RESOLUTION NO. 118677, recorded on Microfilm Roll No. 81, accepting bid of Al E. Riley, Inc., for construction of 2 Tennis Courts in Mission Hills Park; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 1 2-to-3-ton Tandem Roller, received April 2, 1954, from 3 bidders, was presented. It recommends rejection of all bids, and that authorization be given to call for new bids specifying equipment be furnished must be Southern California area. It states low bid received from Hudson Equipment Company of San Diego was for furnishing one Ferguson roller, manufactured in Dallas, Texas, and that Public Works Department has been unable to inspect it inasmuch as there are none in dealers' stocks and none sold in Southern California area. It adds that additional specifications to be supplied by the factory have met with no response.

RESOLUTION NO. 118678, recorded on Microfilm Roll No. 81, rejecting all bids received April 2, 1954, for furnishing one Tandem Roller, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing Liquid Sodium Silicate for period of 6 months beginning July 15, 1954, for Water Department, under Document No. 492315, was presented.

RESOLUTION NO. 118679, recorded on Microfilm Roll No. 81, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing approximately 300 tons of Liquid Sodium Silicate for period beginning July 15, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing 1 6-wheel drive dump truck, for Public Works Department, under Document No. 492316, was presented.

RESOLUTION NO. 118680, recorded on Microfilm Roll No. 81, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing one 6-wheel drive dump truck, under Document No. 492316, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, submitting Resolution authorizing bids for Rental of Dump Trucks for Public Works Department for period of one year beginning July 1, 1954, under Document No. 492317, was presented.

RESOLUTION NO. 118681, recorded on Microfilm Roll No. 81, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Rental of Dump Trucks for one year, under Document No. 492317, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, submitting Resolution authorizing Purchasing Agent to advertise for bids for City's requirements of Asphaltic Plant Mix Surfacing Material for one year beginning July 1, 1954, under Document No. 492318, was presented.

RESOLUTION NO. 118682, recorded on Microfilm Roll No. 81, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Asphaltic Plant Mix Surfacing Material, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

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Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing 72 Trucks and 1 Jeep Passenger Vehicle for Public Works Department, Specifications bearing Document No. 492321, was presented.

RESOLUTION NO. 118683, recorded on Microfilm Roll No. 81, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 72 Trucks and 1 Jeep Passenger Vehicle, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Prior to adoption of that Resolution, Councilman Godfrey asked what the trucks were for.

The City Manager's reply was that it is for "next year's replacement".

Councilman Godfrey believed that the City had been receiving a good price for sale of used trucks. He asked the City Manager if that was so. The Manager could not answer.

RESOLUTION NO. 118684, recorded on Microfilm Roll No. 81, requesting the City Manager to report to the Council on the price received by the City for sale of its used trucks, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing 19 Heavy Duty Pavement Breakers and 23 Heavy Duty Clay Spades for the Public Works Department, Specifications bearing Document No. 492322, was presented.

RESOLUTION NO. 118685, recorded on Microfilm Roll No. 81, authorizing and directing bids or sealed proposals for furnishing 19 Heavy Duty Pavement Breakers and 23 Heavy Duty Clay Spades, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118686, recorded on Microfilm Roll No. 81, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for small water main replacements Group 14, bearing Document No. 492323; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, in accordance with plans and specifications, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

In connection with the next matter, the Mayor explained the situation, having received the information from Carl Reupsch, of the Harbor Department.

RESOLUTION NO. 118687, recorded on Microfilm Roll No. 81, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for paving small plane area, Lindbergh Field, bearing Document No. 492324; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118688, recorded on Microfilm Roll No. 81, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of 45th Street between southerly line of Market Street and line parallel to and distant 23.9 feet southerly from southerly line of Market Street Addition and easterly prolongation of said southerly line, bearing Document No. 492325; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting sale of Scrap Metal, Bare Copper Wire, and Lead Cable to 2 high bidders - \$3,071.34 received deposited with City Treasurer - was presented.

On motion of Councilman Kerrigan, seconded by it was ordered filed.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Delta Heights Annex Unit No. 3, was presented.

RESOLUTION NO. 118689, recorded on Microfilm Roll No. 81, suspending Sections 102.08-1, 102.07-5, 102.16-8, 102.17-c of the San Diego Municipal Code in connection with Tentative Map of Delta Heights Annex Unit No. 3, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Delta Heights Annex No. 3, a 32-lot subdivision of portions of Lots 24 and 25 Wadsworths Olive Grove, fronting on Home Avenue westerly

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of Euclid Avenue, subject to 10 conditions, was presented.

RESOLUTION NO. 118690, recorded on Microfilm Roll No. 81, approving Tentative Map of Delta Heights Annex No. 3, subject to conditions contained in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Glenn A. Rick, forwarding letter from Gus Matchinske indicating his intention to proceed with proposed subdivision in Pueblo Lot 104 - requested by Council in connection with letter promised by Mr. Oldfield and his attorney, Mr. Nottbusch, re rezoning property in vicinity from R-1C to R-1B zone.

Glenn A. Rick, City Planning Director, said that Mr. Nottbusch had not filed the letter from the Oldfields, but that Mr. Matchinske had.

The Mayor said that he would call Mr. Nottbusch, attorney. He changed that, and asked Douglas D. Deaper, Deputy City Attorney to do so. Then he told a story about lawyers on a jury.

Councilman Schneider returned.

Mr. Matchinske told the Council of having checked with the City Engineer, and explained that it has been found difficult to lay out his subdivision until he knows what the Oldfields are going to do with their property. He said he can't proceed until he knows what is going to be done. He won't subdivide until then, but that it is his intention to proceed as soon as he learns.

Mr. Deaper reported back to the Council, after having talked to Mr. Nottbusch by telephone, that the letter had been prepared for Mrs. Oldfield's signature. It will be here soon, according to Mr. Nottbusch's statement to Mr. Deaper.

Mr. Matchinske said that Beale (Ed Beale, who deals with sewer matters), would not allow ceptic tanks.

Councilman Godfrey spoke about Mr. Oldfield's statement to the effect that he would not subdivide the "south portion", and about the 3 owners.

Mr. Rick said that 2 parcels are not recognized; there would be either a subdivision, or a subterfuge for a subdivision. He showed the Council a map regarding the Matchinske problem, which he explained. Members of the Council entered into discussion with Mr. Rick.

Councilman Godfrey declared that the property owners to whom Mr. Oldfield had sold are stuck.

Councilman Wincote talked to Mr. Matchinske regarding the "banjo".

Mr. Matchinske pointed out that he wants 15,000 sq. ft. lots on his property.

Councilman Kerrigan spoke about there being a private easement.

Mr. Matchinske said that Cole (referring to the sewer matter) doesn't want to proceed until it is known what is to be done.

Councilman Kerrigan asked if the City has any power regarding good City planning.

Mr. Rick's reply was "yes". He said that property under the Matchinske letter is excluded from the proposed zoning. He referred to the Oldfield letter which Mr. Nottbusch had told the Council would be filed.

Councilman Dail declared that Mr. Matchinske should have been here last week (at the zoning hearing on P/L 104).

Councilman Wincote stated that Mr. Rick should lay down the law.

Mr. Rick replied that he does not want to tell Mr. Oldfield what to do, as a threat.

Councilman Wincote felt that a 10-day should be enough. He moved to direct Mr. Rick to contact Mr. Oldfield and the other 2 owners, advising them of the situation, stating that Council limits their action to 10 days or that the City will go ahead with the "banjo".

Councilman Dail reviewed action which had been taken.

Mr. Rick stated that the City Attorney had been requested to draft the ordinance.

The matter was held, temporarily, while the Clerk sent for the minutes.

There was discussion between various Councilmen regarding action taken, then between Councilman Godfrey and Mr. Rick.

Councilman Wincote asked if a street could be required.

Mr. Rick's reply was to the effect that property is zoned R-1C,

RESOLUTION NO. 118691, recorded on Microfilm Roll No. 81, directing Glenn A. Rick, City Planning Director, to notify Frank Nottbusch, attorney for Mr. Oldfield, that he has 10 days from date of this Resolution, in which to file a letter from Mr. Oldfield indicating his intention to proceed with his proposed subdivision in Pueblo Lot 104, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the Matchinske letter was ordered filed.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Matchinske Subdivision, was presented.

RESOLUTION NO. 118692, recorded on Microfilm Roll No. 81, suspending Sections 102.16-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Matchinske Subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Matchinske Subdivision, for division of portion of Southeast Quarter of Pueblo Lot 104 into 12 parcels, located on Silvergate Avenue immediately north of the Electronics Laboratory, was presented; 9 conditions.

RESOLUTION NO. 118693, recorded on Microfilm Roll No. 81, approving Tentative Map of Matchinske Subdivision, subject to conditions contained in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on communication from Ruby Stone as request for ruling as to whether or not raising and selling Parakeets in C Zone is a permitted use, was presented. It states that members discussed loud noise which emanates from any place raising Parakeets, and that Parakeets are carriers of Psitocene Fever, and that several cities regulate such birds as fowl. It reports that the Commission was unanimous in making finding that raising Parakeets is not a similar enterprise or business to other permitted uses in the C Zone, and that it would be more obnoxious and detrimental to welfare of the particular community than uses permitted in said C Zone.

Councilman Schneider asked what is the difference (between a variance and a "finding").

Glenn A. Rick, Planning Director, stated that there should be variance, rather than a "finding" if activity is permitted, in that a variance would impose restrictions.

Councilman Schneider said that others are doing the same thing, but that they are calling themselves "pet shops".

Mr. Rick pointed out that persons are living in the area, and that the petitioners should have signatures of those affected, and have conditions attached.

Councilman Kerrigan spoke of one who has more than 1,000 Parakeets; is not commercial raiser, hence the large number since he does not sell the birds.

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

Communication from Randy Haskell Hamilton, Director of Washington Office, American Municipal Association, 522 Transportation Building, Washington 6, D.C., dated June 15, 1954, was presented. The communication deals with S. 3410, having to do with efforts by sponsors of Federal Airport Act of 1946 to have it amended.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the letter, and attached testimony in opposition to the Bill, was ordered filed.

Communication from Robert J. McPherson, 2644 Teresita Street, San Diego 4, dated June 7, 1954, requesting - as a taxpayer - to be heard Tuesday morning June 29, 1954, was presented. It states that he would like to appear on that morning, that he wants assurance that the Mayor and everyone of the Council will be present to hear him regarding conversion of sea water to fresh water and the recovery of vast quantities of minerals therefrom.

Councilman Burgener moved, and Councilman Wincote seconded, a motion which carried, requesting the Mayor to answer the letter informing Mr. McPherson that he can be here, but that there is to be no assurance of who will be present at the June 29 meeting, and that the Council grants him a limited time for his presentation.

Communication from D. W. Sorben, on stationery of San Diego Naval Lodge No. 726, International Association of Machinists, 3949 Alicia Drive, San Diego 7, was presented. It was a carbon copy of letter sent to the Clerk of the Municipal Court, Room 27, 525 Pacific Highway. It requests a copy of a law alleged to have been violated - 552A.

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

Communication from Coordinating Councils, 405 Civic Center, San Diego 1, signed by Kenneth S. Beam, secretary, was presented. Among other things, it requests the Council to take necessary steps to create a Board of Publications Review.

RESOLUTION NO. 118694, recorded on Microfilm Roll No. 81, referring communication from Coordinating Councils, requesting the City Council to take necessary steps to create a Board of Publications Review in connection with San Diego Municipal Code Art 6 Sec 56.01 and Sec 56.01.1, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Coordinating Councils, 405 Civic Center, San Diego 1, signed by Kenneth S. Beam, secretary, was presented. It requests the Council to make any revision in Art 6 Sec 56.01 and Sec 56.01.1 of San Diego Municipal Code, deemed necessary to control distribution of comic books dealing with crime, horror and sex. It states that at the same time the Board requested the Board of Supervisors to take similar action in order to control distribution in unincorporated territory.

RESOLUTION NO. 118695, recorded on Microfilm Roll No. 81, referring communication from Coordinating Councils requesting revisions to San Diego Municipal Code deemed necessary to control distribution of comic books, etc., to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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✓ Communication from Street Superintendent, stating that petitioners for closing strip of land in Seminole Terrace, more particularly described as area between easterly line of Catherine Avenue and westerly line of Virginia Avenue, adjacent to Lots 26 and 17, are no longer interested in the closing, and recommending proceedings be abandoned, was presented.

RESOLUTION NO. 118696, recorded on Microfilm Roll No. 81, abandoning proceedings heretofore taken for closing area between easterly line of Catherine Avenue and westerly line of Virginia Avenue, adjacent to Lots 26 and 17 Seminole Terrace, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Street Superintendent with Assistant to City Manager's stamp of approval, reporting on petition to close Nutmeg Street from southerly prolongation of westerly line of Lot G Block 311 Horton's Addition, to First Avenue, was presented. It states that previous petitions have been denied because of drainage problems, and nothing has been done which will result in permanent and satisfactory solution, that condition has actually been aggravated by placing of unstable fills in the neighborhood. It recommends denial.

RESOLUTION NO. 118697, recorded on Microfilm Roll No. 81, denying petition requesting closing Nutmeg Street, from southerly prolongation of westerly line of Lot G Block 311 Horton's Addition, to First Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Street Superintendent, with Assistant to City Manager's stamp of approval, reporting on petition to close 12-1/2 feet on northeasterly side of Horton Avenue adjacent to Lots D, E, F Block 402 Horton's Addition, between Thorn and Jackdaw Streets, was presented. It states that Horton is located on side of steep canyon which cannot be graded and improved in connection with Kite at Upas, and will only be improved to serve adjacent areas in Blocks 137, 138, 402 in bottom of canyon, so that entire 80-foot right of way will not be required for future improvements. It recommends that northwesterly 12-1/2 feet be closed, except that corner cut-offs be reserved from closing at Thorn & Jackdaw Streets.

RESOLUTION NO. 118698, recorded on Microfilm Roll No. 81, adopting recommendation of Street Superintendent for closing portion of Horton Street; directing City Engineer to furnish description of lands to be affected and benefited by and to be assessed to pay costs, damages and expenses of the closing, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Street Superintendent, with Assistant to City Manager's stamp of approval, reporting on petition to close portion of Emerald Street, between westerly line of Ingraham Street and line connecting southeasterly corner of Lot 25 Block 163 Subdivision of Acre Lots 67, 68, 76, 77, 80, 81 Pacific Beach, was presented; together with closing Alley Block 184 from west line of Ingraham Street and east line of Haines Street closed; Alley Block 185 between westerly line of Haines Street closed and easterly line of Gresham Street; all of said subdivision. It says that closings are requested by San Diego Unified School District, which has made arrangements for rerouting sewer around school property so that existing sewer in alleys may be abandoned; also because City Library which is located on Lots 21, 20 and East 20 feet of Lot 19 Block 184 Pacific Beach requires alley adjacent for access to parking lot it is not proposed to close easterly 70 feet of Alley Block 184 Pacific Beach. It recommends that closing requested in Document No. 483645 be granted with exception of portion of Alley Block 184 between west line of Ingraham Street and northerly prolongation of westerly line of easterly 20 feet Lot 19 Block 184 which will remain open.

RESOLUTION NO. 118699, recorded on Microfilm Roll No. 81, adopting recommendation of Street Superintendent, contained in Document No. 492368, for closing portion of Emerald Street et al; directing City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay costs, damages and expenses of the closing, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118700 is shown numbered at this point, as a matter of expediency, although it was not adopted until later in the meeting. It will be found later.

RESOLUTION OF AWARD NO. 118701, recorded on Microfilm Roll No. 81, accepting bid of Griffith Company, a corporation, and awarding contract for paving and otherwise improving Quimby Street, under Resolution of Intention No. 117466, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The City Engineer reported in writing that low bid is 5.7% below estimate.

RESOLUTION OF AWARD NO. 118702, recorded on Microfilm Roll No. 81, accepting bid of Dan McF. Chandler, an individual doing business under firm name and style of Chandler Const. Co., for paving and otherwise improving Alleys Block 66 Resubdivision of Blocks 39 and 56 Normal Heights, under Resolution of Intention No. 117465, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The City Engineer reported in writing that low bid is 22.2% below estimate.

OF AWARD

RESOLUTION/NO. 118703, recorded on Microfilm Roll No. 81, accepting bid of H. H. Peterson and awarding contract for sewer mains in Klauber Avenue, Pierino Drive, Zeller Street, Plover Street, Hilger Street, Gibson Street, Tarbox Street, Madera Street and Public Rights of Way, under Resolution of Intention No. 117467, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The City Engineer reported in writing that low bid is 32.1% below estimate.

RESOLUTION OF AWARD NO. 118704, recorded on Microfilm Roll No. 81, accepting bid of Schafer & Stowers, a co-partnership, and awarding contract for sewer mains in Maple Street, Laurel Street, 44th Street, Alleys 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 Add; Alley Block B Swan's Second Addition; Alley Block 2 Swan's Addition, Olive Street, Alley Block 20 Swan's Addition, Fairmount Avenue, under Resolution of Intention No. 117468, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The City Engineer reported in writing that low bid is 5.9% below estimate.

RESOLUTION OF AWARD NO. 118705, recorded on Microfilm Roll No. 81, accepting bid of San Diego Gas & Electric Company for furnishing electric current for lighting ornamental street lights located in San Diego Lighting District No. 3, for period of one year from and including July 16, 1954, in accordance with Engineer's Report and Assessment filed April 2, 1954 in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118706, recorded on Microfilm Roll No. 81, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Olvera Avenue and Bonita Drive, under Document No. 492096; approving Plat No. 2565 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 the plat in office of City Engineer, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118707, recorded on Microfilm Roll No. 81, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Lister Street, Jellett Street, Chicago Street, Erie Street, Morena Boulevard, et al., under Document No. 492092; approving Plat No. 2562 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 the plat in office of City Engineer, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118708, recorded on Microfilm Roll No. 81, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street and Public Right of Way, under Document No. 492090; approving Plat No. 2550 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 the plat in office of City Engineer, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118709, recorded on Microfilm Roll No. 81, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 14 F. T. Scripps Addition to La Jolla Park, portion of Alley lying westerly of and contiguous to Block 2 J. T. Corcoran's Subdivision, and Draper Avenue, under Document No. 492094; approving Plat No. 2611 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 plat in office of City Engineer, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118710, recorded on Microfilm Roll No. 81, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alleghany Street and Public Right of Way, under Document No. 492088; approving Plat No. 2553 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 the plat in office of City Engineer, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

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RESOLUTION ORDERING WORK NO. 118711, recorded on Microfilm Roll No. 81, for paving and otherwise improving Alley Block 22 Ocean Beach, under Resolution of Intention No. 117902, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 118712, recorded on Microfilm Roll No. 81, for paving and otherwise improving Alley Block I Altadena, under Resolution of Intention No. 117901, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 118713, recorded on Microfilm Roll No. 81, for furnishing electric current for lighting ornamental street lights located in Loma Portal Lighting District No. 1, for one year from and including June 28, 1954, in accordance with Engineer's Report and Assessment for Loma Portal Lighting District No. 1, filed May 13, 1954, in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 118714, recorded on Microfilm Roll No. 81, for furnishing electric current for lighting ornamental street lights in Adams Avenue for one year from and including October 13, 1954, to and including October 12, 1955, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 118715, recorded on Microfilm Roll No. 81, for furnishing electric current for lighting ornamental street lights in Roseville Lighting District Number One, for period of one year from and including October 15, 1954, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118716, recorded on Microfilm Roll No. 81, for paving and otherwise improving Olvera Avenue and Bonita Drive, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118717, recorded on Microfilm Roll No. 81, for paving and otherwise improving Lister Street, Jellett Street, Chicago Street, Denver Street, Erie Street, Morena Boulevard, Milton Street, Illion Street, Frankfort Street, Gardena Avenue, Ashton Street, Galveston Street, Orten Street, and Littlefield Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118718, recorded on Microfilm Roll No. 81, for paving, for Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street and Public Right of Way, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118719, for paving and otherwise improving Alley Block 14 F. T. Scripps Addition to La Jolla Park; portion of Alley lying westerly of and contiguous to Block 2 J. T. Corcoran's Subdivision; Draper Avenue, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118720, recorded on Microfilm Roll No. 81, for paving and otherwise improving Alleghany Street and Public Right of Way was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118721, recorded on Microfilm Roll No. 81, appointing time and place for hearing protests, and directing notice of said hearing, for furnishing electric current for lighting street lamps attached to mast arms in Mission Beach Lighting District No. 2, and maintenance of mast arms, wires and lamps, for one year from and including August 17, 1954, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118722, recorded on Microfilm Roll No. 81, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Opal Street and Dawes Street, under Resolution of Intention No. 112881 and to be assessed to pay expenses thereof; directing Clerk at same time of the approval, to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

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RESOLUTION NO. 118723, recorded on Microfilm Roll No. 81, approving diagram of property affected or benefited by work of improvement to be done on paving Alleys Blocks 4 and 5 Frary Heights, and Thorn Street, under Resolution of Intention No. 1133130, and to be assessed to pay expenses thereof, diagram made by City Engineer; directing City Clerk to certify at 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118724, recorded on Microfilm Roll No. 81, approving diagram of property affected or benefited by work of improvement to be done on paving Fortuna Avenue, Honeycutt Street, Morrell Street and Crown Point Drive, under Resolution of Intention No. 114136, and to be assessed to pay expenses thereof, diagram made by City Engineer; directing City Clerk to certify at same time of approval 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. 118725, recorded on Microfilm Roll No. 81, approving diagram of property affected or benefited by work of improvement to be done on paving Georgia Street, under Resolution of Intention No. 115144, and to be assessed to pay expenses thereof, diagram made by City Engineer; directing City Clerk to certify at same time of approval 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. 118726, recorded on Microfilm Roll No. 81, approving diagram of property affected or benefited by work of improvement to be done on paving Gloria Street, under Resolution of Intention No. 115145, and to be assessed to pay expenses of improvement, diagram made by City Engineer; directing City Clerk to certify at same time of approval 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. 118727, recorded on Microfilm Roll No. 81, approving diagram of property affected or benefited by work of improvement to be done on paving Alley Block 9 Subdivision of Blocks 3, 6, 9, 12 City Heights Annex No. 1, under Resolution of Intention No. 114058, and to be assessed to pay expenses thereof, diagram made by City Engineer; directing City Clerk to certify at same time of approval 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. 118728, recorded on Microfilm Roll No. 81, approving diagram of property affected or benefited by work of improvement to be done on paving 33rd Street, under Resolution of Intention No. 114137, and to be assessed to pay expenses of improvement, diagram made by City Engineer; directing City Clerk to certify at same time of approval 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. 118729, recorded on Microfilm Roll No. 81, approving diagram of property affected or benefited by work of improvement to be done on paving Alley Block 58 Park Villas, Felton Street, Public Right of Way, under Resolution of Intention No. 113750, and to be assessed to pay expenses of improvement, diagram made by City Engineer; directing City Clerk to certify at same time of approval 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. 118730, recorded on Microfilm Roll No. 81, ascertaining and declaring wage scale for paving Thorn Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118731, recorded on Microfilm Roll No. 81, ascertaining and declaring wage scale for paving Myrtle Avenue and Alley Block 8 Bungalow Park Addition, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118732, recorded on Microfilm Roll No. 81, ascertaining and declaring wage scale for paving Byron Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

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RESOLUTION NO. 118733, recorded on Microfilm Roll No. 81, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Congress Street and Hortensia Street, under Resolution of Intention No. 116719 and to be assessed to pay expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118734, recorded on Microfilm Roll No. 81, setting hearing for Tuesday, 29th day of June, 1954, 10:00 o'clock A.M. in Council Chamber as time and place for hearing protest of Sunland Investment Company, by James E. Ludlam, against closing portion of Marilou Road, under Resolution of Intention No. 117903, authorizing and directing City Clerk to give notice of hearing as required by law, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118735, recorded on Microfilm Roll No. 81, establishing Parking Time Limit of 2 hours between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted, on:

Both sides of Adams Avenue between Bancroft Street and Felton Street;
Both sides of Felton Street between Adams Avenue and Collier Avenue;
Both sides of 33rd Street between Madison Avenue and Collier Avenue;
establishing Parking Meter Zone; directing City Manager to install parking meters and parking meter spaces; authorizing installation of necessary signs and markings, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118736, recorded on Microfilm Roll No. 81, establishing Parking Time Limit of 2 hours between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted, on:

Both sides of C Street between Fifteenth Street and Sixteenth Street;
establishing Parking Meter Zone; directing 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118737, recorded on Microfilm Roll No. 81, granting permission to Kenneth Caldwell, 2521 Pacific Highway, to construct temporary asphalt driveway at northeast corner of Milton and Morena Streets, at site of future Union Oil Service Station, as prescribed and upon conditions set out in the Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118738, recorded on Microfilm Roll No. 81, authorizing City Attorney on behalf of the City, to file disclaimer in quiet title action entitled "Robley E. Veall vs. City of San Diego, a municipal corporation, No. 189658" pending in Superior Court of State of California in and for County of San Diego, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Resolution states that action has been instituted against City of San Diego seeking to quiet title in complaint as Lot 7 Block 2 College Park Unit No. 1, and alleging the City claims an interest in the property adverse to the plaintiff, and alleges that City has no interest in the property; that Council is advised by City Manager that City has no actual interest and that City would have no present or prospective use in and for any portion of real property, and that it will be in interest of the City and its inhabitants to save the City unnecessary expense and costs in defending the litigation, and that the City exercise statutory right and file a disclaimer.

RESOLUTION NO. 118739, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to do all work in connection with remodeling Sanitation Division Offices at 20th and B Streets, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118740, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to do all work in connection with making connections and sterilization of existing mains due to replacement of small water mains, Group 14, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118741, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to do all work in connection with making connections of new mains to existing mains, and sterilization of existing water mains, in Rolando Village and vicinity, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118742, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to execute for and on behalf of the City a right of way contract - State Highway - with State of California Department of Public Works Division of Highways, agreeing to necessary acts to consummate sale to State of California of portion of Lot 13 Rancho Mission; excepting and deleting from Right of Way contract a paragraph requiring and permitting State to construct a barbed wire fence parallel with and 50 feet north of northerly State right of way line; more particular terms and conditions to be set forth in form of Right of Way Contract filed in office of City Clerk as Document No. 492568, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The next matter was adopted, on motion of Councilman Burgener, seconded by Councilman Wincote. Then it was reconsidered, and on motion of Councilman Wincote, seconded by Councilman Burgener, Resolution authorizing City Manager to execute agreement with Haskins and Sells, certified public accountants, providing for employment for purpose of providing continuous audit and accounting of financial accounting system of City for fiscal year 1954-55 - total cost not to exceed \$6000.00, was referred to City Mgr & Auditor. (It was not sent, inasmuch as City Auditor stated on 6/24/54 that Council has requested that the Resolution be placed on the agenda for Tuesday, June 29, 1954).

RESOLUTION NO. 118743, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to execute, for and on behalf of the City a right of way contract - State Highway - with State of California Department of Public Works Division of Highways agreeing to necessary acts to consummate sale to State of California of portion of Block 25 Tract 2 Encanto Heights; more particular terms and conditions to be set forth in form of Right of Way contract filed in office of City Clerk as Document No. 492572, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118744, recorded on Microfilm Roll No. 81, authorizing City Manager to execute agreement with County of San Diego, amending paragraph 4 Article III of basic agreement for public health services entered into between City and County on January 30, 1953, so as to provide that percentage of cost of physical examination program jointly conducted by City and County, shall be determined quarterly by mutual agreement of Chief Administrative Officer of County and City Manager, on basis of actual costs of program for the quarter, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118745, recorded on Microfilm Roll No. 81, granting revocable permit to John A. Freeman, 1524 Blaine Avenue, San Diego, to install 4-inch cast iron sewer line between property line and sidewalk; to be placed 1 foot outside property line and run in easterly direction, parallel to southerly line of Lot 25 Block 9 Beverly Subdivision, to point of intersection with public sewer; to serve property located at Lot 26 Block 9 Beverly Subdivision; subject to approval of Chief Plumbing Inspector and City Manager and upon conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118746, recorded on Microfilm Roll No. 81, granting revocable permit to Norman Carney, 830 12th Street, San Diego 2, to install 4-inch cast iron sewer line from Lot 29 Block 2 Nettleship Tye Subdivision to connect with private sewer line on Lot 30 Block 2 Nettleship Tye Subdivision (petitioner holds easement and right of way grant from Daniel H. Cervený and Virginia Cervený over easterly 3 feet of Lot 30 Block 2 Nettleship Tye Tract No. 3 given for purpose of installing and maintaining the pipe line; subject to approval of Chief Plumbing Inspector and City Manager and upon conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118747, recorded on Microfilm Roll No. 81, granting revocable permit to Charles R. Turner, 2229 - 31st Street, San Diego, to install 6-inch cast iron sewer line between property line and sidewalk; to be placed 1 foot outside property line and run in westerly direction, parallel to southerly line of Lot 25 Block 165 University Heights Subdivision, to point of intersection with public sewer; sewer to serve property at 4002, 4004 and 4006 30th Street, and 2940 Lincoln Street; subject to approval of Chief Plumbing Inspector and City Manager and upon conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118748, recorded on Microfilm Roll No. 81, granting permission to Nancy C. VanDorn to install 4-inch private sewer lateral from portion of Pueblo Lot 1256 across portion of El Camino Del Canon, to connect with public sewer (Drawing No. 2328-D), to serve property at 6611 Muirlands Drive; subject to approval of Chief Plumbing Inspector and City Manager, and upon condition set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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RESOLUTION NO. 118749, recorded on Microfilm Roll No. 81, granting permission to Carroll E. Coffield, to construct private sewer to connect 2 houses on 1 house sewer at 6205 Broadway - described as portion Lot 10 (west 90 feet) Block 12 Encanto Heights; subject to approval of Chief Plumbing Inspector and City Manager, and upon conditions set out in the resolution (and that property will be held in 1 ownership and no portion will be sold separately), was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118750, recorded on Microfilm Roll No. 81, granting permission to Robert C. Anaya, owner, to install sewer line at less than 1/4" fall per foot, at service station located at 4102 Adams Avenue, from new rest room building and run to sewer main in alley adjacent to the north; described as Lots 9 and 10 Block 16 Kensington Park; subject to approval of Chief Plumbing Inspector and City Manager, upon conditions set out in the resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118751, recorded on Microfilm Roll No. 81, approving Change Order No. 16, dated May 19, 1954, heretofore filed with City Clerk as Document No. 492397, issued in connection with contract between City of San Diego and Daley Corporation for construction of Wabash Boulevard, Section "B", contract contained in Document No. 470651 on file in office of City Clerk; changes amounting to increase in contract price of approximately \$728.00, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118752, recorded on Microfilm Roll No. 81, approving expenditure of \$115.54 from funds heretofore appropriated by Ordinance No. 5900 (New Series) for purchase of Lots 41 and 42 Block 11 Nordica Heights No. 2; authorizing Property Supervisor to issue requisition for purchase of the property, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118753, recorded on Microfilm Roll No. 81, authorizing expenditure of \$250.00 from Major Property Purchases Fund (510-2) for providing funds to be deposited in court and for jury fees, in connection with case of The City of San Diego v. Steiger, for condemnation of portion of Pueblo Lot 183 for storm drain purposes; authorizing Property Supervisor to issue requisition against the fund in that amount, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118754, recorded on Microfilm Roll No. 81, approving claim of Arthur D. Napier, on file in Office of City Clerk under Document No. 490169 in amount of \$76.79; directing City Auditor and Comptroller to draw warrant in amount of \$76.79 in full payment of the Claim, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118755, recorded on Microfilm Roll No. 81, vacating easements and rights of way in Lot 2 Block 3 Haffenden's Sunnydale and in Lots 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45 Block 1, Lots 24 and 25 Block 5 the Dells Park, also land known as "The Dells" in Pueblo Lot 1151, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Resolution states that since acquisition of easements they have not been used nor have easements been used for purpose for which acquired for 5 consecutive years next preceding proposed vacation, that easements are unnecessary for present or prospective use, that from and after date of Order of Vacation title to land previously subject to easements shall revert to owners of the land free from rights of the public, authorizing and directing City Clerk to cause certified copy of resolution attested under seal to be recorded in office of County Recorder of San Diego, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118756, recorded on Microfilm Roll No. 81, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of The City of San Diego quitclaim deed quitclaiming to State of California portion of North 25 chains of West 40 chains of Lot 13 Rancho Mission, for purpose of freeway, and grantor releases and relinquishes to grantee any and all abutter's rights, including access rights, appurtenant to remaining portion; authorizing and directing City Clerk to deliver the deed to Property Supervisor, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Resolution states that property, determined by last report of City Auditor and Comptroller is \$1,230.00; that City Manager has recommended that it be sold to State of California.

RESOLUTION NO. 118757, recorded on Microfilm Roll No. 81, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and act and deed of City of San Diego, portion of Block 25 Tract No. 2 Encanto Heights, deed to State of California Department of Public Works Division of Highways, was on motion of Councilman Burgener, seconded by Councilman Burgener, seconded by Councilman Godfrey, adopted.

The Resolution states that State of California Div of Highways is desirous of acquiring fee title to the property; that value as determined by last report of City Auditor and Comptroller is \$12,615.00; that City Manager has recommended that it be sold to the State.

RESOLUTION NO. 118758, recorded on Microfilm Roll No. 81, accepting quitclaim deed of Herbert C. Kelly and Helen G. Kelly, bearing date June 11, 1954, quitclaiming Lots 13 & 14 Block 55 Sellar's Addition; authorizing and directing City Clerk to file deed for record in office of County Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118759, recorded on Microfilm Roll No. 81, accepting deed of Edward C. Hall, Executor of Last Will and Testament of Patrick Dougherty, aka Patrick D. Dougherty, aka P. Dougherty, deceased, bearing date June 1, 1954, conveying Lots 41 and 42 Block 11 Nordica Heights No. 2; authorizing and directing City Clerk to transmit the deed, together with certified copy of the 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.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next ordinance 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. 6159 (New Series), recorded on Microfilm Roll No. 81, granting to the United States of America an easement and right of way for water pipeline across portions of Pueblo Lot 1311 - for use as military purposes - 14 feet in width, on the various conditions contained in the Ordinance - was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman None.

The Ordinance establishing City Employees' Retirement System, accompanied by opinion from City Attorney, was presented.

Councilman Wincote asked if all members of the Council had read it.

Councilmen Schneider and Kerrigan replied "yes".

Councilman Wincote announced that he was going to vote "no".

Councilman Godfrey asked about a date

Councilman Wincote referred to "last Thursday".

By common consent, the Ordinance was held over for consideration at an afternoon session, today.

On motion of Councilman Schneider, seconded by Councilman Wincote, the reading of the next ordinance 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. 6160 (New Series), amending Section 3 of Ordinance No. 5668 (New Series) adopted June 30, 1953 entitled "An Ordinance Incorporating Lot 3 C. C. Seaman's Subdivision into "F" Zone as defined in Section 101.0406 of San Diego Municipal Code, and repealing Ordinance No. 184 (New Series) adopted March 20, 1933, insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Wincote, 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 Kerrigan, seconded by Councilman Burgener, the next ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, reading 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. 6161 (New Series), recorded on Microfilm Roll No. 81, appropriating \$607.00 out of Capital Outlay Fund, for purpose of providing additional funds to pay the City's share of cost of construction of Wabash Boulevard, Section "B", was on motion of Councilman Kerrigan, 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.

6/22/54

In connection with the next ordinance Councilman Schneider observed that the City proposed to appropriate nearly \$900.00 over the bid. He asked if difference would be returned.

The City Manager replied that it would - to Capital Outlay.

The City Engineer told the Council that there would be some advertising costs in addition to the bid.

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 in full 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 passage a written or printed copy.

ORDINANCE NO. 6162 (New Series), recorded on Microfilm Roll No. 61, appropriating \$11,500.00 from Capital Outlay Fund for providing funds for construction of 2 Tennis Courts in Mission Hills Park on Washington Place, west of Randolph Street, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, 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 Wincote, seconded by Councilman Kerrigan, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the reading in full 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 passage a written or printed copy.

ORDINANCE NO. 6163 (New Series), recorded on Microfilm Roll No. 61, appropriating \$1,500.00 from Unappropriated Balance Fund, for purpose of providing funds to repair damage caused by recent fire in Administration Building at Sewage Treatment Plant, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, 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 Wincote, seconded by Councilman Burgener, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Burgener, the reading in full 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 passage a written or printed copy.

ORDINANCE NO. 6164 (New Series), recorded on Microfilm Roll No. 61, establishing grade of 29th Street between southerly line of Broadway and northerly line of E Street, was on motion of Councilman Wincote, seconded by Councilman Burgener, by the following vote: 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 in full 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 passage a written or printed copy.

ORDINANCE NO. 6165 (New Series), establishing grade of 47th Street between north line of Federal Boulevard and westerly prolongation of south line of Arnold's Park, was on motion of Councilman Wincote, 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 Wincote, seconded by Councilman Burgener, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Burgener, the reading in full 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 passage a written or printed copy.

ORDINANCE NO. 6166 (New Series), establishing grade of Dwight Street, between southerly prolongation of westerly line of Alley Block 18 City Heights, and southerly prolongation of easterly line of said alley, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, 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 in full 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 passage a written or printed copy.

ORDINANCE NO. 6167 (New Series), recorded on Microfilm Roll No. 81, establishing grade of Alley Block 255 Hoels Subdivision, between northwesterly line of Woden Street and southeasterly line of Vesta Street, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the ordinance amending Chapter II Division 5 Article 2 (Administrative Code) of San Diego Municipal Code by amending Sections 22.0501, 22.0502, 22.0503, 22.0504, 22.0505, 22.0506 and 22.0507 and by adding Sections 22.0520, 22.0521, 22.0522, 22.0523, 22.0524, 22.0525 and 22.0526 relating to Powers and Duties of the Purchasing Agent, was introduced.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the ordinance incorporating Lots 94 to 111 inclusive in Vista Park Unit No. 1 and portion of Pueblo Lot 1214 into R-1, RC and CP Zones, as defined by Sections 101.0405, 101.0409 and 101.0410 respectively of San Diego Municipal Code, and repealing Ordinance No. 13457, approved February 15, 1932 and Ordinance No. 5400 (New Series) insofar as it conflicts, was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the ordinance incorporating Lots 13 to 16 inclusive Block 47 and Lots 33 to 36 inclusive Block 48 City Heights, into C Zone, and repealing Ordinance No. 13057 insofar as it conflicts, was introduced.

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

RESOLUTION NO. 118760, recorded on Microfilm Roll No. 81, congratulating Gene Littler, runner-up in the National Golf Tournament - having learned his golf on the links in San Diego - for the fame he has brought himself in the game of Golf and for the favorable publicity he has thereby brought his home City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

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

RESOLUTION NO. 118761, recorded on Microfilm Roll No. 81, congratulating Police Department Pistol Team, consisting of Police Officers: William Guiette, W. R. Salle, Ed Myrick and Warren Anson, winners in the 22 caliber and 38 caliber as well as having placed second in the 45 caliber matches in the Camp Perry Pistol Championship held at Tucson, Arizona on May 29 and 30, 1954 - tournament composed of 14 teams from South Western States - as well as the Police Department for accomplishment for itself and credit to The City of San Diego, 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 agenda:

RESOLUTION NO. 118762, recorded on Microfilm Roll No. 81, accepting deed of Joseph E. Marinello and Joan Marinello, Henry F. Seidelmann and Margarete Seidelmann, bearing date June 18, 1954, conveying easement and right of way for street purposes in portion of Lot 28 Lemon Villa; setting aside and dedicating the land to public use as and for public street and naming it University Avenue; directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION NO. 118763, recorded on Microfilm Roll No. 81, accepting bid of Cameron Bros. Const. Co. for installation of small water mains in Rolando Village and vicinity, declaring it to be lowest bid received and that it is the lowest, responsible and reliable bid; rejecting all bids received June 15, 1954 for said work, except said bid; awarding contract which unit prices amount to total estimated sum of \$25,558.89; authorizing and empowering City Manager to execute for and on behalf of the City a contract upon execution by the company of the contract, and upon execution, delivery, filing and approval of bonds required thereunder, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

118760 - 118763
Ords. introduced
6167 N.S.
U.C. items

6/22/54

At the hour of 11:40 o'clock A.M., the Council took a recess until the hour of 2:00 o'clock P.M., this date.

Upon reconvening, at the hour of 4:18 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

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

RESOLUTION NO. 118764, recorded on Microfilm Roll No. 81, stating that members of the Council are of the opinion that best interests of The City of San Diego and its inhabitants will be served by issuance by Public Utilities Commission of State of California to San Diego Transit System of permit to establish "Downtown Special" which will run between Civic Center and downtown business area daily between hours of 9:00 a.m. and 3:30 p.m. on a 12-minute schedule for a 10¢ fare - transfers from the line to any other Transit System route to be given upon payment of regular fare, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The Retirement System ordinance for City employees, shown on page 277 at the morning session, was brought before the Council again.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the reading of the proposed 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.

There was discussion between various members of the Council and Shelley J. Higgins, Assistant City Attorney, again.

Councilman Kerrigan told of the Council amending the system (it had been voted at the June 8, 1954 election) because the system is not geared to the economy of the times. He spoke of gearing it to the economy of all time. If there is a down turn in the economy, according to Mr. Kerrigan, the people will determine. He declared that there could be reaction, and wished that the ordinance had been changed (as he had proposed, relative to use of the time figured for the retirement).

Councilman Godfrey declared that the Council is finally getting around to accepting various standards. There is nothing startling in the new arrangement, he said.

ORDINANCE NO. 6168 (New Series) establishing a City Employees' Retirement System for Employees of The City of San Diego, and superseding in part Ordinance No. 10792 adopted November 29, 1926, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilman Wincote. Absent--None.

The Ordinance recites "Upon the taking effect of any charter amendments authorizing the system hereinabove set forth, the Retirement System as authorized by Ordinance No. 10792 shall be superseded by the provisions of this ordinance in all particulars except where this ordinance expressly preserves any of the rights and benefits of the old employees under the provisions of said Ordinance No. 10792".

In connection with the next Resolution, Judge Higgins told the Council that it is for a new description, and that it would go to "Coronado tonight".

RESOLUTION NO. 118700, recorded on Microfilm Roll No. 81, 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" - hearing having been held February 9, 1954 at 10:00 P.M., A.M. in the Council Chamber, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Among other things, the Resolution states that at the hearing, no protests were filed, whereupon there was introduced a form of ordinance providing for annexation, that Council has been advised that there is a possibility that some of the lands described in the ordinance lie within territorial boundaries of City of Coronado and that some have since been annexed to City of Chula Vista, and that it would be in the interests of City of San Diego to eliminate those lands. It gives notice that the legislative body of San Diego on its own motion initiates proceedings to annex to and incorporate within The City of San Diego uninhabited territory in County of San Diego contiguous to City of San Diego, boundaries described in the Resolution. It sets Tuesday, August 3, 1954, at 10:00 o'clock A.M., in Council Chamber, Civic Center, as time and place for hearing protests against proposed annexation; directs the City Clerk to cause copy of Resolution to be published at least twice but not oftener than once a week in the San Diego Union, and also directs City Clerk to cause written notice of proposed annexation to be mailed to Attorney-General of State of California and to State Lands Commission of the Board of Public Works of State of California, and to Secretary of State of California. It states that notice referred to shall be given not less than 20 days before first public hearing on proposed annexation. Also, it authorizes and directs City Clerk to petition or cause to be filed with Clerk of legislative body of City of Coronado a petition asking the legislative body of said City to consent to annexation of tidelands described in the Resolution, and attach to and file with the petition a certified copy of said Resolution.

The Mayor declared meeting adjourned at 4:24 o'clock P.M.

ATTEST:
 FRED W. SICK, City Clerk

By August M. Hadstrom
 118764 + 118700 Deputy
 6168 N.S. (Retirement)

John D. Butler
 Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, June 24, 1954

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

The hour of 10:00 o'clock A.M. having arrived, the time set for the second (and last) hearing on the Annual Appropriation Ordinance proposed to be adopted for the fiscal year 1954-55, the Clerk reported that there had been no new communications received. The Mayor inquired if any interested affected property owners were present to be heard.

No one appeared to be heard, and no protests were filed.
On motion of Councilman Schneider, seconded by Councilman Godfrey, the hearing was closed.

Councilman Burgener entered the meeting

Councilman Kerrigan entered the meeting

The ordinances establishing a suburban commercial zone and the companion ordinance pertaining to regulation of Signs were taken out of order and considered at this time - under hearing time, although hearings had been held and closed.

The Mayor told those present who were interested in both ordinances that members of the Council had discussed them again in conference preceding this meeting. He said that it had been felt by some that objections could be taken care of by comments. He asked that those for and against get together and iron out differences in conference. The Mayor pointed out that the City Attorney had said that there would have to be City-application to regulations. He declared that there is only 1 area (La Jolla) favoring the proposals.

Councilman Godfrey said that some who are in opposition are willing to go along with S-C, but not "this one". Those in favor are willing to consider another S-C, according to him.

Councilman Godfrey moved to refer the subject to Council Conference, to be arranged in 2 weeks, and continue the subjects covered by the 2 ordinances 4 weeks; Council to hear both sides; place the 2 ordinances in the agenda again in 4 weeks, which motion was seconded by Councilman Wincote.

The roll was not called at this time. Instead, the Mayor asked Douglas McKellar, of La Jolla Town Council, if the proposal under the motion is agreeable.

Mr. McKellar's reply was "yes".

Wm. P. Mahedy, attorney, asked the same question, replied that it was "acceptable, but not "agreeable"

Councilman Wincote asked if there was any objection to the Council hearing any opponents (at this time).

The Mayor stated that it was; there is to be a conference on the entire subject and a future hearing.

Mrs. Derry, representing the Motel Association, told the Council that one month time is important, that the proposal affects many. She spoke of need for more publicity. (The Mayor referred her to the newspaper reporters, seated at the press table). Mrs. Derry spoke to them, along the same line.

Councilman Dail pointed out that the Council is going to decide - on a compromise.

Councilman Wincote expressed hope that the committee will agree regarding decision of the Council.

Comment was made that it might take a year.

The Mayor said that he had no objection to taking a year for good legislation.

An unidentified man, and Gerald Crary, spoke about representatives to serve on the committee.

There was other discussion - not recorded - inasmuch as the hearing had been closed.

RESOLUTION NO. 118765, recorded on Microfilm Roll No. 81, referring to Council Conference to be held within the next 2 weeks, re proposed Ordinance amending San Diego Municipal Code creating a Suburban Commercial Zone and the proposed Ordinance amending San Diego Municipal Code regulating Signs in certain zones; directing that proposed ordinances be placed on the Council Calendar for meeting of July 22, 1954, 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 ordinance incorporating portions of Blocks 1, 2, 3 Haffenden's Sunnydale, portion of Pueblo Lot 1151, Block 143 and Block 144 Choates Addition into M-1A Zone, the Clerk reported that no written protests had been received.

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

S-C and Sign Ords.
(ref Conf. & 4 wks for agenda)
118765
Hearing

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

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance incorporating portions of Blocks 1, 2, 3 Haffenden's Sunnydale, portion of Pueblo Lot 1151, Blocks 143 and 144 Choates Addition into M-1A Zone, repealing Ordinance No. 12795 insofar as it conflicts, was introduced.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on appeal of Louis and Ethel P. Theaman from decision of Board of Zoning Adjustment denying permission to move in garage with apartment above and converting to single-family residence, on portion of Lot 52 Las Alturas Villa Sites, southwest corner of 58th and Olvera Streets; Zone R-1, the Mayor inquired if anyone was present to be heard on the continued hearing.

Councilman Godfrey was excused

Councilman Kerrigan moved to "uphold the zoning action", seconded by Councilman Schneider.

Councilman Kerrigan, having secured the finding of facts, Res. 8139, Application No. 12835, signed by D. E. South, Zoning Administrator, read it to the Council.

The roll was called, resulting in

RESOLUTION NO. 118766, recorded on Microfilm Roll No. 81, denying appeal of Mrs. E. P. Theaman, Box 23 Encanto (527 Radio Drive) filed under Document No. 490164 from Board of Zoning Adjustment's Resolution No. 8139, Application No. 12835, denying Louis and Ethel P. Theaman permission to move in a garage with apartment above and convert it to a single-family residence, on portion of Lot 52 Las Alturas Villa Sites, southwest corner of 58th Street and Olvera Street, in Zone R-1; sustaining Board of Zoning Adjustment decision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Councilman Godfrey returned

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on sewers in Plantano Street, Castana Street, Nogal Street, Escuela Street, Cereza Street, Imperial Avenue and Public Rights of Way, under Resolution of Intention No. 11278, the City Engineer made a verbal report as contained in the Street Superintendent's letter presented to the Council on June 22, 1954.

RESOLUTION NO. 118767, recorded on Microfilm Roll No. 81, confirming and approving Street Superintendent's modified and corrected Assessment No. 2244 made to cover costs and expenses of installing sanitary sewer main in Plantano Street, Castana Street, Nogal Street, Escuela Street, Cereza Street, Imperial Avenue and Public Rights of Way, under Resolution of Intention No. 112878; authorizing and directing Street Superintendent to attach his warrant and issue 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 Schneider, adopted.

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, recommending that all bids received May 21, 1954, from 3 bidders for furnishing Laboratory Equipment for Sewage Treatment Plant, be rejected, and that Purchasing Agent be authorized to purchase equipment on open market at price not to exceed \$6,900.00, was presented.

The communication sets out the various reasons, outlining in detail the bids, and his reasons for the rejection.

RESOLUTION NO. 118768, recorded on Microfilm Roll No. 81, rejecting bids received for furnishing Laboratory Equipment, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

RESOLUTION NO. 118769, recorded on Microfilm Roll No. 81, authorizing and directing Purchasing Agent to purchase on the open market Laboratory Equipment, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen Burgener, Schneider. Absent--Councilmen None.

(Prior to adoption of the 2 resolutions, Councilman Schneider had moved to file the recommendation and the proposed resolutions). Other members of the Council said that was not what had been determined in conference.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Rancho Cabrillo Unit No. 2, subject to posting adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 118770, recorded on Microfilm Roll No. 81, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, contract with Tri-W-Builders, a corporation, for installation and completion of unfinished improvements and setting of monuments required for Rancho Cabrillo Unit No. 2 subdivision ~~Unit No. 2 subdivision~~ directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118771, recorded on Microfilm Roll No. 81, adopting Map of Rancho Cabrillo Unit No. 2, being portion of Lot 37 of Rancho Mission; accepting on behalf

of the public Murray Ridge Road, Greyling Drive, Afton Road, Onalaska Avenue, Larkdale Avenue, Neva Avenue, Pincrest Avenue, alley and unnamed easements for public purposes; declaring them to be dedicated to public use; authorizing and directing Clerk of the City of San Diego to endorse upon the map as and for act of the Council that streets, alley and unnamed easements are accepted on behalf of the public; directing City Clerk to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative and Final Maps of Hidden Valley Estates, was presented.

RESOLUTION NO. 118772, recorded on Microfilm Roll No. 81, suspending Sections 102.16-8 and 102.17-c of San Diego Municipal Code in connection with Tentative Subdivision Map of Hidden Valley Estates, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Hidden Valley Estates, a 2-lot subdivision of portion of Pueblo Lot 1288 located on north side of Hidden Valley Road near its easterly terminus, subject to 4 conditions, was presented.

RESOLUTION NO. 118773, recorded on Microfilm Roll No. 81, approving Tentative Map of Hidden Valley Estates, subdivision of portion of Lot 1288, subject to conditions contained in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending reapproval of Tentative Map of San Rafael Units 2 & 3, a revision of proposed subdivision of portion of Lot 21 Pacific Beach, subject to conditions set forth in Resolution 117662 dated April 20, 1954, was presented.

RESOLUTION NO. 118774, recorded on Microfilm Roll No. 81, reapproving Revised Tentative Map of San Rafael Units 2 & 3, subject to conditions set forth in Resolution 117662, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Revised Tentative Map of Loma Linda, for subdivision of portion of Section 81 Rancho de la Nacion - subject to 10 conditions - was presented.

RESOLUTION NO. 118775, recorded on Microfilm Roll No. 81, approving revised Tentative Map of Loma Linda, subject to conditions set forth in resolution, was on motion of Councilman Godfrey, ~~seconded by Councilman Godfrey~~, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, reporting on request of Public Housing Administration, on which Planning Commission held public hearing on amendment to Major Street Plan in respect to Fulton Street alignment between Cabrillo Freeway and point approximately 1500 feet north of Linda Vista Road, shown on plat attached thereto, was presented. It states that Mrs. Faye Hartman, of the P.H.A. had requested City and State Highway Department to consider alignment along south line of Chesterton subdivision in lieu of adopted plan which located the street approximately 1200 feet southerly of proposed plan. In addition to further report, it states that at public hearing held by Planning Commission no protests were voiced and it was the unanimous recommendation that it be approved. It suggested that it be forwarded to City Attorney for drafting of proper ordinance prior to setting for public hearing before the Council.

RESOLUTION NO. 118776, recorded on Microfilm Roll No. 81, requesting City Attorney to prepare and present Ordinance to amend Major Street Plan in respect to Fulton Street alignment between Cabrillo Freeway and point approximately 1500 feet north of Linda Vista Road, as recommended by City Planning Commission, was on ~~motion of~~ Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from City Engineer, with City Manager's stamp of approval, reporting that communication from Director of Public Health, regarding sewers to serve La Jolla Highlands, was forwarded. It recommended that Council order assessment district formed to pay costs and expenses of sewer in Inspiration Drive to serve portions of La Jolla Highlands, P.L. 1773, and Muirlands Point, if required.

RESOLUTION NO. 118777, recorded on Microfilm Roll No. 81, adopting recommendation of City Engineer re forming assessment district for sewer in Inspiration Drive; directing 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, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

6/24/54

Communication from City Engineer, with City Manager's stamp of approval, recommending that Resolution No. 90726 which granted petition for sewers to serve portions of Victory Manor, West Hollywood, and portion of Rancho Mission, be amended to include portions of Las Alturas No. 5 and portion of Lot 16 Partition of Rancho Mission of San Diego, was presented.

RESOLUTION NO. 118778, recorded on Microfilm Roll No. 81, adopting recommendation of City Engineer filed in office of City Clerk June 22, 1954, under Document No. 492445; authorizing City Engineer to amend proceedings for installation of sewers to serve portions of Victory Manor, West Hollywood and Partition of Rancho Mission, to include portions of Las Alturas No. 5 and portion of Lot 16 Partition of Rancho Mission of San Diego in accordance with the recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Application of Harold M. Smith, 4500 Ocean Blvd., for cabaret license at "The Sea Horse", was presented, together with recommendations for approval.

RESOLUTION NO. 118779, recorded on Microfilm Roll No. 81, granting permission to Harold M. Smith to conduct cabaret with paid entertainment at "The Sea Horse", 4500 Ocean Boulevard, where liquor is sold, subject to regular license fee, and compliance with existing regulations, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Application of Shelter Island, Inc., for cabaret license at "The Hut", 1325 Yacht Harbor Drive, was presented.

RESOLUTION NO. 118780, recorded on Microfilm Roll No. 81, granting permission to Shelter Island, Inc., to conduct cabaret with paid entertainment at "The Hut", 1325 Yacht Harbor Drive, where liquor is sold, subject to regular license fee, and compliance with existing regulations, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from Mrs. Jenne I. Oldfield, on stationery of Nottbusch & Nottbusch, attorneys at law, 222 San Diego Trust & Savings Building, San Diego, 1, dated June 17, 1954, was presented. It refers to item 2 on Council agenda of June 17, re rezoning P/L 104 from R-1C to R-1B, raising minimum lot size from 10,000 to 20,000 sq. ft. The statement reads: "I wish to state that in the future if I should decide to divide my property in Lot 104 above referred to into more than 4 parcels as now divided that I will file a subdivision map and proceed through the Planning Commission".

The reading was called for, but it was not read.

Instead, the Mayor asked Harry Haelsig, Asst. Planning Director, for a statement. He said that Mr. Matchinske should be notified, so that he will know what to do.

Councilman Kerrigan referred to a private easement, no street, and that as such no permits can be granted to build on 2 of the portions.

Councilman Godfrey and Mr. Haelsig both said that there was a variance.

Mr. Haelsig showed a map of the property, and spoke of variance in relation to 4 portions. He spoke of 2 deeded while property was still in escrow. He told of deeds out for 4; this would make the 5th piece.

Councilman Kerrigan said that the question is if the Council should exclude from the zoning.

Councilman Wincote spoke of there being no objection to going through today.

The last paragraph of the letter - quoted above - was read at the request of the Mayor.

Councilman Godfrey spoke of this as having become a "tricky deal", through trying to establish validity of the splits. Nothing is set, according to him.

Councilman Kerrigan stated that the Attorney is to draw the Ordinance, excluding the Matchinske property.

Councilman Godfrey said that if Matchinske is excluded, the Council should exclude the Oldfield property.

Councilman Wincote spoke of the matter as being Oldfield's problem.

Councilman Godfrey observed that the Council could leave Oldfield's property out of the new zoning.

Councilman contended that the action of last week should stand.

Councilman Godfrey urged following the legal procedure.

Mr. Haelsig said that it has all been explained.

Douglas D. Deaper, Deputy City Attorney, said that Glenn A. Rick, City Planning Director, was to have 10 days to work out the matter. He said that the ordinance is not yet prepared. He felt that the Council should not adopt the ordinance until after those 10 days.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the communication was referred to Glenn A. Rick, City Planning Director. (see also next page).

Communication from A. J. Augustenborg, 1109 Tourmaline, and others, referring to signers as property owners, but showing no property identification, was presented. It refers to wording of Resolution of Intention No. 112881 in connection with improvement of Opal and Dawes Streets. Among other things, it refers to the notice as being misleading and improper, and to poor fill, ruts and dust. It requests that action be

taken to have work completed in accordance with Resolution 112881 to include paving of Dawes and Tourmaline intersection.

The City Engineer explained the improvement from a map, and pointed out that improvement is to be made, referring to a petition for paving 2 blocks on Dawes.

The Clerk passed the letter to Councilman Schneider, at his request.

The City Engineer said that many had been in and objected.

Councilman Schneider read the letter aloud.

The City Engineer pointed out that the improvement was built in accordance with the plans.

Councilman Schneider then passed the letter to Councilman Burgener at his request.

The City Engineer stated that paving will be done under the new petition.

The Mayor recommended referring the letter to the City Engineer.

On motion of Councilman Schneider, seconded by Councilman Godfrey, it was referred to the City Attorney.

At this time Councilman Godfrey brought up the Oldfield letter - shown on page 284 - again. He discussed it with various Councilmen. He said that the variance has run out; it is 1 piece of property, now.

There was no further action.

Communication from Point, "San Diego's newsweekly", 333 Park Plaza, San Diego 1, dated June 21, 1954, signed by Fred W. Waiters, was presented. It suggests appropriation in the Budget for advertisement in the official program and souvenir booklet for the 1955 Southern California Exposition and San Diego County Fair.

On motion of Councilman Godfrey, seconded by Councilman Wincote, it was referred to the Mayor for reply.

Communication from State Board of Equalization, State of California, Sacramento 14, dated June 20, 1954, signed by E. J. Clark, State Liquor Administrator, was presented. It goes into the change in notice of alcoholic beverage license applications.

The Mayor stated that there is a procedural change, with a fuller notice. He stated that it can be filed.

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

Communication from F. D. Edwards "owner and taxpayer of property in this neighborhood" - Apt #4 755 - 14th Street, San Diego, dated June 19, 1954, was presented. It refers to dangerous traffic condition which exists at 14th and F Streets.

On motion of Councilman Schneider, seconded by Councilman Burgener, it was referred to the City Manager.

RESOLUTION NO. 118781, recorded on Microfilm Roll No. 81, granting R. A. Jones, Jr., permission to install 4-inch cast iron sewer line in easement along westerly boundary of Lots 9, 8, 7 La Jolla Shores Terrace, to run in southerly direction to point of intersection with public sewer; to serve Lot 9 La Jolla Shores Terrace - 8444 Avenida de los Ondas, La Jolla - subject to approval of Chief Plumbing Inspector and City Manager, and upon conditions set out in the resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118782, recorded on Microfilm Roll No. 81, granting Ralph W. Otterstrom, 1070 Missouri Street, San Diego 9, revocable permit to install 3-inch sewer line between property line and sidewalk, to be placed 1 foot outside property line and run in northerly direction, parallel to westerly line of Lots 5, 6, 7 Block F La Jolla Country Club Heights Subdivision, to point of intersection with public sewer; to serve property at 7191 Encelia Drive - revocable at any time at City's request - subject to approval of Chief of Plumbing Inspector, and City Manager, and upon conditions set out in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118783, recorded on Microfilm Roll No. 81, granting Wm. L. Canning, 7580 Fay Avenue, La Jolla, permission to install a 4-inch cast iron sewer line in an easement along westerly boundary line of Lot 9 La Jolla Shores Terrace, to run in northerly direction to point of intersection with public sewer, to serve Lot 10 La Jolla Shores Terrace - 8434 Avenida de los Ondas, La Jolla, subject to approval of Chief Plumbing Inspector and City Manager, and upon conditions set out in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118784, recorded on Microfilm Roll No. 81, granting Sam Crivello, 2924 Curlew Street, San Diego, permission to install 2 enamel cast iron laundry trays with a distance between waste outlets at 24-1/2" in lieu of 20" as required by San Diego Municipal Code, in Lots G, H, I Block 338 Horton's Addition, necessary as structural interference eliminates possibility of separate rough-ins for each laundry tray; subject to approval of Chief Plumbing Inspector and City Manager, and upon conditions set out in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118785, recorded on Microfilm Roll No. 81, granting revocable permit to LeRoy M. Graff, 2604 East 18th Street, National City, to install a 4-inch cast iron sewer line between property line and sidewalk, to be placed 5 feet outside the property line and the sidewalk, to be placed 5 feet outside property line and run in a southerly direction parallel to westerly line of Lot 18 Block 5 Huntington Park No. 2 Subdivision, to point of intersection with public sewer - to serve property at 2215 Sea Breeze Drive, subject to approval of Chief Plumbing Inspector and City Manager, upon conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118786, recorded on Microfilm Roll No. 81, approving Change Order No. 18, dated June 10, 1954, heretofore filed in office of City Clerk as Document No. 492512, issued in connection with contract between The City of San Diego and Daley Corporation for construction of Wabash Boulevard, Section B, contained in Document No. 470651 on file in office of City Clerk; changes amounting to increase in contract price of approximately \$248.45, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118787, recorded on Microfilm Roll No. 81, approving Change Order No. 3, dated June 9, 1954, heretofore filed with City Clerk as Document No. 492514, issued in connection with contract between City of San Diego and Royal Pipeline Construction Company for construction of Catalina Street Pipeline, contract contained in Document No. 483837 on file in office of City Clerk; changes amounting to decrease in contract price of approximately \$624.00, was on motion of Councilman Schneider, seconded by Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118788, recorded on Microfilm Roll No. 81, accepting and consenting to assignment filed in office of City Clerk as Document No. 492664, executed by Marian Fesler Purdy and Lila C. Witcher, Assignors, and De Anza Harbor Inc., Assignee, which covers all of lease filed in office of City Clerk as Document No. 436606, and authorizes City Manager to evidence such consent and acceptance by signing the assignment, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118789, recorded on Microfilm Roll No. 81, accepting and consenting to sub-lease filed in office of City Clerk as Document No. 492665, executed by De Anza Harbor Inc., sub-lessor, and De Anza Trailer Harbor Unit One, a Corporation, as sub-lessee, which covers portion of De Anza Trailer Harbor known as Unit No. One; authorizes City Manager to evidence such consent and acceptance by signing the sub-lease, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118790, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with Clifford O. Boren Contracting Co., Inc., a corporation, 4965 El Cajon Boulevard, San Diego 15, called subdivider, subdivider of Delta Heights Annex Unit No. 2, providing for installation of mains and appurtenances larger than necessary for subdivision in Ridgeway Drive from south division line to north division line, to be made at request of the City, and for reimbursement by the City to subdivider of \$9354.10 for difference in cost of installing 16" line instead of 8" line, upon execution and delivery to the City of quitclaim deed conveying to the City all of the right, title and interest of the subdivider in and to the water distribution system in Delta Heights Annex Unit No. 2 Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118791, recorded on Microfilm Roll No. 81, authorizing A. K. Fogg, City Engineer, to attend 1954 Public Works Congress and Equipment Show, to be held in Atlantic City, New Jersey, September 19 through September 22, 1954; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

In connection with the next Resolution, D. E. South, from the Planning Department, told the Council that Mr. and Mrs. Harvey had requested a variance. He said

that he had talked her out of a request for a variance.

Councilman Kerrigan said that the money was in the City Treasurer.

The City Manager stated that no service had been rendered.

The City Auditor spoke of an opinion regarding funds, that even if the Council passes a Resolution authorizing a refund he will still refer it to the City Attorney for a legal ruling before making payment.

RESOLUTION NO. 118792, recorded on Microfilm Roll No. 81, granting claim of William J. Harvey for refund of zoning variance application fee in sum of \$25.00, for which William J. Harvey did not and now cannot receive any consideration; ordering the Auditor and Comptroller to issue warrant therefor, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118793, recorded on Microfilm Roll No. 81, 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 Acre Lot 23 Pacific Beach - described in the 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; 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 Wincote, adopted.

RESOLUTION NO. 118794, recorded on Microfilm Roll No. 81, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against northerly 40 feet of Lot 4 Block 5 Florence Heights, excepting west 2 feet, together with all penalties and other expenses in connection therewith, 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 Wincote, adopted.

RESOLUTION NO. 118795, recorded on Microfilm Roll No. 81, accepting deed of Rebecca E. La Zelle, executed in favor of the City, bearing date June 14, 1954, conveying Lot 14 Block 107 Campo Del Dios Unit No. 5; authorizing and directing City Clerk to transmit the 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118796, recorded on Microfilm Roll No. 81, accepting deed of Albert F. Sickels and Azie E. Sickels, bearing date June 10, 1954, conveying Lot 8 Block 8 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the deed to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118797, recorded on Microfilm Roll No. 81, accepting deed of Lee L. Parker and Adella Parker, bearing date June 9, 1954, conveying Lot 20 Block 78 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118798, recorded on Microfilm Roll No. 81, accepting deed of Everett L. Atwood and Julieta S. Atwood, bearing date June 17, 1954, conveying Lots 5, 6, 7 Block 30 Campo Del Dios Unit 1; 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118799, recorded on Microfilm Roll No. 81, accepting deed of Myrrel C. Lund, bearing date June 12, 1954, conveying Lot 6 Block 40 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118800, recorded on Microfilm Roll No. 81, accepting deed of Bessie B. Dill, bearing date June 14, 1954, conveying Lot 11 Block 87 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118801, recorded on Microfilm Roll No. 81, accepting deed of Dora E. Harris and Ella E. Meyer, bearing date May 20, 1954, conveying Lot 11 Block 7 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118802, recorded on Microfilm Roll No. 81, accepting deed of George F. Utley and Elsie D. Utley, bearing date June 15, 1954, conveying Lots 3 and 4 except Southerly 40 feet, Block 6 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the deed, together with certified copy of resolution, to City Properties Department for recording when escrow instructions have been complied with, was by a vote of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118803, recorded on Microfilm Roll No. 81, accepting deed of Lillah L. Baker, bearing date June 14, 1954, conveying Lot 3 Block 2 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118804, recorded on Microfilm Roll No. 81, accepting deed of Johnnie W. Morrow and Harriet M. Morrow, bearing date June 15, 1954, conveying Lot 1 Block 37, Lot 3 Block 66 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118805, recorded on Microfilm Roll No. 81, accepting deed of Bror S. Danielson, bearing date June 17, 1954, conveying Lot 4 Block 54 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118806, recorded on Microfilm Roll No. 81, accepting deed of Joseph F. Childs and Frida D. Childs, bearing date June 17, 1954, conveying Lot 1 Block 40 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118807, recorded on Microfilm Roll No. 81, accepting deed of Carroll Townsend and Pauline Townsend, bearing date June 16, 1954, conveying Lot 3 Block 79 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118808, recorded on Microfilm Roll No. 81, accepting deed of Lydia Payne, bearing date June 16, 1954, conveying Lot 6 Block 2 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the deed, together with certified copy of Resolution, to City Properties Department for recording when escrow instructions have been with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118809, recorded on Microfilm Roll No. 81, accepting Deed of Verna B. Koehler, bearing date June 16, 1954, conveying Lots 4 and 11 Block 8 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit the 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118810, recorded on Microfilm Roll No. 81, accepting deed of Clyde W. Blackwell, bearing date June 16, 1954, conveying Lot 11 Block 8 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118811, recorded on Microfilm Roll No. 81, accepting Deed of Josephine D. Rice, bearing date June 17, 1954, conveying Lot 17 Block 93 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118812, recorded on Microfilm Roll No. 81, accepting Deed of J. T. Webb and Lena O. Webb, bearing date June 16, 1954, conveying Lot 14 Block 35 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit Deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118813, recorded on Microfilm Roll No. 81, accepting Subordination Agreement, executed by Bank of America National Trust & Savings Association, beneficiary, and The Corporation of America, trustee, bearing date June 15, 1954, wherein the parties subordinate all their right, title and interest in and to portion of Lot 23 Block "C" Oak Park; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118814, recorded on Microfilm Roll No. 81, accepting deed of Hotel Kingsway Operating Company, bearing date June 15, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 17 Marcellena Tract; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118815, recorded on Microfilm Roll No. 81, accepting deed of Allen E. Rose and LaVina R. Rose, bearing date June 17, 1954, conveying easement and right of way for water mains in portion of Lot 17 Block 35 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 the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118816, recorded on Microfilm Roll No. 81, accepting deed of Ramona Land Company, bearing date June 16, 1954, conveying easement and right of way for water pipeline purposes in portion of Section 16 Township 13 South Range 1 East SBBM; authorizing and directing City Clerk to transmit the deed, together with certified copy of Resolution, for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118817, recorded on Microfilm Roll No. 81, accepting Quit-claim deed executed on 7th day of June, 1954, by Clifford O. Boren Contracting Co., Inc., a corporation, quitclaiming to 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 Annex Unit No. 2, being subdivision of portions of Lots 23 and 24 Wadsworth's Olive Grove; authorizing and directing City Clerk to file the deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The next ordinance, which had been before the Council for several months and continued week-to-week until this meeting, was presented again:

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".

Douglas D. Deaper, Deputy City Attorney, said that it was the same ordinance which the Council has had for some time. He stated that it will result in an amended description.

The Mayor asked why it should not be filed.

Mr. Deaper urged that the City not lose continuity.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the Ordinance was continued one week - to July 1, 1954.

6/24/54

Ordinance amending Municipal Code regulating Gas Appliances, which had been introduced June 17, 1954, was presented. Hearing was held that date.

There was discussion between various Councilmen regarding effect of the Ordinance.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, 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 its final passage a written or printed copy.

ORDINANCE NO. 6169 (New Series), recorded on Microfilm Roll No. 81, amending The San Diego Municipal Code by amending Section 93.1511 and by repealing Sections 93.1513 and 93.1514 - Regulating Gas Appliances (covers connection to an effective flue or vent leading to the outside air), was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen Burgener, Schneider. 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 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 its final passage a written or printed copy.

ORDINANCE NO. 6170 (New Series), recorded on Microfilm Roll No. 81, appropriating \$7,500.00 from Capital Outlay Fund, for providing funds for purchase and installation of equipment in the Laboratory at the Sewage Treatment Plant, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The ordinance which was listed for introduction, on which hearing was held June 10, 1954 - amending San Diego Municipal Code by adding to Chapter X Article I Division 4 Section 101.0409.1, providing for establishment of Suburban Zone; and the related ordinance regulating Signs, shown on the agenda, were acted upon earlier in the meeting.

Resolution No. 118765, referring both to Conference to be held within 2 weeks and for placing on the Council Calendar for meeting of July 22, 1954, will be found on page 281 of these minutes.

Communication from Motor Car Dealers' Association of San Diego, P.O. Box 269, San Diego 12, dated June 23, 1954, signed by Lawrence A. Smith, Manager - offering "vigorous protest" against adoption of the ordinance, was added to the file which was sent to conference.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, Ordinance incorporating portions of Lots 67, 68 and 69 Ex-Mission Lands; portions of Highland Homes, Ocean Vista Gardens and Palm Hill, into C Zone, as defined by Section 101.0411 of San Diego Municipal Code and repealing Ordinance No. 78 (New Series) adopted November 14, 1932, insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Absent--Councilmen None. Absent--Councilmen None.

(Hearing was held June 15, 1954).

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

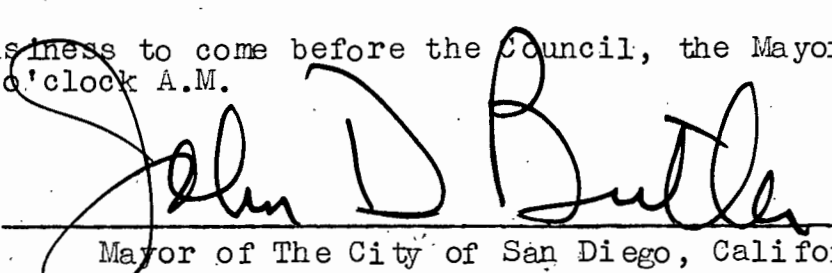
It was an Ordinance covering the Unclassified Compensation Schedule. He explained that it was to cover Pauline Evans, who had been moved into the position of Confidential Secretary. It told, also, of not starting her at the top but at \$340. (ordinance says \$343.) per month - Rate 20A; it was \$417 Rate 20E for the former secretary.

On motion of Councilman Kerrigan, seconded by Councilman Dail, Ordinance amending Section 3 of Ordinance No. 6139 (New Series), entitled "An Ordinance establishing a Schedule of Compensation for officers and employees of The City of San Diego, providing uniform compensation for like service in the Classified Service, for the fiscal year beginning July 1, 1954" adopted May 27, 1954, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:09 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By 

Deputy

118765 N.S.

6169 - 6170 N.S.

Ord (S-P Zone & Signs) to Conf. & to be returned to agenda

Ord introduced - Conf. Secy. to Mayor, under U.C.

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, June
29, 1954

A Regular meeting of the Council was called to order by the Mayor at 10:04 o'clock A.M.

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

The Mayor announced that the minister who was to have given the invocation was not present. Instead, at his request, all arose for silent prayer.

The Minutes of the Regular Council meetings of Tuesday, June 27, 1954, and Thursday, June 24, 1954, were approved without reading, after which they were signed by the Mayor.

Councilman Kerrigan entered

A majority of the members of the Council signed an undertaking with San Diego Gas & Electric Company for furnishing electric current for lighting ornamental street lights located in San Diego Lighting District No. 2.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Resolution No. 118610 of Preliminary Determination, the Mayor asked the City Engineer for a report.

The City Engineer reported a confused situation, referring to protests of both 1948 and 1953. He told the Council that if both are used, it is a protest of 19.6% on an area; 47.9% on frontage.

The Mayor stated that statements made by protests at the previous hearing were to the effect that they had a majority protest, but that is not true.

Naomi McBurney told the Council that her name is on 2 petitions. She read a statement regarding there being no concrete on a portion of the block which has heavy traffic. She tired of trying to accommodate a majority, and that she understood there was to be the least heavy paving. She offered a protest against heavy concrete.

Councilman Wincote said that a.c. - the lowest cost improvement - is provided.

Councilman Dail stated that the improvement is the minimum. He declared that the name of the improvement is confusing. It is not cement - but asphalt concrete, which he explained.

Councilman Burgener told Mrs. McBurney that the City has a policy of using the cheapest paving feasible.

Councilman Dail declared that the City Engineer sets up the improvement, based on tests.

The Mayor pointed out that the Council goes with the majority.

Mrs. McBurney stated that she was not protesting if it was "the same as the other".

RESOLUTION NO. 118818, recorded on Microfilm Roll No. 81, overruling and denying protest of Jessie F. Gregg and others; protest of Mrs. Walter Wencke, against proposed improvement of A Street under Resolution of Preliminary Determination No. 118160; overruling and denying all other protests thereon, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118819, recorded on Microfilm Roll No. 81, determining that improvement of A Street, under Resolution No. 118160 of Preliminary Determination is feasible, and that lands to be assessed therefor will be able to carry burden of such 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 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. 118396 of Preliminary Determination for paving and otherwise improving Alley Block 11 Subdivision of Lots 20 to 50 Block N Teralta within limits and as partic-

Hearings
118818 - 118819
Lighting undertaking
signed

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ularly described in the Resolution, the Clerk reported that no written protests had been received. The Mayor inquired if any interested property owners were present to be heard.

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

RESOLUTION NO. 118820, recorded on Microfilm Roll No. 81, determining that improvement of portion of Alley Block 11 Subdivision of Lots 20 to 50 Block N Teralta, is feasible and that lands to be assessed therefor 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 Wincote, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 118397 of Preliminary Determination for improvement of Alley Block 31 University Heights, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 118821, recorded on Microfilm Roll No. 81, determining that improvement of Alley Block 31 University Heights is feasible and that lands to be assessed therefor 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 Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 118398 of Preliminary Determination for paving and otherwise improving Udall Street, the Clerk reported that no written protests had been received.

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

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

RESOLUTION NO. 118822, recorded on Microfilm Roll No. 81, determining that improvement of Udall Street is feasible and that lands to be assessed therefor 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 118274 for paving and otherwise improving Alleys Block 3 Alhambra Park, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested 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 of Intention No. 118275 for paving and otherwise improving Alley Block 12 Normal Heights, the Clerk presented written protest from Conrad D. Hovden and Clara J. Hovden.

Asked for a report, the City Engineer said that it constituted .9%.

RESOLUTION NO. 118823, recorded on Microfilm Roll No. 81, overruling and denying protest of Conrad D. Hovden and Clara J. Hovden against proposed improvement of Alley Block 12 Normal Heights, under Resolution of Intention No. 118275; overruling and denying all other protests, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

There were no verbal protests, and no additional written protests presented.

The Mayor requested, and was granted, unanimous consent to introduce B. W. Boecke, City Clerk and Treasurer, of Anchorage, Alaska; who was a visitor to the meeting.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 118276 for paving and otherwise improving 67th Street, Mohawk Street, Bowman Lane, 68th Street, Saranac Street and Public Right of Way, the Clerk reported that no protests had been filed.

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 Wincote, seconded by Councilman Schneider, proceedings were referred to City Attorney for Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2246 for paving and otherwise improving Z Street, under Resolution of Intention No. 113754, 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. 118824, recorded on Microfilm Roll No. 81, confirming and approving Street Superintendent's Assessment No. 2246 for cost and expenses of paving and otherwise improving Z Street; authorizing and directing Street Superintendent to attach his warrant thereto and issue it in manner and form provided by law; directing him to file in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2247 for paving and otherwise improving Alley Block A First Addition to Ocean Front, under Resolution of Intention No. 114742, 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. 118825, recorded on Microfilm Roll No. 81, confirming and approving Street Superintendent's Assessment No. 2247 for cost and expenses of paving and otherwise improving Alley Block A First Addition to Ocean Front; authorizing and directing Street Superintendent to attach his warrant thereto and issue it in manner and form provided by law; directing him to file in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2248 for paving and otherwise improving Sapphire Street, under Resolution of Intention No. 113753, 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. 118826, recorded on Microfilm Roll No. 81, confirming and approving Street Superintendent's Assessment No. 2248 for cost and expenses of paving and otherwise improving Sapphire Street; authorizing and directing Street Superintendent to attach his warrant and issue it in manner and form provided by law; directing him to file 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. 2249 for paving and otherwise improving Chamoune Avenue, under Resolution of Intention No. 113885, 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. 118827, recorded on Microfilm Roll No. 81, confirming and approving Street Superintendent's Assessment No. 2249 for cost and expenses of paving and otherwise improving Chamoune Avenue; authorizing and directing Street Superintendent to attach his warrant and issue it in manner and form provided by law; directing him to file in his office the warrant, diagram and assessment, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on protest of James E. Ludlam against closing Marilou Road in Southwest Quarter of Lot 14 Ex-Mission Lands of San Diego (Horton's Purchase), the City Manager reported that the street goes through property owned by schools, and that it is unimproved. He stated that it is shown on the record that protestant owns no property, and is therefore not a valid protest. (Protest, signed by James E. Ludlam, for attorneys Musick, Peeler & Garrett, is in behalf of Sunland Investment Company of which he states he is both president and counsel).

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. 118828, recorded on Microfilm Roll No. 81, overruling and denying protest of Sunland Investment Company, by James E. Ludlam, against proposed closing of Marilou Road in Southwest Quarter of Lot 14 Ex-Mission Lands of San Diego (Horton's Purchase) under Resolution of Intention No. 117903; overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued item on request for rezoning portion of Lot 16 Ex-Mission Lands, lying south of Federal Boulevard and west of Euclid Avenue, from R-1 to C and CP Zones (the Planning Commission having voted 5-0 to recommend denial of rezoning), Morey Levenson, attorney, was

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heard. He said he knew the hearing had been continued as an accommodation to him. (At the original hearing David A. Block, of the law firm of Levenson, Levenson & Black, had consulted with the Mayor regarding continuance).

The report from the Planning Commission, signed by P. Q. Burton, was read to the Council by the Clerk. It identifies property sought to be rezoned as parcel about 105 feet fronting on Federal Boulevard and 359 feet deep located approximately 360 feet west of Euclid Avenue and on south side of Federal Boulevard - bounded on west by Altadena Street, across which is group of single-family residences being built in R-4 Zone, in a new subdivision; bounded on south by R-4, with a few homes being erected; adjacent to C and CP on the east, petitioner's property where Mayfair Market is located. It states that across Euclid Avenue to the east is C-1 zoning in the County. The communication gives lengthy and detailed report on existing property conditions, and that owner reacquired the 105-foot strip. The report says that petition was discussed at regular hearing on May 5, 1954, and one protest was voiced; petitioner, represented by an attorney, requested a continuance of 2 weeks in order that he could attempt to work out an acceptable zoning plan. It states that petitioner and his attorney discussed the matter with the Planning Office, but were not willing to deviate one square foot from the zoning plan contained in the petition; it was pointed out to petitioner that he now has 97,200 sq. ft. of C Zoning on which 76,000 sq. ft. are used or available for parking. Communication states that 28,350 sq. ft. of additional C zoning proposed, according to petitioner, is for another store building of approximately 16,500 sq. ft., leaving 11,850 sq. ft. for parking in proposed C Zone, and that within 88,000 sq. ft. of vacant C Zone petitioner states he will erect a service station. Communication refers, also, to Planning Department Office having drawn many sketches and had many conferences with petitioner in attempts to work out zoning patterns that would be acceptable and would provide reasonable amount of CP zoning for off-street parking. The report points out that only concession petitioner was willing to make was to provide about 32,000 sq. ft. of CP zoning at extreme rear of Mayfair Market building, and ratio of C zoning to CP at time of writing is 3 units of C zoning to one unit of CP - exactly opposite to 1 to 3 ratio the Planning Commission and Planning Department have attempted to approach in such large unsubdivided areas used as marketing centers. It mentions 5 persons who have purchased homes directly across Altadena Street from the existing R-1 Zone who had protested against proposed C and CP rezoning and advocated construction of residences so that existing C zone would be across back fences rather than if front yards of existing dwellings and R-4 zone on west side of Altadena Street. Report says that petitioner was present and stated that he had every intention of leaving most of his C zoning vacant and available for parking because he realized that he must have parking in order to make a success of any business enterprise located on the land. It states that when it became apparent to Planning Commission that petitioner would make no concession whatever in proposed zoning it voted 5-0 to recommend denial..

Glenn A. Rick, Planning Director, explained the property in question from a map. He said that some land is still in ownership of DeWeese, who is building houses.

Councilman Dail spoke of having been laid out under variance, with buffer strip - with residences.

Mr. Rick told the Council that Mr. Seegel had sold the property, then regained ownership.

Councilman Dail referred to strip of property, between the property and Imig Manor No. 1.

Mr. Rick said that it was developed for R-1, and that it is the policy not to "skip zones", but to provide a buffer. He added that property is in R-4, but developed as R-1 in the buffer zone.

Councilman Dail said that it might as well be R-1, because there is no more property.

Mr. Levenson said that at the time petition was filed, property to East was owned by DeWeese; homes were built by DeWeese for sale, that he signed petition for the zone change. He charged that some statements in the Planning Department report are not correct. The reason petitioner is opposed to the Planning Department, was that that it wants CP on Federal, but that he wants more on the rear and also proposes more. The 4 corners of Euclid are highly developed, according to Mr. Levenson. He re-iterated that parking zone fronting on Federal is opposed. Ultimately it will be commercial, he said. If there is extra CP it would be a buffer strip, Mr. Levenson stated. He charged that the report seems to indicate there was not cooperation, but that is not correct. Mr. Levenson told the Council that Mr. Burton had made no recommendation for compromise, and that Councilman's statement had referred to sale of Seegel property to George Georgen. He said that Mr. Georgen could not finance for residences, and therefore deeded the property back to Seegel. He told the Council that financing cannot be secured for residences, which would not be feasible or economically possible. He referred to unwillingness to have parking zone on Federal Boulevard, which is logical for commercial area.

Douglas D. Deaper, Deputy City Attorney, spoke to Mr. Levenson regarding sufficient parking for the Mayfair Market.

Mr. Levenson's reply was "perhaps not", and spoke of using some in front for parking. He referred to the valuable property on Federal Boulevard, and that the owner has rights. Parking depreciates property value, according to him. He told of willingness to work out parking, if the Planning says that the ratio is wrong. Nevertheless, he re-iterated that petitioner doesn't want it on Federal. He said that Seegel owns property to the south, and that the entire parcel is not under lease to Mayfair Market.

The Mayor asked Mr. Levenson if he had appeared before the Planning Commission.

Mr. Levenson's reply was that he did not know if a compromise could be reached.

Mr. Rick told the Council that Mr. Seegel had been in, and that there had been no misstatements made (referring to a comment which was alleged to have been made by Planning Department). He said that he was willing to discuss the matter, but there should not be a compromise plan submitted. If said that after a hearing, he was willing to work on a compromise.

Hearing - rezoning at Federal & Euclid

Mr. Kennedy, who did not give his first name or initials, told the Council that he owns Lot 30, and resides at 1542 Altadena, spoke next. He pointed out that this is the 4th time to appeal. He agreed that Mr. Levenson is correct in that petition had been signed by DeWeese; that he purchased property from DeWeese, one month before the escrow had been signed. Mr. Seegel's plans called for a building 20 feet from Altadena - which is not much of a buffer zone, according to Mr. Kennedy. R-1 area is being used for C-P now, he stated. Mr. Kennedy said that the original protest is regarding economical consideration. He stated that homes are large, indicating large families. He said that purchasers had picked out their lots, and that houses had not been built on a speculation basis. He declared that R-1 across the street "is the only thing".

Councilman Burgener spoke to Mr. Kennedy about the property across the street.

Mr. Levenson said "DeWeese", evidently referring to ownership.

Mr. Kennedy told of ownership by Mr. Seegel. He said that property, while in R-4 zone, is all single-family construction. There is no vacant property, according to him.

Councilman Schneider asked Mr. Kennedy if he opposed R-4.

Mr. Kennedy replied that he had no objection.

Councilman Dail spoke directly to Mr. Kennedy.

Mr. Kennedy said that all are opposed, except one who is on the fence.

Councilman Schneider moved to close the hearing. There was no second.

Councilman Dail moved to sustain the Planning Commission, and overrule the petitioner, which motion was seconded by Councilman Schneider.

Councilman Kerrigan spoke to Mr. Rick.

Mr. Rick said that the Seegel property is in R-1 zone, which he agreed is not good zoning.

Councilman Wincote expressed the belief that it would be well to see if it can be worked out.

Discussion followed between Councilman Dail and Mr. Rick.

Councilman Dail said that the Mayfair Market creates a tremendous demand for parking.

Mr. Rick wanted an agreement from Mr. Levenson regarding R-4 zone. He spoke of having authorized to direct the City Attorney to prepare an ordinance for R-4.

Councilman Kerrigan wanted to know if it is correct that there are problems.

Mr. Rick, answering Councilman Kerrigan said yes there are problems.

Councilman Kerrigan talked to Mr. Kennedy about "working out, now". He said that it should be re-referred to the Planning Department to work out the situation.

Councilman Godfrey pointed out that the Zoning Committee has denied - 5-0. He felt it could be referred back for review to see if the problem would be worked out.

He called for withdrawal of the existing motion, which had been seconded.

The motion and second were withdrawn.

Councilman Godfrey moved that the matter be referred back to the Planning Commission, to see if co-operation can be worked out. The motion was seconded by Councilman Wincote.

Mr. Kennedy told the Council that after the first Planning Commission meeting, Mr. Burton had said that it would be referred back.

Councilman Schneider called for an answer in 1 week.

Councilman Godfrey stated that if Mr. Seegel does not come in and work out something, he will vote against the request.

The roll was called on the motion - and the file referred back to the Planning Commission.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance covering Sales Tax increase, the Mayor opened the hearing. He spoke of an error, in that the Council has made a plan which is somewhat nebulous. He said that since 1944 the Council has made plans regarding Capital Outlay improvements, and that there has been created a great backlog. He reviewed about \$1,000,000. Capital Outlay per year. He said that the City Manager had not put the item in this Budget (for 1944-55). The Mayor told of recommendation for 1/2% increase for a limited time - say 5 years. That would raise \$2,300,000 per year, according to him. He declared that the Council made a program for 1954-55 on that basis. He told of many revenue sources having been studied. He made the statement that it would be about 50¢ per \$1,000. on the tax rate. He read a report - reports having been passed out to the audience at the beginning of this hearing. The Council is in the position of feeling the urgency for Capital Outlay projects, he told those present, and told of Council wanting to pay as they go. He spoke of letters of protest, which refer to other sources of revenue. He emphasized that the Council is looking for sources, and asked for suggestions. He referred to the filed protests. He said that the Council is informed of a stepped-up use tax, especially on auto purchases outside the City.

The City Manager spoke of 2 points: the City is faced with 2 problems - maintenance problems, and rapidly expanding community. He referred to no hope for 1 year or longer for things needed, such as auditorium and for recreation facilities. He said there is the ordinary maintenance program. If the program is deferred longer, it will result in greater cost. He said that he was not sure of final results on increased tax rate for schools, and the County of San Diego. They have to look to property tax for expansion, according to the City Manager. If the City were on the same basis, it would mean an increase of 40¢ or 50¢, he said. The Manager told of having presented an economical budget, and that then other things would be taken up for a solution. He stated that there is no final answer regarding the financing problem.

The Mayor said that this hearing is regarding the annual appropriation, which will be considered also. (Hearings have been held, and concluded on the Annual Appropriation - Budget - Ordinance). He referred to former Mayor Knox's "Committee of 50" set up for the study of problems before the City on improvements, and their financing. He asked Colin Stillwagen, of Ryan Aeronautics, who was a member of that committee, to be heard.

Councilman Dail related that he has been on the Council almost 11 years.

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Twice during that time, he said, the Council has had the sales tax up, and twice it has been opposed. He said that if the sales tax is tied down to financing particular items... he did not complete the statement....instead, he said that thinking had to be adjusted. He stated that no other alternative can be found; there is no other way of financing. As a Councilman he can't oppose the sales tax; unless there is another answer, Mr. Dail said.

Mr. Stillwagen made the statement that 4 years ago a Committee of 50 went into the Capital Outlay. At that time, the committee recommended a 1/2% sales tax, because it could see no other method of raising the needed tax, he said. That would cost the City less to collect than any other method, according to the speaker. He told of the Committee recommending to Mayor Knox the raising of 1/2% sales tax, for specific use on Capital Outlay. Mr. Stillwagen stated that the Committee was polled by postal card, and that reply showed 24 in favor; 14 opposed. He spoke of opposition coming from merchants and from card rooms. Merchants, who were 100% opposed, had no suggestions in lieu of the Committee's proposal. He mentioned that the tax had not been recommended for any particular time. He had copies of letters of arguments in favor and in opposition, according to Mr. Stillwagen. At the time of the recommendation, labor representatives were: 2 for, 1 against - and were filed with the Mayor.

The Mayor said that in the matter of timing on the hearing, the Council would like to accommodate everyone.

He then opened the hearing.

The first to speak was William Macomber, attorney, representing the Motor Car Dealers' Association. He opposed the proposal as a vicious fiscal cancer-growing condition that is getting worse. Mr. Macomber said he knows that the problem of the City is great. He shared all the apprehensions regarding extension of a sales tax. According to Mr. Macomber, the City is going to wind up with a \$10 to \$60 tax, that will be a differential between sales in San Diego and elsewhere.

Councilman Schneider disputed with Mr. Macomber, the amount.

Mr. Macomber referred to the conditions as a distressing trend of market. It could result in killing the goose that lays the golden egg, on car sales, he said. Mr. Macomber charged that the tax could grow to 2% later, for Capital Outlay. He referred to there possibly being a "combination of means".

Councilman Schneider observed that a population increase also means increase on auto sales income.

The Mayor asked that speakers be heard out, without interruption.

Mr. Macomber continued, by saying that it could result in a disadvantage to every dealer. He urged other sources of income that are easier to get rid of. This method just continues; and all are confronted with a principle, he said. Mr. Macomber told the Council that cigarette and amusement taxes might be used. He charged that this is another extension of taxation, that cannot be got rid of, and that it can even result in a municipal income tax.

Estelle Henderson said that the sales tax is the greatest thing ever heard of. She is for it, Mrs. Henderson said. She said that she is going to help - with everything in the road.

The Mayor said that he was delighted to hear Mrs. Henderson's attitude.

Mrs. Henderson, referring back to Mr. Macomber's opposition, said that everybody who can buy a Cadillac can pay; she has one, she said.

Councilman Winote spoke to Mr. Macomber regarding his ideas. He stressed that this is the only source which reaches everybody; it is not a "soak the poor" tax.

Councilman Burgener talked about the time limit as an objection, and hoped for a review.

Mr. Macomber wanted tied into a specific program, and a definite end to it. "Don't kid ourselves", he pleaded.

Henry M. Dupree, U. S. Navy Chief, representing Fleet Reserve Association, and American Legion, North Island Post, spoke in behalf of sailors and their wives. He told of trying to get the best advantage for the service man. The group is in the minority in voting power, but is a large segment of San Diego, he stated.

The Mayor said, at this point, that the tax would not be on food, taken out.

Mr. Dupree told the Council that he has a tax of \$900.00 per year, and that he loves it here. If the City keeps adding taxes, residents will go to Whittier to buy, according to him. He spoke of having a notice from the City of San Diego covering use tax on a car purchased in Whittier. It is an illegal tax, according to him. He declared the situation to be an imposition on transients and on service people.

Councilman Schneider spoke to Mr. Dupree, and told of things the City is trying to do - stressing that he is a Fleet Reserve member himself, and came to San Diego many years ago as a Navy man. He pointed out that a lot of Navy people have bought homes, and that tax would be for parks and for recreation purposes for their benefit.

Mr. Dupree said that he would prefer a real estate tax. Corrections won't come, regarding sales tax, according to the speaker.

Councilman Dail spoke to Mr. Dupree regarding his ability as a leader, and said that there is a need to indicate leadership by proper means.

Mr. Dupree's comment was that sailors would protest.

Mr. Dail pursued his idea by telling Mr. Dupree that there is greatness in getting people to go along, and to show a way.

H. J. Duerst spoke in behalf of the Building Trades and the Plumbers. He expressed opposition, saying that it would injure the little fellow and help the big fellow - but he was willing to go along, through.

Arthur Hamilton Marston, of Hamilton's and vice president of the Downtown Association, was heard next. He referred to himself as being a tax collector for the City of more than \$50,000. per year. Mr. Marston spoke of an unfavorable situation, and a disadvantage regarding the increase. He read a resolution adopted by the executive committee of the Downtown Association in opposition to the Sales Tax and to the State Uniform Sales Tax. He recommended that there be no enactment of the Sales Tax now, but an attempt to get, instead a uniform State Sales tax. There are other methods of financing, according to him, but people do not want to use them. He spoke of revenue bonds, and service charges, etc.

Councilman Schneider spoke to Mr. Marston regarding service taxes.

Mr. Marston referred to sewer tax, etc.

Councilman Dail was excused.

Councilman Wincote spoke to Mr. Marston regarding revenue bonds and income. There was discussion between them, regarding reaction on efforts to vote revenue bonds.

Councilman Schneider was excused.

Mr. Marston stated that he was interested in getting off an intolerable hook, but spoke for uniformity.

The Mayor spoke to Mr. Marston in connection with his (The Mayor's) being chairman of the Municipal Association Committee regarding a uniform tax in the State.

Councilman Dail returned.

The Mayor said that it is tough to sit here, and "see nothing here".

Councilman Wincote spoke to Mr. Marston.

Mr. Marston referred to the unfairness of tax which is avoided on outside purchases. He said that they might face not only a loss of sales tax for the City, but loss of sales for themselves. He agreed that a sales tax is an easy tax in some respects, but felt that it is a real discrimination.

The Mayor stated that the City Manager had expressed belief that there might be some uniformity in the State.

Edward Hall told the Council that he was here neither for nor against the Sales Tax proposal, but that he had understood that the Budget - as had been said earlier in the meeting - was being considered. He re-iterated his stand against items which had been mentioned: specifically property purchases. He contended that any added tax for Capital Outlay should be reviewed each year, or frequently, and urged 2 years rather than 5 years.

Councilman Wincote said that a majority of members of the Council favors such a review. He said that it has to be determined what needs to be spent, and how to finance the projects. He spoke of being not proud of the present job, and used as an example that it costs more to repair pipelines than it would to replace them. He said that he could point a finger to those who did not meet the issue.

Mr. Hall said that the City should set out a Capital Outlay program; it is an important problem.

Councilman Godfrey said that there is a community discussion on an important point. He said that a State-wide program sounds wonderful. With State collecting 1%, the City might get 3/4%, and he doesn't want only a portion, Mr. Godfrey said.

The City Manager spoke to Councilman Godfrey, and referred to there being a good prospect at the next Legislature of there being a uniform program on a new formula.

Councilman Schneider returned.

Councilman Godfrey spoke regarding needing to get the funds. Let's get the money, he urged.

Councilmen Wincote and Godfrey entered into a discussion.

Henry Cramer told the Council that the list refers to specific things. He assumed that they are for the purpose of tax increase. He asked if it was not putting tax on the wrong source. Site values would be enhanced by the improvements, according to Mr. Cramer. He declared that San Diego is highly under-assessed in site values. He spoke of the Supervisors having paid \$1700 per acre for land - on account of an available sewer. He said, again, that tax is being put on the wrong people. He told the Council that he is in the merchandising business, is a landlord and a tenant. All, as such pay taxes, according to him. Mr. Cramer referred to a national average of taxation: 14%; 7% of that is site value. He told of maintaining armies, navy and police, etc., to safeguard those site values. A continuance of sales tax, etc., will lead to another "tea party", Mr. Cramer said. He asked for site values increases. Don't put a tax on meals and on shirts, he asked.

Councilman Schneider asked if the tax assessing values ought be taken back into the City (they are assessed, and collected, both by the County).

Mr. Cramer replied that could be one way. He pursued the thought that site value is a good will value.

Fred Landgraf, attorney, spoke as a representative of a taxpayers' group which does not yet have a name, it is that new. He referred to being both a member of of the group and its counsel. He opposed the sales tax; said that it impedes trade, is an undue burden on people who can least pay. He opposed an increase on land for speculative purposes by the City. He referred to appropriations made by the City for land purposes. He opposed those purchases, including their removal from the tax rolls. Some items should not be included as Capital Outlay items; they are maintenance items, according to Mr. Landgraf. If the City has avoided Capital Outlay improvements, it is on account of unwise planning, he contended. Mr. Landgraf said that the City has spent over 2 millions of dollars for purchase of ranch lands, which will not be used for years - if ever. He answered Councilman Godfrey's questions on various purchases.

Councilman Godfrey declared that Mr. Landgraf is "way off". Don't let somebody develop them, and then buy at great expense to the City, Mr. Godfrey urged.

Mr. Landgraf asked if specific purchases were for Super Hodges.

Councilman Godfrey said "yes"; it is going to be developed.

Councilman Schneider declared it to be a far-sighted purchase.

It was Mr. Landgraf's contention that the land could go up and down in value.

The Mayor observed that this hearing could go on for weeks.

Mr. Landgraf spoke about Kearny Mesa Land. He asked if it was purchased by the City for speculation.

Councilman Dail said "no", and carried on a discussion with Mr. Landgraf.

Next, Mr. Landgraf talked about the appropriation for Aztec Housing.

The City Manager spoke to Mr. Landgraf. He said that the income will pay for it, or that it goes to the Federal Government. It has already been purchased, he added.

Mr. Landgraf then spoke of Frontier Housing purchase at \$300,000. All he knows is what is on the schedule, he declared.

Councilman Wincote pointed out that the property has been appraised for

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\$4,000,00.; getting it for \$1,000,000. Private parties can't buy it for that price, he added.

There was discussion between the City Manager, Councilmen Dail and Wincote with Mr. Landgraf.

Councilman Dail, referring to the Housing purposes, said that it is for the purpose of getting the government out of the housing program.

The Mayor asked that the hearing get back to the scheduled Sales Tax Ordinance.

Mr. Landgraf insisted that the hearing is on the Sales Tax and on the Budget. He spoke of a group as being large and small - scattered - in membership of the tax payers' group he represents.

Councilman Godfrey informed Mr. Landgraf that this is a community problem, and that his group is not properly informed.

Councilman Wincote said that the Tax Payers' Association is a well-informed group. He emphasized that the Council is not trying to "put over" the Sales Tax Ordinance, as alleged by Mr. Landgraf.

Councilman Schneider said that programs are not what he referred to as a "flash" - they are lands acquired over years for specific uses.

Councilman Burgener told of the City planning large sale of land on Torrey Pines, which is not used.

Councilman Schneider said that in public life there is always reason to find fault.

The City Manager stated that Mr. Landgraf knows where the record is; all is available, including purpose for which land is acquired.

Mr. Landgraf concurred with Mr. Cramer; most projects are localized in benefit. He mentioned the Muirland Outfall Sewers; yet it is included in the Capital Outlay which would come from tax on the sales tax increase. He declared that to be not an emergency, including others, as listed. He spoke of there having been problems for years, and that they should be taken care of by property where affected.

Councilman Wincote spoke to Mr. Landgraf about storm drains.

Mr. Landgraf insisted that they should not be in the Sales Tax ordinance, for Capital Outlay.

Councilman Dail urged careful scrutiny, and referred to a great deal of merit in the Landgraf statement.

Joseph Jessop, representing the Downtown Merchants, spoke of them as having had a difficult time. He contended that not 5% have made money. He said the sales tax will be another burden. Mr. Jessop said that the Navy brings a lot of competition up and down the Coast, and with the Orient - also the commissaries. He hastened to say that he was not speaking against the commissaries. He said that he can't see objections to proposals, but that of Sales Tax only 68% of the possible 100% are being correctly reported and turned over. Some things in the report should stand on their own feet: including the dog pound, swimming pools and golf course, he stated. He expressed the belief that it would be better to open up the Mission Bay Channel, and thereby get income for the City. A 1/2% would be a burden, he declared. Discussion took place between Mr. Jessop and Mr. Marston over sales tax, whereupon Mr. Jessop read a 5/17/54 report portion (not filed with the Clerk) in connection with 68.2% sales tax filing - in the San Francisco Bay area.

Councilman Wincote disputed the statement, by saying that in San Diego there is close to 100% collection.

Councilman Dail said that the Committee of 50 had a big job to finance a big job of public works. He declared that it is easy for a group of people to take a list and attack it, on little study.

James Edmonds, Linda Vista Business Men's Association approved a tax, but said that this would take away \$5000.00 per month. He said that sales tax does not equally distribute the burden. It was his contention that people above the \$5,000. income don't bear the expense; those under \$5,000. do. Sales Tax is not the equitable means, according to Mr. Edmonds. He, too, said that sites benefited should through equitable means raise the revenue. He declared that there is a necessity to face up to the situation that Sales Tax was supposed to be temporary - but that it has grown.

Councilman Schneider had a discussion with Mr. Edmonds regarding the \$5,000. per month tax group.

Mr. Edmonds asked for real estate re-assessment.

Councilman Burgener spoke to Mr. Edmonds, saying that food and shelter would not be taxes - regarding the people below \$5,000. income.

Mr. Edmonds said that in California \$4,050,000. is coming from Sales Tax.

Councilman Schneider spoke to Mr. Edmonds about parks and recreation. He said that libraries are used by persons who do not maintain them, but that some do pay where there is sales tax. He spoke for need of more industrialization.

Nicholas J. Haerring, representing himself as a tax payer, was heard. He told of having opposed fluoridation (which was voted down) earlier, and that he represents a lot of people who opposed that. He told of the municipality having gone ahead with the trend of higher taxes and expenditures. Maybe there should be a limit on expenditures, which amount to a lot of money, he said. He talked about need for more dollars - not by increasing tax rate, but by spreading taxability. He said that more taxes are not needed. He contended that property taxes have become too heavy, and are creeping up. He advocated that instead of 1% there be raised to 1-1/2%, which would be just as easy to collect and calculate. People pay 4% now, according to him. He declared that it should be settled once and for all where the tax is coming from, and again urged raising it to 1-1/2%. New people do not so much object to the tax, Mr. Haerring contended. Some places collect taxes; others don't, he said. Don't give the tax to the State, to give back to the City, Mr. Haerring urged. It will not drive people out, on account of a 1/2%. He advocated pay as you go through a Sales Tax, which can be collected from a floating population; grow as we pay. He said that little things build taxes.

Kenneth Hall, of Sears Roebuck, spoke next. He contended that increasing the sales taxes does make a difference, that many go away to save money. It is everybody's

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problem in this fast-growing community, Mr. Hall said. If all are under the same tax in San Diego and outlying communities, it would not make much difference, he stated. If the City has to have the funds, it would not be indefinite, he contended. If there is a need for money it has to come fast, but there should be a time limit, according to Mr. Hall.

Councilman Wincote spoke to Mr. Hall regarding amount of expenditures by individuals. He felt it would not pay to drive a car to save on a \$15.00 purchase.

Mr. Hall made reference to application on large sales. Remarks have been made, according to him that purchasers can buy for less elsewhere. He urged putting a time limit on the proposal, on account of an emergency.

The Council has to find the money, Councilman Schneider informed those at the hearing.

Mr. Hall said, leaving his company out of it, the sales tax hurts "the smallest". The more people there are who can pay the tax, the less people have to pay, he said. He declared that people will drive to save.

On motion hearing was closed; motion by Councilman Dail, seconded by Councilman Wincote.

RESOLUTION NO. 118829, recorded on Microfilm Roll No. 81, referring to Council Conference proposed sales tax increase matter, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

After Resolution was adopted, Mr. Landgraf asked to be notified of any future sales tax hearing.

At the hour of 1:07 o'clock P.M., the Council took a recess until 2:00 P.M. this date.

Upon re-convening, at 2:18 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

The next matter was brought up out of order.

Robert J. McPherson, 2644 Teresita Street, San Diego 4, read to the Council a lengthy which he said was in writing, so that he would not be misquoted as he had been previously (in the press). The statement had to do with the high cost of Feather River water. He spoke of a statement by Fletcher, and that Fletcher interests own much property there. He told of sea water conversion as a more realistic approach. He quoted regarding valuable gold and magnesium that could be recovered from the sea. He said the Metropolitan Water District, and those who would profit by Feather River, are the only opponents to sea water conversion. He stated that there would be no expense to tax payers, but that it would be self-supported on account of reclaiming of magnesium. Letter referred to cost of water, and requested Manager to sign agreement to purchase fresh water. It refers to highest tax by San Diego of any City in California. (There were "no's" from Manager and members of the Council, who disagreed).

Communication recommended that Manager be authorized to sign agreement for 10,000,000 gallons every 24 hours.

Councilman Schneider spoke to Mr. McPherson re availability and cost. He told about arrangements made for a meeting.

Mr. McPherson said that private capital wants the minerals - not the water. He said 3 \$5,000,000 plants are proposed on the other side of the world.

Councilman Schneider said that if the City signs to purchase, he asked if McPherson will sign committing himself to deliver.

Councilman Dail said that the other government is interested in tests on an experimental basis.

Mr. McPherson said that Massachusetts Institute of Technology says that the proposal is practicable. He said that industries are needed in San Diego, and that a Prondential representative has said that it will recover salts. He insisted that he is not trying to put over anything.

Speaking to Mr. McPherson, Councilman Burgener asked where plant would be.

Reply was at Sorrento Slough, or at Aeronautical Science Institute.

Councilman Wincote told Mr. McPherson that the City is buying water now, and that the cost is \$12.00 per acre foot now; whereas McPherson's would be \$28.60.

Mr. McPherson re-iterated that he is not interested in sale of the water; it is re recovery of magnesium. He spoke of processing hundreds of millions of gallons of water in Texas for magnesium. His proposal could cut taxes, according to Mr. McPherson. There would be no commitment if the water is not there, the speaker said.

Councilman Godfrey gave Mr. Pherson credit for long and hard work. He pointed out that the City has no contract on Feather River - and that the Council is listening to Mc. Pherson only. He spoke of the City having invested much money for the "2nd Barrel", which is delivering needed water now. He asked if the City would get a profit.

Mr. McPherson's reply was that it could.

Councilman Wincote said that the financing outfit would have something to say. Why not go ahead, he asked.

Mr. McPherson told of need for a customer.

Councilman Wincote said that none is needed.

The Mayor quoted from a statement made by Admiral Wheelock (not filed with the Clerk).

Mr. McPherson said that Adm. Wheelock quoted a figure to confuse the pub-

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Sales Tax Ord hearing

Robert J. McPherson hear-

ing re sea water con-
version

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lic.

Councilman Godfrey said that a profit is to be made from the water - and millions, he could see the City entering into a contract at \$12.00 per acre foot, as at present. It could not justify water purchase at \$28.60.

Councilman Wincote spoke of the undertaking as fabulous, and that the developers can get an enormous return. If a profit can be made on minerals he asked why not sell water to the City at \$5.00 per acre foot.

Councilman Wincote added, it does not make sense.

Mr. McPherson said that he is willing to arrange a meeting.

Councilman Wincote said that if the operators of the plant can make a great profit, it could let somebody else have the water.

Mr. McPherson said that he wants the City or some private person to own the plant.

The Mayor commented that the plant would be geared for one process.

Councilman Wincote referred to individuals as being lucky to have a process.

Mr. McPherson said that the engineer does not need money; he has a good process.

Councilman Godfrey replied that he would like to see Prudential go into it.

Mr. McPherson said that Federal law prohibits that.

There was discussion back and forth between several on that point - including Douglas Deaper.

The Mayor urged reference to the City Manager.

Councilman Godfrey asked why. He insisted that the City could not buy water at \$28.60, it would be a cost through use of tax payers' money.

RESOLUTION NO. 118830, recorded on Microfilm Roll No. 81, referring to Council conference matter of conversion of sea water as presented by Robert J. McPherson, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

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

RESOLUTION NO. 118831, recorded on Microfilm Roll No. 81, confirming the appointment of Edward A. Luce Jr. to the Park and Recreation Commission for a term of 4 years from and after July 1, 1954, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The Mayor left the meeting; Vice Mayor Wincote took the Chair.

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 1 3/8 cu. yd. Wheel Type Tractor Loader, received June 10 from 2 bidders, was presented. It recommends award to Willis Tractor & Equipment Company of San Diego, low bidder meeting specifications, at price of \$2,800. plus State Sales Tax.

RESOLUTION NO. 118832, recorded on Microfilm Roll No. 81, accepting bid of Willis Tractor & Equipment Company for furnishing 1 3/8 cu. yd. Wheel Type Tractor Loader; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing Steel Shelving for Central Stores from 6 bidders, was presented. It recommends award to Green-Penny Co., of Los Angeles, low bidder, at \$2,950.78, terms net, plus State Sales Tax.

RESOLUTION NO. 118833, recorded on Microfilm Roll No. 81, accepting bid of Green-Penny Co. for furnishing Steel Shelving; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing City's requirement of Liquid Chlorine for one year beginning July 1, 1954, received June 17 from 6 bidders. It states identical low bids were received from Atlas Chemical & Manufacturing Company and Hill Brothers Chemical Company, of San Diego - recommendation to Hill Brothers Chemical Company decided by lot. Award recommendation was at \$106.35 per net ton delivered to Water Department stations as required; terms net 30 days with free use of cylinders for 30 days' period, and thereafter a demurrage charge of \$0.274 per day to be charged to City - cylinders lost or damaged beyond repair chargeable at \$325.00 each.

RESOLUTION NO. 118834, recorded on Microfilm Roll No. 81, accepting bid of Hill Brothers Chemical Company to furnish City's requirements of Liquid Chlorine for period of one year from July 1, 1954; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 20,000 lbs. of Polyphosphate for

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water purification use at Lower Otay Station, received from 3 bidders. It recommends acceptance of second bid, since low bid fails to meet delivery requested and chemical is urgently need - Los Angeles Chemical Co., at \$14.47 per cwt., delivery approximately June 20 (Purchasing Agent's letter was dated June 21, and presented to the Council June 29).

RESOLUTION NO. 118835, recorded on Microfilm Roll No. 81, accepting bid of Los Angeles Chemical Company, Inc. for furnishing 20,000 lbs. of Polyphosphate; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

At this point Councilman Dail said that the Robert J. McPherson letter, about sea water conversion, addressed to the Mayor and Council was given by Mr. Pherson to the Tribune reporter. (The next day August M. Wadstrom, Deputy City Clerk, secured the letter from Lou Scarr, for the City Clerk's file).

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing Books for Public Library, received June 16, 1954, from 4 bidders, was presented. It recommends award to Los Angeles News Company, Div. of The American News Co., low bidder, on basis of discounts offered.

RESOLUTION NO. 118836, recorded on Microfilm Roll No. 81, accepting bid of The Los Angeles News Company, Div. of The American News Co., to furnish Books for Public Library for period of one year beginning July 1, 1954: Trade Books at 37% off publisher's standard list price; Technical and Textbooks at 12.5% off publisher's standard list price; Books of Trade Nature at 30.5% off publisher's standard price list - terms 1% 20 days; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego pursuant to specifications on file in Office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on the sole bid for furnishing Library Binding for one year beginning July 1, 1954, was presented. It recommends acceptance of Becker Bindery bid - identical with prices quoted during the past 3 years. It says that most recent bid received from an out-of-town bindery was received approximately 1 year ago, and it was considerably higher than offered by this local firm.

RESOLUTION NO. 118837, recorded on Microfilm Roll No. 81, accepting bid of Becker Book Bindery for furnishing Library Binding for one year - Books, Magazines and Music - as per detailed items and prices set out in the Resolution - awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for construction of Storm Drain at southerly termination of Cable Street, received from 4 bidders, was presented. It states that low bid is 60.6% above estimate, and recommends that all bids be rejected and that job be returned to City Engineer for revision of plans.

RESOLUTION NO. 118838, recorded on Microfilm Roll No. 81, rejecting all bids received by Purchasing Agent June 10, 1954, for construction of Storm Drain at southerly termination of Cable Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on Water Department request for purchase of parts for conversion of W & T A -421 Chlorinator to automatic operation, was presented. He recommends that he be authorized to purchase from Squires-Belt Material Co., local supplier, at \$1,310.00 f.o.b. San Diego, plus State Sales Tax.

RESOLUTION NO. 118839, recorded on Microfilm Roll No. 81, authorizing and directing Purchasing Agent to purchase parts for conversion of Chlorinator - listed in detail in the Resolution - from Squires-Belt Material Company, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent reporting on construction of comfort station at Motor Boat Ramp, Shelter Island, received June 23, 1954, from 9 bidders, was presented. It recommends award to Raymond D. Haas, low bidder, in amount of \$8194.00 - estimate was \$7500.00.

RESOLUTION NO. 118840, recorded on Microfilm Roll No. 81, accepting bid of Raymond D. Haas for construction of Comfort Station on Shelter Island; awarding contract, authorizing and instructing majority of members of Harbor Commission to enter into and execute contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent reporting on bids for installing curbs at South Parking Lot on Shelter Island, received from 5 bidders on June 15, 1954, was presented. It recommends award to H. C. Dennis, low bidder, in amount of \$1499.63 - estimate was \$1800.00.

RESOLUTION NO. 118841, recorded on Microfilm Roll No. 81, accepting bid of H. C. Dennis for installing curbs at South Parking Lot on Shelter Island; awarding contract, authorizing and instructing majority of members of Harbor Commission to enter into and execute on behalf of City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received from 7 bidders (date received not stated) for construction of sanitary outfall sewer from Grand Avenue and Figueroa Boulevard to DeAnza Point Sewage Pump Stations, was presented. It recommends award to Rogers Construction Company, low bidder in amount of \$15,196.00 - 43.7% below the estimate.

RESOLUTION NO. 118842, recorded on Microfilm Roll No. 81, accepting bid of Rogers Construction Company for construction of sanitary outfall sewer from Grand Avenue and Figueroa Boulevard to De Anza Point Sewage Pump Station; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118843, recorded on Microfilm Roll No. 81, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of sanitary sewers and water main in Rachael Avenue and Morningside Street at Winchester Street, under Document No. 492789; authorizing and directing 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.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Final Map of Seedorf Heights Unit No. 2, was presented.

RESOLUTION NO. 118844, recorded on Microfilm Roll No. 81, adopting Map of Seedorf Heights Unit No. 2, subdivision of portion of Lot 21 East Redlands; accepting on behalf of the public El Cerrito Place and unnamed easements shown for public purposes; dedicating them to public use; rejecting dedication for public street land shown as "Reserved for Future Street"; authorizing and directing Clerk to endorse upon the map, as and for act of the Council, and that Council rejects as a dedication marked "reserved for Future Street"; directing City Clerk to transmit the Map to the Clerk of the Board of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending that proceedings under Resolution No. 116508 for grading, paving, etc., Alley Block 4 Ocean View and Block 2 Sunset Grove, be amended to include curbs, and concrete encasement as required, was presented.

RESOLUTION NO. 118845, recorded on Microfilm Roll No. 81, authorizing City Engineer to amend proceedings for improvement of Alley Block 4 Ocean View, and Block 2 Sunset Grove, in accordance with his recommendation, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The item listed on the agenda from Robert J. McPherson at this point will found earlier in these Minutes; referred to Conference.

Communication from C. E. Terry, 4430 Arch Street, San Diego 16, dated June 22, 1954, being copy of letter to the Editor of the Evening Tribune, was presented. It deals with a number of subjects such as the Sewer Project, the Court House, the "Cedar Street Mall", sale of fertilizer as a success in Milwaukee but not in San Diego, etc.

On motion of Councilman Schneider, seconded by Councilman Burgener, it was filed.

RESOLUTION NO. 118846, recorded on Microfilm Roll No. 81, directing notice of filing of Assessment No. 2253 made to cover costs and expenses of work done on paving otherwise improving Alley Block 1 Ocean Front, under Resolution of Intention No. 114247, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118847, recorded on Microfilm Roll No. 81, directing notice of filing of Assessment No. 2252 made to cover costs and expenses of work done on paving and otherwise improving Florence Street, under Resolution of Intention No. 113493, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 118848, recorded on Microfilm Roll No. 81, for paving and otherwise improving Olney Street and Felspar Street, under Resolution of Intention

No. 117678*, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.
The City Engineer reported, in writing that low bid is 30.8% below estimate.
*Award was to Griffith Company

RESOLUTION OF AWARD NO. 118849, recorded on Microfilm Roll No. 81, accepting bid of Al E. Riley, Inc., and awarding contract, 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, under Resolution of Intention No. 117677, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.
The City Engineer reported, in writing that low bid is 22.7% below estimate.

RESOLUTION OF AWARD NO. 118850, recorded on Microfilm Roll No. 81, accepting bid of A. W. Thorpe, and awarding contract for grading and sidewalking Missouri Street, under Resolution of Intention No. 117565, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.
The City Engineer reported, in writing that low bid is 21.9% below estimate.

RESOLUTION NO. 118851, recorded on Microfilm Roll No. 81, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 88 Ocean Beach Extension No. 2, Alley Block 76 Ocean Beach, and Bacon Street; approving Plat No. 2518 showing exterior boundaries of district to be included in assessment for work and improvement; directing City Clerk upon passage of resolution of intention in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118852, recorded on Microfilm Roll No. 81, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Mentone Street, Montalvo Street, Temecula Street, Rialto Street; Alley Block 29 Loma Alta No. 2; West Point Loma Boulevard and Famosa Boulevard; approving Plat No. 2571 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 plat in Office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118853, recorded on Microfilm Roll No. 81, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving 49th Street, Elm Street, Fir Street, Tilden Street, 48th Street, Brookline Street, Duval Street and Date Street; approving Plat No. 2596 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 plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 118854, recorded on Microfilm Roll No. 81, for paving and otherwise improving Alley Block I Montecello, under Resolution of Intention No. 118154, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 118855, recorded on Microfilm Roll No. 81, for installation of sewer mains in Ollie Street, Camulos Street, Liberty Street and Venue Street, under Resolution of Intention No. 118156, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 118856, recorded on Microfilm Roll No. 81, for paving and otherwise improving Alley Block 46 Ocean Beach, and Sunset Cliffs Boulevard, under Resolution of Intention No. 118155, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 118857, recorded on Microfilm Roll No. 81, for furnishing electric current for lighting ornamental street lights located in Five Points Lighting District No. 1, for period of one year from and including August 5, 1954, in accordance with Engineer's Report and Assessment filed in office May 20, 1954, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 118857, recorded on Microfilm Roll No. 81, for furnishing electric current for lighting ornamental street lights located in Five Points Lighting District No. 1, for period of one year from and including August 5, 1954, in accordance with Engineer's Report and Assessment filed May 20, 1954 in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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RESOLUTION ORDERING WORK NO. 118858, recorded on Microfilm Roll No. 81, for furnishing electric current for lighting ornamental street lights located in San Diego Lighting District No. 4, for period of one year from and including August 1, 1954, in accordance with Engineer's Report and Assessment filed May 20, 1954 in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118859, recorded on Microfilm Roll No. 81, directing notice inviting sealed proposals for furnishing electric current for lighting ornamental street lights located in Loma Portal Lighting District No. 1, for period of one year from and including June 28, 1954, in accordance with Engineer's Report and Assessment filed May 13, 1954 in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 118860, recorded on Microfilm Roll No. 81, for paving and otherwise improving Byron Street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 118861, recorded on Microfilm Roll No. 81, for paving and otherwise improving Thorn Street and Highland Avenue, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 118862, recorded on Microfilm Roll No. 81, for sewer mains and connection, etc., in Myrtle Avenue and Alley Block 8 Bungalow Park Addition, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 118863, recorded on Microfilm Roll No. 81, for furnishing electric current for lighting ornamental street lights located in Logan Avenue Lighting District No. One, for period of one year from and including November 16, 1954, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118864, recorded on Microfilm Roll No. 81, for paving and otherwise improving Alley Block 88 Ocean Beach Extension No. 2, Alley Block 76 Ocean Beach, and Bacon Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118865, recorded on Microfilm Roll No. 81, for paving and otherwise improving Mentone Street, Montalvo Street, Temecula Street, Rialto Street, Alley Block 29 Loma Alta No. 2, West Point Loma Boulevard, Famosa Boulevard, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118866, recorded on Microfilm Roll No. 81, for grading and sidewalking on 49th Street, Elm Street, Fir Street, Tilden Street, 48th Street, Brookline Street, Duval Street and Date Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118867, recorded on Microfilm Roll No. 81, approving diagram of property affected or benefited by work of improvement to be done on paving East & West and North & South Alleys Block 55 Normal Heights, under Resolution of Intention No. 115259, and to be assessed to pay expenses, diagram made by City Engineer; directing Clerk of the City at same time of this 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 Schneider, adopted.

RESOLUTION NO. 118868, recorded on Microfilm Roll No. 81, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 83 Point Loma Heights, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118869, recorded on Microfilm Roll No. 81, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 16 Bird Rock City by the Sea, Easterly and Westerly Alley lying northerly of and contiguous to Block 2 Bird Rock Addition, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118870, recorded on Microfilm Roll No. 81, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 4 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, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118871, recorded on Microfilm Roll No. 81, ascertaining and declaring wage scale for installation of sewers in Alleys Blocks 111, 121, 122, 138, 139, 140, 143, 144 and 145 City Heights; Thorn Street, Redwood Street, Quince Street, Unnamed Street, and Public Rights of Way, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118872, recorded on Microfilm Roll No. 81, ascertaining and declaring wage scale for paving and otherwise improving Jewell Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from City Engineer, recommending granting petition for grading and paving portion of Commercial Street easterly of 28th Street, by private contract - under City inspection, under plans and specifications filed in office of City Clerk June 22, 1954, at no cost to City of San Diego, was presented.

RESOLUTION NO. 118873, recorded on Microfilm Roll No. 81, granting permission to Devereaux Seull Co. for improving Commercial Street, under conditions contained in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from City Engineer, recommending granting petition for grading and paving portion of Evergreen Street between Poe and Quimby Streets, by private contract - under City inspection and under plans and specifications filed in office of City Clerk April 30, 1954, at no cost to City of San Diego, was presented.

RESOLUTION NO. 118874, recorded on Microfilm Roll No. 81, granting permission to L. E. & Jewell T. Anderson and J. Anderson for improvement of portion of Evergreen Street, under conditions contained in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from City Engineer, recommending granting petition for paving portion of Rosecrans Street westerly of Pacific Highway, by private contract - under City inspection and under plans and specifications filed in office of City Clerk June 22, 1954, at no cost to City of San Diego, was presented.

RESOLUTION NO. 118875, recorded on Microfilm Roll No. 81, granting permission to Western Service & Equipment Co. to improve portion of Rosecrans Street, under conditions contained in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from City Engineer recommending granting petitions for installation of sewers in La Jolla Shores Drive northerly of Camino del Collado, approximately 1000 feet - signed by owners of 65% of area to be served, was presented.

RESOLUTION NO. 118876, recorded on Microfilm Roll No. 81, granting petitions contained in Documents Nos. 490541 and 491807 for sewers in La Jolla Shores Drive; directing 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, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Harbor Department, signed by John Bate, dated 22 June 1954, submitting for approval form of sublease to be entered into between Carl Eichenlaub, Jr. as Sublessor and Peerless Electric & Refrigeration Co. as Sublessee, covering a 13x30 foot building owned by Eichenlaub together with right to use north 40 feet of Eichenlaub each dock; rental established by sublease is \$60.00 per month, \$10.00 of which is paid to Harbor Department as consideration of approval.

RESOLUTION NO. 118877, recorded on Microfilm Roll No. 81, ratifying, confirming and approving Sublease, copy of which is on file in Office of City Clerk as Document No. 493006, between Carl Eichenlaub, Jr., Sublessor, and John R. Strom, doing business as Peerless Electric & Refrigeration Co., Sublessee, was on motion of Councilman Schneider, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Harbor Department, signed by John Bate, dated 25 June 1954, submitting for approval form of sublease to be entered into between Point Loma Anchorage and Philip H. Thearle, covering room of approximately 300 square feet in Point Loma Anchorage Building at foot of Canon Street, to be used as office of naval architect - \$33.00 per month, \$5.00 of which will be paid to Harbor Department, was presented.

RESOLUTION NO. 118878, recorded on Microfilm Roll No. 81, ratifying, confirming and approving sublease, copy of which is on file in Office of City Clerk as Docu-

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ment No. 493019, between Point Loma Anchorage, a limited partnership consisting of Albert Perel and D. Norman Herwit, Sublessors, and Philip H. Thearle, Sublessee, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118879, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to execute for and on behalf of City of San Diego, agreement with Haskins and Sells, certified public accountants, providing for employment for purpose of providing Council with continuous audit and accounting of financial accounting system of the City for fiscal year 1954-55, and furnish periodic written reports of auditing and accounting, for which services City will agree to pay for each hour of work and service performed: Partners, \$8.00; In charge accounts \$6.00; Senior Assistant Accountants, \$4.50; Junior Assistant Accountants, \$3.50; and Stenographers, \$2.00; provided total cost shall not exceed \$6000.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(This item had been before the Council earlier, referred to Manager and Auditor, and placed back on the agenda at the request of the Auditor.

RESOLUTION NO. 118880, recorded on Microfilm Roll No. 81, establishing parking time limit of 2 hours between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

Both sides of 16th Street between F and G Streets;
Both sides of G Street between 16th and 17th Streets;
establishing parking meter zones; 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118881, recorded on Microfilm Roll No. 81, establishing Parking Time Limit of Two Hours between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

Both sides of 16th Street between Broadway and E 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118882, recorded on Microfilm Roll No. 81, establishing Parking Time Limit of 36 Minutes, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

South side of G Street between First Avenue and Front 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 Schneider, seconded by Councilman Godfrey, adopted.

Resolution establishing parking time limit of 36 minutes between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted on north side of Wightman Street, east from Ray Street to the Alley, was presented.

Councilman Schneider asked "Why?"

The question was not answered.

On motion of Councilman Schneider, seconded by Councilman Burgener, the proposed Resolution was held over for the agenda of Thursday, July 1, 1954.

RESOLUTION NO. 118883, recorded on Microfilm Roll No. 81, establishing Parking Time Limit of Two Hours, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

Both sides of 13th Street, between K and L Streets;
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 Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118884, recorded on Microfilm Roll No. 81, granting permission to Public Works Office, Eleventh Naval District, San Diego 32, California, to relocate certain telephone and fire alarm circuits from overhead poles to an underground duct in approximate location shown on print of PW Dwg. No. E-1064 dated January 4, 1954, contained in Document No. 493034 on file in office of City Clerk, and to construct an 8-inch water line connection to an 8-inch fire hydrant within 32nd Street right of way; necessary in connection with construction of Wabash Freeway, at intersection with 32nd Street and Norman Scott Road, at U.S. Naval Station, San Diego, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118885, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to do all work in connection with installation of a Bristol transmitter at new Catalina Standpipe, and changing circuits from overhead to underground cable, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

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

RESOLUTION NO. 118886, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to do all work in connection with installation of 460 feet of 6-inch water main, 140 feet of 12-inch water main, and 150 feet of 16-inch water main, and installation of 12-inch connection to existing mains, in Rolando District, by appropriate City forces, was on Councilman Schneider, seconded by Councilman Burgener, adopted.

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

RESOLUTION NO. 118887, recorded on Microfilm Roll No. 81, authorizing and directing Property Supervisor to advertise for at least 5 consecutive days in official newspaper of the City sale at public auction of portion of Block 34 Normal Heights, described in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Resolution states that City is owner of portion of Lots 3 and 4 Block 34 Normal Heights, that Rose C. Greene has petitioned Council to put up property for sale, and has deposited with Property Supervisor \$100.00 to cover all costs pertaining to sale, including cost of title report, and as guarantee that depositor will at the sale bid minimum amount fixed by Council; City Manager has recommended that property be sold; reason for selling property is that it is no longer needed for City purposes; value as disclosed by appraisal made by qualified real estate appraiser is \$250.00; minimum amount Council will consider for sale is \$250.00. (~~Minimum amount Council will consider is \$250.00.~~) right is reserved to reject any and all bids; costs in connection with sale shall be deducted from proceeds received from the sale, according to the Resolution.

RESOLUTION NO. 118888, recorded on Microfilm Roll No. 81, approving Change Order No. 2, dated May 27, 1954, heretofore filed with City Clerk as Document No. 492818, issued in connection with contract between The City of San Diego and E. W. Irish for construction of Harbor Drive Pipeline, contained in Document No. 483640 on file in office of City Clerk; changes amounting to increase in contract price of approximately \$8,867.04, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118889, recorded on Microfilm Roll No. 81, approving Change Order No. 3, dated May 27, 1954, heretofore filed with City Clerk as Document No. 492820, issued in connection with contract between The City of San Diego and C. B. Saunders for construction of Catalina Street Standpipe Foundation, contained in Document No. 484421 on file in office of City Clerk; changes amounting to increase in contract price of approximately \$5,058.69, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118890, recorded on Microfilm Roll No. 81, granting permission to Atlas Fireworks Co., Inc., 5973 District Boulevard, Los Angeles, California, for public display of fireworks at La Jolla Country Club Grounds, La Jolla, California, July 4, 1954, from 9:00 P.M. to 10:00 P.M.; upon condition that company shall comply with all laws of the State of California, etc., was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118891, recorded on Microfilm Roll No. 81, authorizing expenditure of \$3,100.00 from funds heretofore appropriated by Ordinance No. 5900 (New Series) for purpose of providing funds for final payment on tax-deeded property in City Heights, La Jolla Heights, Montclair, Morena and Choate's Addition; authorizing Property Supervisor to issue requisition against the fund in that amount, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 118892, recorded on Microfilm Roll No. 81, authorizing S. V. Monsees, City Electrical Engineer, to attend the Illuminating Engineering Society National Convention, to be held in Atlantic City, New Jersey, September 13 through September 17, 1954; authorizing incurring of all expenses in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

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RESOLUTION NO. 118893, recorded on Microfilm Roll No. 81, approving claim of Gerald I. Zirkle, on file in Office of City Clerk under Document No. 492030 in amount of \$17.05; directing City Auditor and Comptroller to draw warrant in that sum in full payment of the claim, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118894, recorded on Microfilm Roll No. 81, approving claim of Jack Brunstein, on file in Office of City Clerk under Document No. 491888 in amount of \$32.50; directing City Auditor and Comptroller to draw warrant in that sum in full payment of the claim, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118895, recorded on Microfilm Roll No. 81, approving claim of Howard H. Holaday, on file in office of City Clerk under Document No. 491156 in amount of \$78.99; directing City Auditor and Comptroller to draw warrant in that sum in full payment of the claim, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118896, recorded on Microfilm Roll No. 81, denying claim of Taurino Rodriguez, on file in office of City Clerk under Document No. 490668, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118897, recorded on Microfilm Roll No. 81, denying claims of Hartford Fire Insurance Company on file in Office of City Clerk under Document Nos. 491817 and 492045, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118898, recorded on Microfilm Roll No. 81, accepting Deed of San Diego Gas & Electric Company, bearing date May 21, 1954, conveying portion of West Muirlands Drive, Muirlands Terrace Unit No. 1; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118899, recorded on Microfilm Roll No. 81, accepting Deed of San Diego Gas & Electric Company, bearing date May 21, 1954, conveying portion of Vandever Avenue and portion of Twain Avenue, in Allied Gardens Unit No. 2; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118900, recorded on Microfilm Roll No. 81, accepting Deed of San Diego Gas & Electric Company, bearing date June 16, 1954, conveying portion of Estrella Avenue and portion of 50th Street, in Allied Gardens Unit No. 2; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the reading 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. 6171 (New Series), recorded on Microfilm Roll No. 81, amending Chapter II Division 5 Article 2 (Administrative Code) of the San Diego Municipal Code, by adding Sections 22.0501, 22.0502, 22.0503, 22.0504, 22.0505, 22.0506 and 22.0507, and by adding Sections 22.0520, 22.0521, 22.0522, 22.0523, 22.0524, 22.0525 and 22.0526, Relating to powers and duties of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

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

On motion of Councilman Burgener, seconded by Councilman, reading 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

118893 - 118890
6171 N.S.
Ord. introduced, etc.

or printed copy.

ORDINANCE NO. 6172 (New Series), recorded on Microfilm Roll No. 81, appropriating \$17,000.00 from 1951 Sewer Bond Fund (713) for providing funds for purpose of providing funds for construction of Sanitary Sewer from Grand Avenue and Figueroa Boulevard to De Anza Point Sewer Pumping Station, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays-Councilmen None. Absent-Councilmen None.

Ordinance incorporating portion of Pueblo Lot 104 into R-B Zone as defined by Section 101.0403 of San Diego Municipal Code, and repealing Ordinance No. 5179 N.S., adopted May 8, 1954, insofar as it conflicts, was presented for introduction. Hearing had been held June 17, 1954 - excludes the Matchinske and Oldfield properties, as directed by the Council.

On motion of Councilman Godfrey, seconded by Councilman Burgener, it was continued until after July 1 (since there was no definite date for continuance, it is being listed on the agenda for Tuesday, July 6).

The Council Secretary returned to the Clerk's office the next item which had been referred by the Council to Conference. It was filed by the Clerk:

Communication from District Attorney and County Counsel, relative to Grand Jury investigation of liquor licensing practices in San Diego - referring specifically to testimony re Councilman Dail, which provided no basis for inquiry by the District Attorney into association by Mr. Dail with illegal liquor license transactions.

There being no further business to come before the Council, Mayor Butler declared the meeting adjourned, at 3:00 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Skadstrom
Deputy

John D. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, July 1,
1954

Regular Meeting, held this date, was called to order by the Mayor at 10:04 o'clock A.M.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on request for rezoning Lots 13 to 16 Block 47, Lots 33 to 36 Block 48 City Heights, from R-4 to C Zones - in vicinity of 43rd Street between University Avenue and Wightman Street - ordinance introduced June 22, 1954, the Mayor requested Glenn A. Rick, City Planning Director, to make a statement.

Mr. Rick told the Council that it is an extension of the existing zoning. 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, Ordinance

6172 N.S.
Ord cont.
Conf. reference filed
Hearing

6173

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NO. 6173 (New Series), recorded on Microfilm Roll No. 81, incorporating Lots 13 to 16 inclusive Block 47 and Lots 33 to 36 inclusive Block 48 City Heights, into C Zone, as defined by Section 101.0411 of San Diego Municipal Code and repealing Ordinance No. 13057 insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None., Absent--Councilmen Burgener, Godfrey.

Councilman Burgener entered

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on request for rezoning Lots 94 to 111 inclusive Vista Park Unit No. 1, and portion of Pueblo Lot 1214 from R-1, C and CP Zones to R-1, RC and CP - in vicinity of Beagle Street, between Armstrong and Ashford Streets - ordinance introduced June 22, 1954 - the Mayor asked Glenn A. Rick, Planning Director, for a report.

Mr. Rick told the Council that it is a revision of a small business district - a re-design.

The Mayor inquired if anyone was present to be heard.

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

ORDINANCE NO. 6174 (New Series), recorded on Microfilm Roll No. 81, incorporating Lots 94 to 111 inclusive in Vista Park Unit No. 1 and portion of Pueblo Lot 1214 into R-1, RC and CP Zones, as defined by Sections 101.0405, 101.0409 and 101.0410 respectively of San Diego Municipal Code, and repealing Ordinance No. 13457 approved February 15, 1952 insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Absent--Councilmen Godfrey. Nays--Councilmen None.

Application of C. Guy Selleck, Jr., for certificate of necessity for permit to operate 2 additional Taxicabs, under name of Checker Cab Co. of San Diego, Inc., was presented.

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

Petition from residents requesting a Fire Station in Paradise Hills, was presented.

Mrs. Frank Gosek, 5723 Bahnar St., San Diego 14, was heard regarding need for such a station. She said that the petition contains names of "only a few", contacted. All were willing to sign, according to her.

Mrs. Dan E. Holsapple, 5731 Bolivar St., San Diego 14, agreed.

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

Councilman Dail observed that equipment responds quickly to calls.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received July 22, 1954, for furnishing Decomposed Granite for period of one year beginning July 1, 1954, received from El Cajon Granite Company, sole bidder, @ \$0.60 per cu. yd., plus State Sales Tax, was presented.

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

Communication from City Manager (being a carbon copy), dated June 25, 1954, returning San Diego Community Theatre communication requesting that Council review Planning Commission decision rejecting construction of auxiliary building to Old Globe Theatre (in Balboa Park), was presented. It states that on June 16 Planning Commission reconsidered action of May 19 and by vote of 5 to 0 approved plans for building, and that Council need take no further action. The report was not read. Instead, the City Manager reported verbally that applicant now has what is wanted, so the matter can be filed.

The item came before the Council originally on June 10 when George Harris, Globe business manager, spoke for erection of a building in which to construct theatrical sets.

Communication from Harbor Commission, signed by John Bate, relative to Budget of the Harbor Department for fiscal year 1954-55, requesting increases, was presented. The communication sets out in detail the request, and that the total increase in charges would be from \$1,129,726 to \$1,301,485, with increase in Non-personal expense due to increase in Retirement Contribution and Compensation Insurance resulting from Personal Services increase; increase in marking meter service charges, and creation of Contingency Account for unforeseen materials and supplies and services which might arise during the year. \$12,750 increase is for purchase of 255 parking meters; \$7,950 in Non-personal expense; \$99,250 in Outlay due to change in Development Program resulting from bids for new Transit Shed on B Street Pier.

The Mayor said that request has been included in Budget, and can be filed.

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

6174 (New Series)
Hearing
Petition
Communications

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code insofar as they relate to final and tentative map of Rancho Hills Unit No. 6, was presented.

RESOLUTION NO. 118901, recorded on Microfilm Roll No. 81, adopting Map of Rancho Hills Unit No. 6, subdivision of portion of Quarter Section 82 of Rancho de la Nacion; accepting on behalf of the public Winchester Street, portion of Roakoke Street and unnamed easements, declaring them to be street, portion of public street and unnamed easements dedicated to public use; authorizing and directing Clerk of the City to endorse upon map as and for act of the Council that they are accepted on behalf of the public; directing City Clerk to transmit the map to Clerk of the Board of Supervisors of County of San Diego, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code insofar as they relate to final and tentative map of Lahoud Terrace, was presented.

RESOLUTION NO. 118902, recorded on Microfilm Roll No. 81, suspending Sections 102.16-8, 102.17-c of San Diego Municipal Code in connection with Tentative Map of Lahoud Terrace, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Lahoud Terrace, a 8-lot subdivision in Block 17 First Addition to Asher's Cloverleaf Terrace and portion of Lot 5 in Pueblo Lot 255, fronting on Lieta Street, recently improved under 1911 Act proceedings, and Asher Street one of the side streets, also improved under same proceedings - subject to 11 conditions, was presented.

RESOLUTION NO. 118903, recorded on Microfilm Roll No. 81, approving Tentative Map of Lahoud Terrace, subject to conditions in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

In connection with the next matter, Glenn A. Rick, Planning Director, was asked what is holding up the petitioner. Mr. Rick replied that it is regarding a drainage ditch.

Communication from Zoning Adjustment Board, signed by D. E. South, stating that communication from Lawrence O'Connell was considered June 23, 1954, for extension of one year on zone variance and resolution of property use, denied by Board of Zoning Adjustment but approved by Council Resolutions 116359 and 116460, was presented. It states the Board favors granting extension of one year since construction of trailer park should be held up until after adequate drainage channel has been provided for Tecolote Creek, and recommended that letter be written to the Council that recommendation be subject to conditions imposed on original resolutions.

RESOLUTION NO. 118904, recorded on Microfilm Roll No. 81, adopting recommendation of City Planning Department re zone variance and property use permits granted under Resolutions 116359 and 116460 to Sidney L. Davis and Elinore N. Davis, owners, and Lawrence O'Connell and Raymond O'Connell, purchasers, to erect and operate 150-unit trailer park on portion of Pueblo Lot 264 bounded by Morena Boulevard, proposed Tecolote Creek Channel, and by line parallel with and 100 feet southwest of northeast line of Pueblo Lot 264, on southeast by proposed Tecolote Valley Freeway - approximately 263.8 feet by 881.35 - in Zones C and R-1; extending for one year from date of this resolution upon same conditions as set forth in the previously mentioned resolutions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Board of Zoning Adjustment, reporting that on June 23, 1954, communication from J. F. Holtmyer request that permanent extension be granted to Council Resolutions 102706 and 98053, which granted him permission to continue operation of wood-working shop on Lot 8 Block 5 Florence Heights, was presented. It states that the Board was in favor of granting extension but only for 2 years, and that letter be written to the Council stating the recommendation, to be subject to same conditions imposed on former resolution, as outlined in detail for 7 conditions.

RESOLUTION NO. 118905, recorded on Microfilm Roll No. 81, adopting recommendation of Board of Zoning Adjustment for granting a 2-year extension of variance heretofore granted to J. F. Holtmyer for wood-working shop on premises on Lot 8 Block 5 Florence Heights on same conditions set out in the previously-adopted Resolutions 102706 and 98053, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Western Oil & Gas Association, signed by L. S. Chappellear, Jr., Secretary, Marketing Ordinance Committees, dated June 25, 1954, was presented. The communication, from 510 West Sixth Street, Los Angeles 14, deals with proposed amendment to Section 95.0106 of San Diego Municipal Code and addition of Chapter X Article I Division 4 Section 101.0409.1, relative to Suburban Commercial Zone and Signs, on which hearings were held earlier. It nominates S. L. Taylor, Shell Oil Company, 1344 Crosby Street, as the Association's representative.

RESOLUTION NO. 118906, recorded on Microfilm Roll No. 81, referring to

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Council Conference communication from Western Oil and Gas Association on proposed Ordinance covering Suburban zoning, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Ocean Beach Chamber of Commerce, 1918 Bacon Street, Ocean Beach, San Diego 7, dated June 28, 1954, signed by John A. Pierce, secretary for Board of Directors, was presented. It requests action on keeping beaches clean in that area.

The City Manager told the Council that the City gets a letter every year; it is regarding beaches on private land.

Communication from Mrs. D. Dorsey, 3691 National, San Diego 13, dated June 28, 1954, stating that Mr. Tristram and Mr. Essery are selling those shacks on 38th and Acacia, also have sold 2 in the 1000 block on Goodyear street, that one of the tenants is building onto one of them with scrap lumber. (This matter has to do with the proposal before the Council earlier, and now in Conference, regarding minimum size of dwellings).

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

Communication from Nottbusch & Nottbusch, signed by F. H. Nottbusch, 222 San Diego Trust & Savings Building, San Diego, dated June 25, 1954, refers to call received from the Planning Director re definite idea from Mrs. Oldfield as to what she intended to do with her property in Pueblo Lot 104 - Point Loma, was presented. It mentions that Mr. Oldfield will be out of the City on business until July 12. It states that the Oldfields upon return will be able to give definite outline as to their intentions. The communication "trusts" that the short delay will not greatly inconvenience the Council of the "Machinsky's" (Gus Matchinske is also subdividing in the same P/L).

Councilman Kerrigan asked why the property should not be included in the proposed ordinance setting up large lot sizes.

The Mayor suggested filing, and that he will answer.

Glenn A. Rick, City Planning Director, said that the City Engineer did not want to design the sewer system until he knows what the system is.

Councilman Schneider moved to continue the communication one week, which motion was seconded by Councilman Dail.

Mr. Rick said that irrespective if the Oldfield property is included in the 20,000-foot lots, the 2 divided portions need variance. He referred to "plugging" future attempt to do the same.

Councilman Kerrigan re-iterated that the Ordinance should include the Oldfield property. He said that the ordinance should be changed to leave it in (The Oldfield and Matchinske properties were excluded).

The Mayor urged giving another day or 2.

Councilman Kerrigan said that it is the Council's intent to include the property in the 20,000 ft. zone, unless there is a letter from Mr. Oldfield that they will subdivide.

Councilman Wincote said that Councilman Kerrigan is right.

Councilman Kerrigan moved to continue 1 week (although there already was such a motion).

Next, Councilman Kerrigan moved to file the letter, which motion was seconded by Councilman Dail. The roll was called, and the letter was filed - although the previous motion had not been withdrawn.

(The Clerk added the letter to the file on the subject).

The continued item re San Diego Gas & Appliance Company (L. H. Dowdy) request for installation of Liquid Petroleum Gas Plant, office and display room on Camino del Rio west of California Highway Patrol Office, was listed on the agenda at this point inasmuch as it had been set for this date by Council motion. However, there was nothing back at the meeting for consideration.

Councilman Kerrigan said that the Council should "adopt the ordinance, and continue the letter".

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the matter was continued one week - to July 8, 1954.

Communications from S. J. Woodruff, 4721 Coronado Ave.; D. Danforth, Manager of Offices, Associated Cafes & Restaurants, S.D. Tavern Owners Association; and Rider South, were presented. They protested proposed increase in City Sales Tax.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, they were ordered filed.

Communication from "Jolly Jack" Realtor, referring to article in Readers' Digest on "Hi Neighbor Courtesy", and suggesting that each and every member of the Council get a copy and read it.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, it was filed.

Communications

Communication from Jean A. Swaner, 628 - 40th Street, San Diego 2, requesting that weeds be taken care on 2 lots that face Quail Street in 600 block just off Market Street, which are a fire hazard to children who play there, was presented.

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

Communication from Dr. Anna W. Schnelle, 3559 Oliphant Street, Point Loma, dated June 29, 1954, referring to hazardous condition of an acacia tree in Lot 24 Block 12 Pt Loma Heights, was presented.

On motion of Councilman Burgener, seconded by Councilman Wincote, (referred) to the City Manager.

In connection with the next proposed Resolution, Councilman Kerrigan asked if anybody had heard anything regarding illegal acts at the polls.

Fred W. Sick, City Clerk, said that he had been advised of a loud speaker traveling back and forth in front of the polls. He said he had learned that the truck on which is was mounted, had not stopped.

Douglas D. Deaper, Deputy City Attorney, wondered if that was within 100 feet of the polls. If so, he said that it might invalidate the election.

Councilman Kerrigan said that the question had been raised to him, and that there may be a protest.

The Mayor said that the Council could do nothing here.

RESOLUTION NO. 118907, recorded on Microfilm Roll No. 81, directing City Clerk ~~Clerk~~ to make canvass of votes cast at Special Annexation Election held in "Rolando Tract No. 2" on 29th day of June, 1954, and certify results to the Council, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118908, recorded on Microfilm Roll No. 81, authorizing and directing City Manager to execute contract with La Mesa-Spring Valley School District for supervision of playground facilities for Rolando Park Elementary School, under terms and conditions set out in form of agreement on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118909, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to execute, for and on behalf of San Diego Unified School District, San Diego County, of lease of Police Gymnasium in Police Headquarters Building, 801 West Market Street, for one year at monthly rental of \$100.00, under terms and conditions to be set forth in form of lease filed in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118910, recorded on Microfilm Roll No. 81, authorizing and directing City Manager to execute agreement with State of California, Department of Public Works, Division of Highways, whereby the State will include 4 City sewer crossings in its construction of a highway improvement between Euclid and College Avenues, denominated road XI-SD-200-SD,A, at City expense, as set out in form of agreement filed with City Clerk as Document No. 493119, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118911, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to enter into contract retaining Royal A. Brown, as an independent contractor, to perform organ recitals, for term of one year commencing July 1, 1954, at monthly rate of \$269.00, in accordance with terms and conditions set out in form of agreement heretofore filed with City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118912, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to enter into agreement with Leonard L. Dowling to keep and maintain Spreckels Organ in proper operating condition and paid at rate of \$164.00 per month, effective July 1, 1954, for 1 year therefrom, upon terms and conditions contained in form of agreement filed in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

In connection with the next Resolution, Councilman Schneider said he was voting "no".

There was discussion over the issue.

Mr. Schneider said that he was questioning the cost - not the ability, as referred to by Councilman Dail. He spoke of the Capital Outlay having been challenged, and said this "has been going on for 2 years". He said he was not trying to argue, or justify his position; he was just voting "no" which was his privilege.

RESOLUTION NO. 118913, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to execute, for and on behalf of City of San Diego contract with

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Clyde H. Bond and Charles J. Sherburne, acting jointly, for professional services consisting of survey of radio communications system of City of San Diego, at cost not to exceed \$17,000.00, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118914, recorded on Microfilm Roll No. 81, granting application of Steele Tomlinson, 7227 Eads Avenue, (P.O. Box 372), La Jolla, doing business as La Jolla Auto Livery, for operation of 2 additional U-Drive cars, as recommended by Chief of Police and approved by City Manager, on condition set out in Municipal Code and inspection and approval by Police Department, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118915, recorded on Microfilm Roll No. 81, granting permission to Stadium Racing Association, Inc., and San Diego Fireworks Display Co. for permission to hold public display of fireworks at Balboa Stadium, July 4, 1954, from 9:00 p.m. to 10:00 p.m.; upon conditions set out in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

In connection with the next Resolution, the City Manager requested that date be changed from July 4, as written to July 5, in accordance with request of petitioner.

RESOLUTION NO. 118916, recorded on Microfilm Roll No. 81, granting permission to Mission Beach Amusement Park Co. and San Diego Fireworks Display Co. to hold public display of fireworks on Ocean Front, at Mission Beach, July 5, 1954, from 10:00 p.m. to 11:00 p.m.; upon conditions set out in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118917, recorded on Microfilm Roll No. 81, approving Change Order No. 2, heretofore filed with City Clerk as Document No. 492960, issued in connection with contract between The City of San Diego and Ets-Hokin & Galvan for installation of traffic signals and safety lights at 16th Street and Broadway, contract contained in Document No. 481905; changes amounting to decrease in contract price of \$121.34, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118918, recorded on Microfilm Roll No. 81, approving Change Order No. 1, heretofore filed with City Clerk as Document No. 492962, 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 and Imperial Avenues, contract contained in Document No. 484047; changes amounting to decrease in contract price of \$2.70, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118919, recorded on Microfilm Roll No. 81, authorizing City Manager to employ Griffith Company to install 184 lineal feet of 8-inch vitrified clay pipe sewer main and one manhole, and to remove and replace 54 square feet of concrete pavement, in connection with improvement of Camino del Collado, shown on Drawing 11057-L; cost of work not to exceed \$970.80, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Resolution states City has entered into contract with Griffith Company for paving, etc., under 1911 Street Improvement Act proceedings; that Drawing 11057-L shows work, consisting of said work to be done by City forces, and contractor has offered to do the work for that sum and City Manager has recommended offer be accepted.

RESOLUTION NO. 118920, recorded on Microfilm Roll No. 81, authorizing City Manager to employ Chandler Construction Company to install 22-1/2 square feet of 5-inch Portland cement concrete pavement and 8-1/2 lineal feet of 6-inch curb, in connection with improvement of Alley Block 35 Normal Heights, shown on drawing 11062-L; cost not to exceed \$19.22, payable from Ordinance No. 5341 (New Series) was on motion of Councilman Burgener, adopted.

Resolution states City has entered into contract with Chandler Construction Company for improvement, that Drawing 11062-L shows work to be done by City forces, that City Manager has recommended that offer be accepted.

RESOLUTION NO. 118921, recorded on Microfilm Roll No. 81, authorizing City Manager to employ M. H. Golden Construction Company to replace 1194 square feet of sidewalk, 69.7 lineal feet of curb with Type G Curb, 11 square feet of gutter, and 118 square feet of paving on Boundary Street, between Lincoln Avenue and Polk Avenue, shown on drawing 11079-L; cost not to exceed \$868.09, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Resolution states City has entered into contract with M. H. Golden Con-

struction Company for improvement under 1911 Street Improvement Act proceeding, that Drawing 11079-L shows work to be done by City forces, that contractor has offered to do work for \$868.09; and City Manager has recommended that offer be accepted and work done.

RESOLUTION NO. 118922, recorded on Microfilm Roll No. 81, authorizing City Manager to employ M. H. Golden Construction Company to replace 80 square feet of driveway and 7.1 lineal feet of curb on Arbor Drive, easterly of Jackdaw Street; and to surface to eliminate drainage pockets, and replace or repair broken curbs at intersection with Jackdaw Street, in connection with improvement of Arbor, shown on Drawing 11173-L; cost of work not to exceed \$147.44, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Resolution states that City has entered into contract with Golden Company for improvement of Arbor Drive under 1911 Street Improvement Act proceedings; that Drawing 11173-L shows work to be done by City forces, that Golden Company has offered to do work for \$147.44, and City has recommended that offer be accepted.

RESOLUTION NO. 118923, recorded on Microfilm Roll No. 81, authorizing City Manager to employ Daley Corporation to remove and replace curbs, curb returns, and sidewalk, and pave 42 square feet with 5-inch concrete pavement, at intersection of 35th Street and Ocean View Boulevard, in connection with improvement of 35th Street, Webster Avenue, et al, shown on Drawing 11950-L, not to exceed \$208.00 payable from Ordinance No. 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Resolution states that City has entered into contract with Daley, that Drawing 11950-L shows work to be done by City forces, that Daley has offered to do work at \$208.00, and City Manager has recommended offer be accepted and work done.

RESOLUTION NO. 118924, recorded on Microfilm Roll No. 81, authorizing City Manager to remount traffic signal heads and change over safety lighting circuits, in connection with installation of street lighting system on Broadway, between Pacific Highway and 8th Avenue, shown on Drawing No. 2546-L; cost not to exceed \$319.02, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Resolution states that City has entered into contract with Ets-Hokin & Galvan, that drawing shows changeover to be done by City forces, that contractor has offered to do work for \$319.02, and City Manager has recommended offer be accepted and work done.

RESOLUTION NO. 118925, recorded on Microfilm Roll No. 81, authorizing City Manager to employ Griffith Company to remove curb, install curb, grade and pave, etc. on Congress Street, in connection with improvements of Congress and Hortensia Streets, shown on Drawing 11088-L, cost of work not to exceed \$582.59, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Resolution states that City has entered into contract with Griffith for improvement of Congress and Hortensia under 1911 Street Improvement Act proceeding, that drawing calls for work to be done by City forces, that Griffith has offered to do the work and City Manager has recommended acceptance of offer and work be done.

RESOLUTION NO. 118926, recorded on Microfilm Roll No. 81, vacating portion of watermain easement in Lot 1 Las Alturas Villa Sites, described in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The Resolution states that City acquired easement dated January 30, 1915, that since acquisition it has not been used nor has it been used for purpose for which acquired for five consecutive years next preceding proposed vacation; that it is unnecessary for present or prospective public use; that from and after date of order of vacation, title to land previously subject to easement shall revert to owners of land free from rights of the public; authorizing and directing City Clerk to cause certified copy of the Resolution, attested under seal, to be recorded in office of County Recorder of San Diego County, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118927, recorded on Microfilm Roll No. 81, authorizing and empowering Mayor and City Clerk, for and on behalf of, and as act and deed of The City of San Diego, to execute quitclaim deed quitclaiming to Mission Investment Corporation, all its right, title, and interest in and to portions of Lots 12, 13, 16, 17, 18, 20 Block "H" El Cerrito Heights Unit No. 3, portions of Lots 41, 42, 43, 44, 45, 46, 50, 54 Block "H"; authorizing and directing City Clerk to deliver the quitclaim deed to Property Supervisor with instructions that it be delivered to Grantee when he shall have received deed to easements as required by The City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The Resolution states that City is desirous of acquiring portions of Lots 39 and 40 Block "H" of El Cerrito Heights Unit No. 3 for purpose of widening University Avenue and constructing a limited access highway; that City is desirous of acquiring portion of Lot 20 Waterville Heights for other public purposes; that Mission Investment Corporation, owner of the property, has agreed to convey portions to City in exchange for

quitclaim deed from the City conveying to the Corporation portions of City-owned Lots 12, 13, 16, 17, 18, 20, 41, 42, 43, 44, 45, 46, 50, 54 Block "H" of El Cerrito Heights Unit No. 3, portions of which are no longer required for use of the City and can be quitclaimed to the Corporation in exchange; that value of property to be granted by the City as determined by appraisal made by qualified real estate appraiser is equivalent to value of property to be quitclaimed by City to Corporation, as determined by last report of City Auditor and Comptroller; and is sum of \$2,000.00, and City Manager has recommended the exchange.

RESOLUTION NO. 118928, recorded on Microfilm Roll No. 81, authorizing O. W. Campbell, City Manager, to attend California Toll Road Conference (California State Chamber of Commerce) in Berkeley, California, July 28, 1954, and meetings of Statewide Highway Committee and California Major Highway Development Committee, to be held in San Francisco on July 29, 1954; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118929, recorded on Microfilm Roll No. 81, accepting deed of Adah Vaughn, bearing date June 18, 1954, conveying Lot 16 Block 8 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118930, recorded on Microfilm Roll No. 81, accepting deed of Helen Redans, bearing date June 21, 1954, conveying Lot 11 Block 2 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118931, recorded on Microfilm Roll No. 81, accepting deed of Nellie B. White, bearing date June 24, 1954, conveying Lot 7 Block 8 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118932, recorded on Microfilm Roll No. 81, accepting deed of William J. Clarke, bearing date June 21, 1954, conveying Lot 13 Block 8 Campo Del Dios Unit 1; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118933, recorded on Microfilm Roll No. 81, accepting deed of Irving Lee Palmer and Helen A. Palmer, bearing date June 24, 1954, conveying easement and right of way for street purposes in portion of Lot 20 Blethen Subdivision; setting aside and dedicating it 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 the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118934, recorded on Microfilm Roll No. 81, accepting deed of William N. Thornton and Yvonne Marie Thornton, bearing date June 2, 1954, conveying portion of Lot 26 Block 10 San Diego Land and Town Company's South Chollas Addition; setting aside and dedicating it to public use as and for public street and naming it Acacia Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118935, recorded on Microfilm Roll No. 81, accepting deed of Harry L. Foster, George H. Foster, Myra Foster and Jo Ann Foster, bearing date June 6, 1954, conveying easement and right of way for street purposes in portion of Lots 11 thru 24 inclusive Block 266 San Diego Land & Town Company's South Chollas Addition; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118936, recorded on Microfilm Roll No. 81, accepting deed of Western Mutual Corporation, bearing date June 15, 1954, conveying easement and right of

way for water main purposes in portion of Lot 1 Las Alturas Villa Sites; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118937, recorded on Microfilm Roll No. 81, accepting Deed of Walter M. McKellar and Lauralee McKellar, bearing date June 23, 1954, conveying easement and right of way for sewer purposes in portion of Lot 8 Block 69 Villa Tract La Jolla Park; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118938, recorded on Microfilm Roll No. 81, accepting Deed of Harry L. Foster, George H. Foster, Myra Foster and Jo Ann Foster, bearing date June 6, 1954, conveying easement and right of way for sewer purposes in portion of Lots 21, 22, 23 and 24 Block 266; Lots 9, 10, 11, 12, 13, 14 Block 289 San Diego Land & Town Company South Chollas Addition; authorizing and directing City Clerk to transmit the 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118939, recorded on Microfilm Roll No. 81, establishing Parking Time Limit of 36 Minutes, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

North side of Wightman Street, east from Bay Street to the alley; authorizing establishment of Parking Meter Zone; directing 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 Schneider, seconded by Councilman Kerrigan, adopted.

(The Resolution had been before the Council previously, and continued to this meeting).

RESOLUTION NO. 118940, recorded on Microfilm Roll No. 81, accepting deed of Ed Fletcher Company, bearing date June 23, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 37 Rancho Mission 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 the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118941, recorded on Microfilm Roll No. 81, accepting deed of George W. Carter Co., bearing date April 12, 1954, conveying easement and right of way for storm drain purposes in portion of Front Street (closed) lying westerly of Block A Horton's Addition; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118942, recorded on Microfilm Roll No. 81, accepting deed of General Petroleum Corporation, bearing date April 27, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 54 Horton's Purchase of Ex-Mission Lands; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118943, recorded on Microfilm Roll No. 81, accepting deed of Fred C. Corey, Jr. and Wanda Lee Corey, bearing date June 24, 1954, conveying sewer mains and appurtenances in Pueblo Lot 1774; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Engineer's Department, for recording at time of payment of trust funds to contractor L. B. Butterfield for installation of the sewer mains, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Ordinance, which had been before the Council since February 9, 1954, and continued week-to-week to this date, was presented again.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance approving Annexation to City of San Diego of portions of Tidelands of San Diego Bay, known and designated "San Diego Harbor Tidelands", the ordinance was continued 1 week - to July 8, 1954.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the reading of the next ordinance was dispensed with by vote of not less than 4 members of

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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. 6175 (New Series), recorded on Microfilm Roll No. 81, incorporating portions of Blocks 1, 2, 3 Haffenden's Sunnydale, portion of Pueblo Lot 1151, Block 143 and Block 144 Choates Addition, into M-1A Zone, as defined by Section 101.0412.1 of San Diego Municipal Code and repealing Ordinance No. 12795 approved April 14, 1930, insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

On motion of Councilman Burgener, seconded by Councilman Wincote, 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. 6176 (New Series), recorded on Microfilm Roll No. 81, incorporating portions of Lots 67, 68 and 69 Ex-Mission Lands; portions of Highland Homes, Ocean Vista Gardens and Palm Hill, into C Zone, as defined by Section 101.0411 of San Diego Municipal Code and repealing Ordinance No. 78 (New Series) adopted November 14, 1932, insofar as it conflicts, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, Ordinance appropriating \$17,000.00 from Unappropriated Balance Fund for conducting survey of radio communications system of the City, was continued one week - to July 8, 1954.

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 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. 6177 (New Series), recorded on Microfilm Roll No. 81, appropriating \$18,500.00 from Storm Drain Bond Fund No. 716, for providing funds to pay City's share of cost of installing storm drain system in Tecolote Creek area, under a 1911 Act Proceeding, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

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

On motion of Councilman Burgener, seconded by Councilman Kerrigan, reading 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. 6178 (New Series), recorded on Microfilm Roll No. 81, appropriating \$171,910.00 from Storm Drain Bond Fund No. 716, for purpose of providing funds to pay City's share of cost of installing storm drain in portions of 4th Avenue, 5th Avenue, 6th Avenue, 7th Avenue, C Street, Broadway, et al., under a 1911 Act proceeding, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The next item was continued to this meeting from June 17, 1954.

On motion of Councilman Wincote, seconded by Councilman Burgener, Ordinance incorporating portion of Pueblo Lot 1237 and portions of Clairemont Units Nos. 9 and 15 into RC Zone and CP Zone, as defined by Sections 101.0409 and 101.0410 of San Diego Municipal Code, and repealing Ordinance No. 13456 approved February 15, 1952; Ordinance No. 5256 (New Series) adopted July 10, 1952 and Ordinance No. 5402 (New Series) adopted December 9, 1952, insofar as they conflict, was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, Ordinance changing name of Camino Del Oro, east of La Jolla Shores Drive, to Calle Del Oro, was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, Ordinance incorporating portion of Lot 10 Ex-Mission Lands of San Diego into R-1 Zone, as defined by Section 101.0405 of San Diego Municipal Code and repealing Ordinance No. 5417 (New Series) insofar as it conflicts, was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, Ordinance incorporating portions of Blocks 13, 14, 19, 20 Bay View Homestead into C Zone, as defined by Section 101.0411 of San Diego Municipal Code and repealing Ordinance

6175 N.S. - 6178 N.S.
Ords. introduced.

Nos. 12942, 12987 and 13008 approved September 4, 1930, October 20, 1930 and November 3, 1930, respectively, insofar as they conflict, was introduced.

The City Manager requested, and was granted, unanimous consent to present the next item, not listed on the agenda:

RESOLUTION NO. 118944, recorded on Microfilm Roll No. 81, adopting budget for improvement of certain Major City Streets, and approving Memorandum of Agreement for expenditure of Gas Tax allocation, set forth in Document No. 493173 on file in office of City Clerk, and directing City Manager to sign the same on behalf of the City - agreement to be binding upon City upon its execution and by authorized officials of the State, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

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

It was a Resolution having to do with settlement with contractors for construction of Sutherland Dam, under contract Document No. 452841 - claim has been filed dated April 19, 1954, for certain additional payments totalling \$188,796.45 to cover extra work and claims resulting from contractor's interpretations.

The City Manager spoke to the Council about the total amount of \$188,000.00; contractors expected to get about \$66,000. He spoke about a figure of \$38,000 to \$40,000. The City Manager said that if the City went to court, the best it could probably do would be \$40,000. to \$50,000. plus costs. He recommended a compromise at \$50,000. He told of Daley having said that he would not accept less than \$60,000. The Manager said that he had asked if contractor would be willing to take \$55,000., and it was so agreed.

RESOLUTION NO. 118945, recorded on Microfilm Roll No. 81, approving and adopting recommendation of the City Manager for settlement of contractors, Bent Construction Company and Daley Corporation, for \$55,000 in addition to payments heretofore made or in process - construction of Sutherland Dam - (exclusive of certain cement already paid for under progress estimates) as recommended by City Manager; authorizing and directing Director of Water Department to include the amount in final estimate for payment to be made to the contractors, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

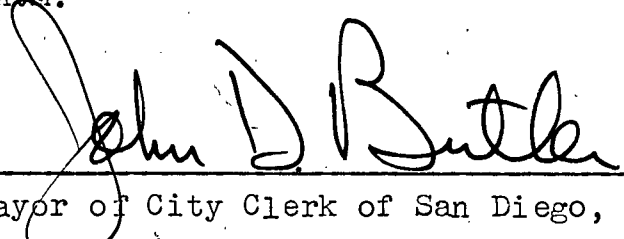
The Mayor requested, and was granted, unanimous consent to present the next item, not listed on the agenda.

RESOLUTION NO. 118946, recorded on Microfilm Roll No. 81, accepting bid of M. H. Golden Construction Co. for construction of Transit Shed No. 2 on "B" Street Pier for Harbor Department, for sum of \$299,600.00; awarding contract; authorizing and instructing majority of members of Harbor Commission to enter into and execute on behalf of City of San Diego, a contract with M. H. Golden Construction Co. pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

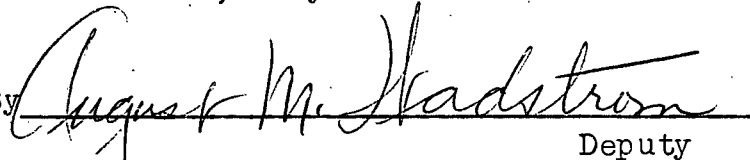
There being no further business to come before the Council, the meeting was adjourned by the Mayor at 10:37 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk


Mayor of City Clerk of San Diego, California

By


Deputy

118944 - 118946
(all under unanimous consent - not on agenda)

REGULAR MEETING

Chamber of the Council of City of San Diego, California,
Tuesday, July 6, 1954

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

The meeting was called to order by the Mayor at 10:04 o'clock A.M.

The Mayor presented Dr. C. B. Loomis, pastor of the First Congregational Church.
Dr. Loomis gave the invocation.

The Minutes of the Regular Council Meetings of Tuesday, June 29, 1954, and of Thursday, July 1, 1954, were presented by the Clerk.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, they were approved without being read, 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 preparation of exterior surfaces and application of 2 coats of paint to Serra Museum, Presidio Park - Specification No. 725 Public Works Department - the Clerk reported that 9 bids had been received. They were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

John M. Spurlock, accompanied by bond written by United Pacific Insurance Company in sum of 10% of bid submitted, given Document No. 493227;
Robert McMullan and Son, accompanied by bond written by United States Fidelity and Guaranty Company in sum of 10% of amount bid, given Document No. 493228;
George C. Punton, accompanied by bond written by Indemnity Insurance Company of North America in sum of 10% of amount bid, given Document No. 493229;
Bernard L. Findahl, accompanied by bond written by American Surety Company of New York in the sum of 10% of total amount bid, given Document No. 493230;
C. M. Board, accompanied by certified check written by Chula Vista Branch of Bank of America in sum of \$232.50, given Document No. 493231;
Russell F. Chartier and Wilfred J. Chartier, a copartnership doing business as Chartier Co., accompanied by bond written by Hartford Accident and Indemnity Company in sum of 10% of amount of accompanying bid, given Document No. 493232;
William H. Farrell, accompanied by bond written by United States Fidelity and Guaranty Company in sum of 10% of amount bid, given Document No. 493233;
Helge Hultgren, Inc., accompanied by bond written by Federal Insurance Company in sum of 10% of amount of accompanying bid, given Document No. 493234;
Jess B. Worthington, Inc., accompanied by bond written by Federal Insurance Company in sum of 10% of amount of accompanying bid, given Document No. 493235;
On motion of Councilman Burgener, seconded by Councilman Schneider, 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. 118393 for paving and otherwise improving Alley Block 95 Ocean Bay Beach, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested 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 Wincote, 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 of Intention No. 118394 for paving and otherwise improving Alleys Blocks 3 and 4 Ocean Front, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested 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 City Attorney for preparation and presentation of Resolution Ordering Work.

Invocation
Minutes approved
Bids
Hearings

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 118395, for paving and otherwise improving Clove Street, Plum Street, Oliphant Street and Newell Street, the Clerk told of written protests which had been presented.

The City Engineer said that one from H. C. Harmelink is a 1.4% based on grade being too low; whereas it has been raised. He said that there were 2 others (new arrivals, of which he has no record): Muriel B. Mann and A. M. Naves & Mrs. Anthony Naves.

Councilman Schneider asked if there is a change of grade.

The City Engineer told of protest at the first hearing; it went over, and he thought it was satisfactory.

Anthony Naves told of the City going to cut the grade 5 feet, and that will depreciate property. It should be raised - not lowered, according to him. Mr. Naves told the Council the corner is already low; the low point in the block - at Plum and Newell Streets. He spoke of having to put up a wall.

There was discussion between the City Engineer and Mr. Naves.

The Engineer said that the grade on Plum Street is being raised.

Answering a question, Mr. Naves said that he did not build his house; it had probably been built 27 years ago.

The City Engineer said that on Plum it is proposed to change the grade - at the property line.

Mr. Naves said that he understood that there was to be a 3-foot cut.

The Engineer, Mr. Naves and Councilmen looked at a map, regarding the elevation. The Engineer said that there were 2 arguments at 1 time, and there might be a confusion over discussion at a previous meeting when there was a protest. He showed a map and explained the matter to Mr. Naves.

Mr. Naves replied that he was satisfied.

Muriel McMann told the Council that she gets no benefit, and that she has been ignored in the petition.

The Mayor told of there being an area assessment, and others will pay on assessment when her street is paved.

Discussion was entered into between Mrs. McMann and the City Engineer regarding improvement and assessment.

The Mayor pointed out that there is some benefit on an area basis.

The City Engineer said that there will be a minor assessment, that Mrs. McMann's property as being within 1/2 block of the work. He referred to a note: \$100.00.

RESOLUTION NO. 118947, recorded on Microfilm Roll No. 81, overruling and denying protests of H. C. Harmelink, Muriel B. Mann, A. M. and Mrs. Anthony Naves against proposed improvement of Clove Street, Plum Street, Oliphant Street and Newell Street, under Resolution of Intention No. 118395; overruling and denying all other protests, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Schneider, seconded by Councilman Wincote, proceedings were referred to City Attorney for preparation and presentation of Resolution Ordering Work. (A later action was taken in the afternoon session, continuing hearing 1 week). - Page 331

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment No. 2250, made to cover costs and expenses of paving and otherwise improving Jennings Street, Albion Street and Silvergate Avenue, the Clerk reported a written appeal from J. H. Bush, which was read to the Council.

The City Engineer said that it was a 2.9% appeal.

John Bush, the appellant, referred to there being 2 double blocks: 400 and 500 feet long. He said that on Albion it is only 1 lot deep. He told of expecting an assessment on a portion, but not on all his property. Every lot on Albion Street, to the east, is 116 feet long, according to the speaker.

The Engineer spoke about assessment on a 1/2 block each way, regardless of the block length. He said that there is no frontage, only an area assessment.

Mr. Bush pointed out the property on a map, regarding slope and there being no access except from the alley. He insisted that there was no benefit.

Councilman Schneider asked if there is no "paper street" through "here". "Here was a point on the map which could not be seen by the Clerk.

The City Engineer replied "no".

Several took part in a round-table discussion.

The City Engineer informed the Council that it is an unsubdivided area.

Mr. Bush re-iterated that he is getting no benefit on a portion. He referred to having given a 25 or 30 ft. strip along the whole area, to the City. He said that he is a crippled man, that he would be hit hard, that he is retired (fireman) on account of the City's fault. He agreed that he expected assessment on the first 25 feet, but not on the other.

Willard Olson, of the City Engineer's Office, joined the discussion.

Councilman Burgener asked if the terrain does not enter into the 1/2-block calculation.

Mr. Olson's reply was "no".

Mr. Bush insisted that it is unfair. He said he figured that 3 lots never entered into the assessment, and that he did not object to the first lot. He stated that he is the only party who does not benefit.

Councilman Burgener observed that appellant has no access.

Mr. Bush showed on a map regarding a steep canyon.

Councilman Burgner addressed a comment to Douglas Deaper, Deputy City Attorney, regarding a varying formula.

Instead of Mr. Deaper being able to answer, Mr. Bush said he had been a fireman, and that he is living on a disability pension.

Mr. Deaper said that it seems that the City is not absolutely bound.

Councilman Dail told the Council that members will become the assessing officers, if they attempt to set up a formula.

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Councilman Wincote pointed out that if property is not subdivided, it is owned by one person.

Mr. Bush agreed that it is.

Mr. Olson said that the Council cannot increase the size of the district.

Mr. Bush contended that the City has not followed the formula.

Councilman Burgener asked if the Council can look at it, and hold the proceedings one week.

Mr. Bush said that canyon lots are worth only what you can get for them. According to him, that could be \$5,000 or \$300.

Councilman Burgener asked, again, if it could be held until Thursday.

The Mayor asked what would be accomplished by that.

Mr. Bush said that this action is going to force him to sell. He replied to a question that he bought in 1950, when it was only sage brush, having paid between \$300. & \$400. per lot. He pointed out that it is expensive to build, so money has to be put into the buildings - not into the lots.

Councilman Burgener declared that if the assessment is taken off this property it will have to be added to others.

Councilman Schneider moved to overrule the protest.

Motion, which was not seconded, was withdrawn.

The City Engineer agreed that he could check the district, and added that if property is in the 1/2 block area it would have to be assessed something.

RESOLUTION NO. 118948, recorded on Microfilm Roll No. 81, continuing hearing on Street Superintendent's Assessment No. 2250, made to cover costs and expenses of paving and otherwise improving Jennings Street, Albion Street and Silvergate Avenue, under Resolution of Intention No. 111923, until the hour of 10:00 o'clock A.M., Tuesday, July 13, 1954.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Street Superintendent's Assessment No. 2251 made to cover cost and expenses of paving and otherwise improving Martin Avenue, under Resolution of Intention No. 113494, 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, and no protests were filed.

RESOLUTION NO. 118949, recorded on Microfilm Roll No. 81, confirming and approving Street Superintendent's Assessment No. 2251 made to cover expenses of paving and otherwise improving Martin Street, under Resolution of Intention No. 113494; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law; directing to record in his office the 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 furnishing electric current for lighting ornamental street lights in University Avenue Lighting District for one year from August 7, 1954, 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, and no protests were filed.

RESOLUTION NO. 118950, recorded on Microfilm Roll No. 81, confirming Engineer's Report and Assessment for University Avenue Lighting District No. 1, filed in office of City Clerk May 28, 1954; adopting it as a whole, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, submitting Resolution authorizing bids for 20,000 lineal feet of 6" Class 150 Asbestos Cement Water Pipe for Water Department, as per specifications on file in office of City Clerk bearing Document No. 493070, was presented.

RESOLUTION NO. 118951, recorded on Microfilm Roll No. 81, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 20,000 lineal feet of 6" Class 150 Asbestos Cement Water Pipe, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent submitting Resolution authorizing bids for 1 Hydraulically Operated Debanding Cotton Press for Harbor Department as per specifications on file in office of City Clerk bearing Document No. 493071, was presented.

RESOLUTION NO. 118952, recorded on Microfilm Roll No. 81, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 Hydraulically Operated Rebanding Cotton Press, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118953, recorded on Microfilm Roll No. 81, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Warehouse "A" at 10th Street Pier Industrial Area, bearing Document No. 493067; authorizing and directing Purchasing

Agent to publish notice to contractors calling for bids, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118954, recorded on Microfilm Roll No. 81, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Small Water Main Replacements Group 15, 1953-54, bearing Document No. 493068; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118955, recorded on Microfilm Roll No. 81, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Street Lighting of Broadway between Pacific Highway and Harbor Drive, bearing Document No. 493069; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for Rental of 5-Cubic Yard, and 10-Cubic Yard capacity Dump Trucks as required by The City during period of one year beginning July 1, 1954, received June 30, 1954, from 2 bidders, was presented. It recommends award to Daley Corporation, low bidder.

RESOLUTION NO. 118956, recorded on Microfilm Roll No. 81, accepting bid of Daley Corporation for rental of Dump Trucks for \$4.81 per hour and \$6.86 per hour; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, reporting on bids for furnishing Asphaltic Plant Mix Surfacing Material for period of one year beginning July 1, 1954, received from 4 bidders on June 30, 1954, was presented. It recommends award to Daley Corporation, low bidder, in accordance with bid schedule: overall increase between 1% and 2-1/2% based on quantities purchased per day.

RESOLUTION NO. 118957, recorded on Microfilm Roll No. 81, accepting bid of Daley Corporation for furnishing Asphaltic Plant Mix Surfacing Material for period of one year beginning July 1, 1954: Item I in lots under 500 tons per day @ \$3.98 per ton; in lots over 500 tons per day @ \$3.78 per ton; Item II (9,000 tons) @ \$3.98 per ton; (1,000 tons) @ \$3.78 per ton; awarding contract; authorizing and directing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by P. Q. Burton, forwarding Drawing B-611 showing area recently annexed to San Diego as La Mesa Colony No. 5, being Lot 31 and portion of Lot 35 La Mesa Colony - along 67th Street, north of Saranac Street and eliminates what was a County island surrounded by the City, was presented. It states annexation under Ordinance No. 6150 will become effective approximately July 11, 1954. In addition to description of property, and surrounding property, it states Planning Commission voted unanimously to recommend that area be placed under interim restrictions similar to R-1 zoning until a more thorough study has been made of a permanent zoning plan. It suggests that ordinance be passed on an emergency basis, that matter be forwarded to City Attorney's office for drafting proper ordinance prior to setting for public hearing.

On motion of Councilman Burgener, seconded by Councilman Wincote, the file was referred to the City Attorney as recommended.

Communication from Planning Commission, signed by P. Q. Burton, forwarding map showing Steinbaum annexation to the City, which became effective July 25, 1954. It states parcels 1, 2, 3 on map are part of State lands, surrounded by parcel labelled "State College", and that State owns 2 other parcels lying westerly of State College land, in the Steinbaum annexation. It proposes placing restrictions under Interim Ordinance on the entire area, similar to restrictions in Zones R-1A, R-1 and R-4 - according to plan worked out with President of San Diego State College and engineers for Mr. Steinbaum. Report says that Planning Commission recommended unanimously that area come under Ordinance adopted on an emergency basis until more study has been made on proposed development of the area, and suggests forwarding to City Attorney's office for drafting proper ordinance prior to setting for public hearing.

On motion of Councilman Burgener, seconded by Councilman Wincote, the file was referred to the City Attorney as recommended.

Application of Frank and Leo Matranga (not signed) dba Hula Hut-Cuckoo Club, 1036-40 Third Avenue, was presented with recommendation for granting cabaret license.

RESOLUTION NO. 118958, recorded on Microfilm Roll No. 81, granting permis-

sion to Frank and Leo Matranga to conduct cabaret with paid entertainment at Hula Hut-Cuckoo Club, 1036-40 - 3rd Avenue, where liquor is sold, subject to regular license fee, and compliance with existing regulations, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, reporting on petition to close Cottonwood Street between southerly line of Boston Avenue and northwesterly line of Pluto Street, and portions of Alleys Blocks 267 and 288 San Diego Land and Town Co.'s South Chollas Addition, was presented. Report says that street and alleys are located in low undeveloped area between Chollas Creek and Wabash Boulevard, and are unimproved except for existing 22" trunk sewer which crosses Cottonwood Street and Alley Block 267, and 6" sewer in portion of said alley. It says that closing lies directly on line of tentative location for rerouting Harbor Drive, State Highway XI-SD-2-SD between National City and down town San Diego, and recommends denial.

RESOLUTION NO. 118959, recorded on Microfilm Roll No. 81, denying petition to close portions of Cottonwood Street and Alleys in Blocks 267 and 288 San Diego Land and Town Co.'s South Chollas Addition, as recommended by Street Superintendent, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from City Engineer, reporting on petition to improve portions of Boundary Street and Laurel Street, signed by owners of 79.6% of property frontage, was presented. It recommends various improvements, including water services and sewer laterals as required on Boundary Street.

RESOLUTION NO. 118960, recorded on Microfilm Roll No. 81, granting petition contained in Document No. 492136 for grading, paving and otherwise improving portions of Boundary Street and Laurel Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be assessed to pay costs, damages and expenses; also water services and sewer laterals as required on Boundary Street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from City Engineer, with City Manager's stamp of approval, stating that Resolution 111374 granted petition to grade and pave Alley Block J Arlington - is southerly of Block J, actually is Block 255 Hoel's Subdivision), was presented. It states petition was signed by owners of 64.3% of property frontage, and recommends proceedings be amended.

RESOLUTION NO. 118961, recorded on Microfilm Roll No. 81, adopting recommendation of City Engineer filed in office of City Clerk under Document No. 493988; authorizing him to amend proceedings for improvement of Alley Block 255 Hoel's Subdivision, in accordance with the recommendation, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, with City Manager's stamp of approval, reporting that Resolution No. 111291 granted petition to improve portions of Oak Crest Drive, 50th Street and Winona Avenue, by grading, paving, etc., as required. It presents petition to improve Winona Avenue between Orange Avenue and Polk Avenue, signed by owners of 65.2% of property frontage when signers of previous petitions are included. It recommends granting, and consolidation with those under Resolution No. 111291. Also, it recommends the various improvements to be included in the project.

RESOLUTION NO. 118962, recorded on Microfilm Roll No. 81, granting petition contained in Document No. 492589 for improvement of Winona Avenue and Polk Avenue; directing 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; directing City Engineer to consolidate assessment district with assessment district heretofore ordered by Resolution No. 111291 for improvement of Oak Crest Drive, et al, in accordance with City Engineer's recommendation contained in Document No. 493044, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

In connection with the next proposed Resolution, the City Engineer told the Council about there being a "whole bunch of petitions", that all are being put into 2 projects - for the Resolution and plans to agree, there being 6 or 8 petitions combined.

RESOLUTION NO. 118963, recorded on Microfilm Roll No. 81, adopting recommendation of City Engineer, contained in Document No. 493043, to order district formed to pay costs and expenses of improvements of portions of Manzanita Drive, Poppy Place, Violet Street, Tuberosa Street and Tuberosa Lane, Sycamore Drive, Snowdrop Street, Pepper Drive, Tulip Street, Shamrock Street, Alley Block 26 Lexington Park, public rights of way in portions of Lexington Park; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be assessed to pay costs, damages and expenses, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Levenson, Levenson & Block, 835 Bank of America Building, San Diego 1, dated June 30, 1954, signed by Eli H. Levenson, was presented. It refers to the Rezoning of portions of P.L. 1194-1195 from R-1 to C and CP. It states that the firm represents Clairmont Shopping Center, Inc. and petitioner in connection with rezoning, and makes statement in connection with rezoning:

1. That buildings to be constructed upon area to be re-zoned shall not occupy more than 90,000 sq. ft. in the 122,000 sq. ft. of C zoning proposed;
2. Parking will be provided on ratio of not less than 2 units of parking space to 1 unit of C Zoning;
3. In event there is any deviation from above items as proposed, entire shopping area bounded by Clairemont Drive, Iriquois Street, Field Street, Cowley Way and Bergener Boulevard will, as a unit, at all times provide parking area on basis of 3 units of parking space to one unit of C Zoning, and that it is understood that parking ratios established will be on basis of actual area upon which buildings have been constructed; also further understood that subdivision map of area shall be filed of record before effective date of zoning.

Glenn A. Rick, City Planning Director, said communication should be referred to City Attorney.

Councilman Dail said it seems like the Council is getting into the middle, between the seller and the buyer.

Mr. Rick told the Council that there is no feud here, that Mr. Starr is the owner. He told of the south shopping zone being split, and that there is agreement. He added that it would be satisfactory, upon filing of the letter.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the letter was referred to the City Attorney for the Ordinance.

RESOLUTION NO. 118964, recorded on Microfilm Roll No. 81, directing notice of filing of Assessment No. 2256 and of time and place of hearing thereof, for paving and otherwise improving Alleys Blocks 7 and 2 Alhambra Park, under Resolution of Intention No. 113478, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118965, recorded on Microfilm Roll No. 81, directing notice of filing assessment and of time and place of hearing on Assessment No. 2257, made to cover costs and expenses of work done upon paving Alleys Blocks 194, 195, 196, 197, 223, 224, 225 and 226 Pacific Beach, under Resolution of Intention No. 114248, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118966, recorded on Microfilm Roll No. 81, directing notice of filing Assessment No. 2255, made to cover costs and expenses of work done upon paving and otherwise improving 40th Street, and Thorn Street, under Resolution of Intention No. 113752, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118967, recorded on Microfilm Roll No. 81, directing notice of filing Assessment No. 2254 made to cover costs and expenses of work done upon paving and otherwise improving Dixon Place and Warrington Street, under Resolution of Intention No. 2254, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118968, recorded on Microfilm Roll No. 81, approving plans, drawings, typical cross-sections, profiles and specifications for grading and sidewalking Redwood Street, Chollas Station Road, Winlow Street, Marvin Street, 55th Street, Hubner Road and 54th Street, under Document No. 492334; approving Plat No. 2495 showing exterior boundaries of the district to be included in assessment for work and improvement; directing City Clerk upon passage of resolution of intention to file plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 118969, recorded on Microfilm Roll No. 81, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 3 Ocean Beach, under Document No. 492336; approving Plat No. 2612 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 in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 118970, recorded on Microfilm Roll No. 81, for paving and otherwise improving Alleys Block 3 Alhambra Park, under Resolution of Intention No. 118274, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 118971, recorded on Microfilm Roll No. 81, for paving and otherwise improving 67th Street, Mohawk Street, Bowman Lane, 68th Street,

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RESOLUTION ORDERING WORK NO. 118971, recorded on Microfilm Roll No. 81, for paving and otherwise improving 67th Street, Mohawk Street, Bowman Lane, 68th Street, Saranac Street and Public Right of Way, under Resolution of Intention No. 118276, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 118972, recorded on Microfilm Roll No. 81, for paving and otherwise improving Alleys Block 12 Normal Heights, under Resolution of Intention No. 118275, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 118973, recorded on Microfilm Roll No. 81, for closing portion of Marilou Road, as described in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118974, recorded on Microfilm Roll No. 81, directing notice inviting sealed proposals for furnishing electric current for lighting ornamental street lights located in San Diego Lighting District No. 4, for period of one year from and including August 1, 1954, to and including July 31, 1955, in accordance with Engineer's Report and Assessment filed May 20, 1954 in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 118975, recorded on Microfilm Roll No. 81, directing notice inviting sealed proposals for furnishing electric current for lighting ornamental street lights located in Five Points Lighting District No. 1, for period of one year from and including August 5, 1954, in accordance with Engineer's Report and Assessment filed May 20, 1954 in office of City Clerk, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 118976, recorded on Microfilm Roll No. 81, for paving and otherwise improving Alley Block 16 Bird Rock City by the Sea, Easterly and Westerly Alley lying northerly of and contiguous to Block 2 Bird Rock Addition, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 118977, recorded on Microfilm Roll No. 81, for paving and otherwise improving Alley Block 83 Point Loma Heights, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 118978, recorded on Microfilm Roll No. 81, for paving and otherwise improving Alley Block 44 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, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 118979, recorded on Microfilm Roll No. 81, for paving and otherwise improving Jewell Street, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 118980, recorded on Microfilm Roll No. 81, for sewers in Alleys Blocks 111, 121, 122, 138, 139, 140, 143, 144 and 145 City Heights, Thorn Street, Redwood Street, Quince Street, Unnamed Street, Public Rights of Way, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118981, recorded on Microfilm Roll No. 81, for paving and otherwise improving Redwood Street, Chollas Station Road, Winlow Street, Marvin Street, 55th Street, Hubner Road and 54th Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 118982, recorded on Microfilm Roll No. 81, for paving and otherwise improving Alley Block 3 Ocean Beach, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118983, recorded on Microfilm Roll No. 81, approving diagram of property affected or benefited by work of improvement to be done on paving Dwight Street, and Wilson Avenue, under Resolution of Intention No. 113492, and to be assessed to

pay expenses thereof; directing Clerk of the City to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118984, recorded on Microfilm Roll No. 81, approving diagram of property affected or benefited by work of improvement to be done on paving Nashville Street, Morena Boulevard, Lehigh Street and Tonopah Avenue, under Resolution of Intention No. 114360, and to be assessed to pay expenses thereof; directing Clerk of the City to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118985, recorded on Microfilm Roll No. 81, approving diagram of property affected or benefited by work of improvement to be done on paving J Street and 43rd Street, under Resolution of Intention No. 115146, and to be assessed to pay expenses thereof; directing Clerk of the City to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118986, recorded on Microfilm Roll No. 81, approving diagram of property affected or benefited by work of improvement to be done on paving Haines Street, under Resolution of Intention No. 113382, and to be assessed to pay expenses thereof; directing Clerk of the City to certify fact and date thereof, and immediately deliver diagram so certified to Superintendent of Streets, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118987, recorded on Microfilm Roll No. 81, ascertaining and declaring wage scale for paving Udall Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118988, recorded on Microfilm Roll No. 81, ascertaining and declaring wage scale for paving Alley Block 31 University Heights, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118989, recorded on Microfilm Roll No. 81, ascertaining and declaring wage scale for paving portion of Alley Block 11 Subdivision of Lots 20 to 50 Block N Teralta, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118990, recorded on Microfilm Roll No. 81, ascertaining and declaring wage scale for paving A Street, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118991, recorded on Microfilm Roll No. 81, granting petition contained in Document No. 492852, for installation of sewers to serve portions of Blocks 12 and 13 Roseville Heights; directing 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 of installation of sewers to serve portions of Blocks 12 and 13 Roseville Heights, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118992, recorded on Microfilm Roll No. 81, declaring results of proposition on election held June 29, 1954 - "Shall Rolando Tract No. 2 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 bonded indebtedness of said City outstanding at the date of the said annexation", was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

The Resolution states that whole number of votes cast is 360; that number of votes given in favor of annexation is 174; that number of votes given against annexation is 186, that votes are recorded in Election Returns Book of The City of San Diego. It states that votes of less than one-half of voters voting were cast in favor of annexation, and measure is declared not to have been carried. It directs City Clerk to enter on the minutes a statement the measure voted upon, the whole number of votes cast upon the measure, number of votes for and against the measure, and statement that number of votes given for and against the measure is recorded in the Election Returns Book, and to make results of canvass public immediately by publishing returns in official newspaper: The San Diego Union.

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RESOLUTION NO. 118993, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager, for and on behalf of the City, to execute a lease agreement with Earl B. Hunter and Carl M. Rutherford of portions of Pueblo Lots 1208 and 1797 of the Pueblo Lands of The City of San Diego as shown on City of San Diego Engineering Drawing No. 2560-D, being 42 acres of Mission Bay Recreation Area for Mission Bay Golf Course, for term of 25 years under terms and conditions more particularly set forth in form of lease on file in office of City Clerk under Document No. 493158, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 118994, recorded on Microfilm Roll No. 81, authorizing City Manager to execute for and on behalf of City a lease with W. J. Carden for operation of coin-activated telescopes on Park property for term of 3 years beginning June 1, 1954, under terms and conditions set forth in form of lease filed in office of City Clerk as Document No. 493280, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

In connection with the next Resolution, Councilman Schneider expressed opposition. The Mayor asked why. The reply was that Mr. Schneider opposed the City's leasing land for signboards.

RESOLUTION NO. 118995, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to execute for and on behalf of the City a lease with Foster & Kleiser Company of Lot 14 Block 309 Seaman & Choates Addition, for term of 5 years at rental of \$40.00 per year; 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. 493282, which property has value of \$1,000.00 as disclosed by report of last appraisal made by Auditor and Comptroller, leased for reason that City will derive venue therefrom not otherwise obtainable, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Mayor Butler. Nays--Councilman Schneider. Absent--Councilman Godfrey.

RESOLUTION NO. 118996, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to do all the work in connection with making of connections to existing mains and sterilization of small water main replacements in Group 15 (Specification No. 62) by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118997, recorded on Microfilm Roll No. 81, vacating easement for right of way for public sewers and appurtenances in strip of land 10.0 feet wide in Lot 8 Block 69 Villa Tract La Jolla Park, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Resolution states that by deed dated April 3, 1950 The City acquired easement for sewer purposes, including Neptune Avenue closed, that it was acquired more than 1 year and less than 5 years next preceding date of the Resolution and has not been used since its acquisition, that easement is unnecessary for present or prospective public use, and that it shall revert to owners free from rights of the public; authorizing City Clerk to cause certified copy of Resolution, attested under seal, to be recorded in office of County Recorder of San Diego County, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 118998, recorded on Microfilm Roll No. 81, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portions of Lots 3, 4, 5, 6, 7 Block 7 Loma Alta No. 1 - listed in full in the 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; 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 Burgener, seconded by Councilman Wincote, adopted.

Ordinance, being the annual appropriation for fiscal year 1954-55, was presented.

Phil Lawlor, Budget Officer, told the Council that it is complete - with changes.

Councilman Kerrigan moved to introduce the ordinance, dispense with its reading, and adopt the ordinance, which motion was seconded by Councilman Wincote.

Councilman Schneider offered a substitute motion to return it to the City Manager and to the Budget Officer, to delete 10%, which was to be used on Capital Outlay.

There was no second.

Councilman Dail said that a delay of 1 week would not mean that it would not go into effect. It would not be fatal, according to him. He declared the motion to be all right. Mr. Dail stated that the Council has had budget on which something could be trimmed. Every avenue should be examined he said, as he seconded the motion.

Councilman Burgener asked what could be done.

Councilman Kerrigan's reply was that the Council can cut anything.

118993 - 118998
Annual approp. ord.

According to Councilman Wincote, the timing on the suggestion is very bad. He stated that it is proposed that the Council now go back and throw everything in a tail spin. He stated that should have been done at least 1-1/2 or 2 months ago.

Councilman Dail pointed out that the revenue raising had not been mentioned until almost the deadline.

There was discussion across the table by several at once, it being not possible to record the individual views.

Councilman Wincote spoke to Councilman Dail regarding a "list", and added that the Capital Outlay item has to do with the proposed Sales Tax increase.

Councilman Kerrigan said he had been told not to bring that up, on account of the coming election.

The Mayor declared the substitute motion to be not in order.

Both Councilmen Schneider and Dail asked that it be called an amendment, then.

Councilman Schneider said that he wants to see if it (a budget) can be done.

Councilman Schneider and Kerrigan agreed that it can be done.

Councilman Schneider asked about last year's Capital Outlay.

The Mayor spoke about necessity on account of raise in salaries.

Councilman Dail said that if the Capital Outlay is important, the Council has to pass the Sales Tax, or find an alternate.

Councilman Kerrigan asked Councilman Schneider for specific recommendations in cutting the budget.

Before the question could be answered, someone addressed Douglas D. Deaper, Deputy City Attorney.

Mr. Deaper said that he only advises the chair. He declared, also, that there was an improper amendment. He stated that one cannot reverse the motion, which is to introduce, dispense with reading, and adopt. He pointed out that the motion or second can be withdrawn, or it can be voted down.

Councilman Dail commented that there would not be a nullification of the original motion.

The Mayor read to the Council from the City Manager's budget message, regarding the Capital Outlay item elimination. He pointed out that the Manager is out of the City, but that he had indicated at the last couple of Conferences regarding no squeezing. He agreed that the Council can direct a change.

Councilman Kerrigan declared that the Council can delete anything. He asked if there was no chance of adopting the budget, minus the Capital Outlay.

The Mayor's reply was "sure".

Councilman Kerrigan spoke about leaving items as part of the budget, without appropriation. He asked if that can't be done.

Mr. Deaper told the Council that the concept of the Charter is how much is needed to run the City, at about this time. If it is done any other way, it would be in conflict with the Charter, according to him. He stated that if the Council does not put in the Capital Outlay, but raises the Sales Tax, that money can't be used for the Capital Outlay.

Councilman Kerrigan was of the opinion that the Council could create a Capital Outlay Ordinance.

Councilman Wincote asked why not take a vote.

The Mayor pointed out that the budget had been approved - item by item. He declared it to be untimely to change it, now.

Councilman Dail pointed out that when the Budget was prepared, there had not been taken into consideration items of revenue. They were not considered, he re-stated. He urged the Council to re-examine the Budget. He stated that he did not understand that the motion was for a 10% cut. He said that the Council should look at the Budget.

Councilman Kerrigan stated that if there is any delay, it should be regarding the Capital Outlay budget. He said that he does not want it in, unless the revenues are decided.

Councilman Kerrigan then said that the Capital Outlay item is necessary; some areas don't even have a bookmobile, and are screaming for services. He stated that he is willing to vote for a 1/2% Sales Tax, if there is put on it a beginning and an end. He asked if Councilman Schneider is willing to cut some of the services for which residents are clamoring.

Councilman Dail observed that it would be all right to refer it back to re-examine the budget.

The Mayor again pointed out that it was unfortunate that the City Manager was not here.

E. W. Blom, Acting City Manager, told the Council that the budget was carefully prepared, that between \$1,500,000 and \$2,000,000 had been pared out. He stated that he had not sat in on the Budget preparation. He said that the Council had gone over the budget item-by-item - by departments, at least. He stated that Orin Cope, Assistant to the City Manager, might have an idea of what the Council wants. He said that there should be an indication of what is wanted. He pointed out that the only significant cuts would be in Police, Fire, and Recreation.

Councilman Kerrigan spoke regarding a call he had received about a sewer running over in the street. He called the Public Works department, and was informed that a repair crew could not be called until 8:00 A.M., on account of their budget being down to a minimum, and overtime could not be paid for the repair.

Councilman Dail spoke to the Budget Officer regarding the year-around budget. He wanted to know if Mr. Lawlor knew where there could be any cut, and what would happen.

Mr. Lawlor's reply was that he could look at it, and report.

Councilman Dail spoke about the Council adopting, almost completely on recommendations, and that it rests almost completely with the Budget Officer.

Mr. Lawlor spoke of going over the Budget with the City Manager.

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The Mayor said that if the Council so directs, much can be cut out - especially in the cultural activities; otherwise go into the Police and Fire.

Councilman Schneider said that the Council can cut the recreation, and in the program of street resurfacing.

Councilman Wincote wondered what the Council had been doing day after day.

Councilman Kerrigan said that there are not only no excess services; there are not enough.

Councilman Wincote said that the timing is poor; the Council should pass the Ordinance. He declared that there was no misunderstanding regarding the Sales Tax. Then he spoke directly to Council Schneider, not through the Chair, so comments were not recorded.

Then discussion was had between Councilmen Wincote and Schneider.

The Mayor repeated that the Schneider motion is out of order.

Councilman Dail said that he had misunderstood the motion.

The Mayor said that he would go along with anybody who could, and would show where there could be a cut of 10%. He said that if that were done, the City would pay for it next year.

Councilman Dail said that the Council should re-examine the budget.

Councilman Schneider moved that the appropriation ordinance be referred back to the Budget Officer, and to the City Manager, to come back with a recommendation for the greatest cut. The motion was seconded by Councilman Dail.

Councilman Kerrigan spoke of having made a motion. He asked for examination of Capital Outlay cost. He asked for one week's delay, and a re-examination.

The Mayor said that he did not know if there is a policy matter, where there can be cuts made.

Councilman Schneider spoke of terrific pressure regarding costs, and that the Council either has to reduce the budget, or increase the tax-cut.

Councilman Wincote commented that if Councilman Schneider cannot take the pressure, perhaps he ought not to go to the Legislature (he is a candidate for the State Legislature).

Councilman Kerrigan said that he and Councilman Schneider favored a \$2.00 tax rate, until this year. He spoke of having cut it from \$2.06 to \$1.95.

Councilman Schneider said that the picture has changed.

Councilman Kerrigan spoke of having gone from \$8,000,000. to \$14,000,000. - that the retirement item is necessary.

Councilman Dail related that in 1946 the Council had adopted the present sales tax - before the budget was adopted.

Speaking to Councilman Schneider, Councilman Wincote said that the Councilmen were playing as a team.

Councilman Wincote called for the question.

The motion and second were withdrawn.

Councilman Kerrigan moved to continue the annual appropriation 1 week, and examine the Capital Outlay Item. He charged that it is an item regarding Councilman Schneider's political glory.

Councilman Burgener related having received 15 phone calls.

Councilman Kerrigan moved that the Budget Ordinance be continued for 1 week, and that in the meantime the Capital Outlay Items be examined, and that there be a re-evaluation. The motion was seconded by Councilman Burgener.

Councilman Wincote agreed that would be all right, if it be determined at the end of one week. He wanted Council members sounded out. He expressed disappointment if the City Manager and the Budget Officer could find anything to cut.

Councilman Kerrigan asked about increases in the Library, for new branches.

The question was not answered. Instead, the Mayor spoke of there being no immediate urgency.

Budget Officer Lawlor told the Council that department items can be forwarded; others would be held in abeyance.

Councilman Schneider said that the City could reduce its street surfacing program, and do it in 8 years, instead of in 6.

Councilman Burgener referred to the necessity of having the decision on budget unanimous.

John McQuilken, City Auditor, said it will be necessary to review with the City Attorney the subject of salary expenditures.

The Mayor asked Mr. McQuilken to review it with Mr. Higgins (Deputy City Attorney).

Mr. Deaper advised the Council that it does not have to adopt the Ordinance today, in that general operations would go smoothly.

Mr. McQuilken said that there is a question of new employees, and new services involved.

Councilman Kerrigan said that the Council could delay until it knows that the assessed valuation is.

Councilman Dail said that it was obvious that Councilmen knew what they would do regarding the sales tax. He charged that this was a clever political maneuvering.

Discussion was held between Councilman Schneider and Kerrigan regarding who is being represented.

Councilman Schneider said that "somebody has to do something".

The Mayor said that now Councilman Schneider wants to cut 10%; it does not make sense.

Councilman Schneider, stating that he had a luncheon meeting, left the Council chambers.

Councilman Burgener spoke to Mr. Lawlor regarding the effect of holding up the ordinance.

Mr. Lawlor said that it would be no great hardship.

Mr. McQuilken said that it would.

Annual Approp. Ord. discussion.

The Mayor suggested that the Council go into it this afternoon.
The item will be found again, later in these minutes, at the afternoon session, on this page.

On motion of Councilman Wincote, seconded by Councilman Schneider, the next ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Schneider, the reading 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 passage a written or printed copy.

ORDINANCE NO. 6179 (New Series), recorded on Microfilm Roll No. 81, amending Ordinance No. 6154 (New Series), adopted June 17, 1954, entitled "An Ordinance incorporating portions of Lots 32 and 33 La Mesa Colony into "R-2" Zone as defined by Section 101.0406 of the San Diego Municipal Code and repealing Ordinance No. 5631 (New Series) adopted June 9, 1953, insofar as it conflicts, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

In connection with Ordinance incorporating portion of Pueblo Lot 104 into R-1B Zone as defined by Section 101.0403 of San Diego Municipal Code and repealing Ordinance No. 5179 (New Series) adopted May 8, 1952, insofar as it conflicts - which had been continued, and on which hearing was held June 17, 1954 - Glenn A. Rick, Planning Director, made a statement. Mr. Rick said that last week's letter from Oldfield was unconvincing. He said that Oldfield has not come in for a zone variance (on parcels he had sold), or with a subdivision.

An unidentified man - who apparently was the purchaser of a parcel of land from Mr. Oldfield - said that he did not know that a zone variance was needed.

The Mayor wanted to call Mr. Nottbusch, attorney, who had appeared for the Oldfields, and who had filed the letter referred to by Mr. Rick.

Councilman Kerrigan felt that the City should include the Oldfield property in R-1B Zone.

Councilman Wincote spoke for excluding the 2 lots, leaving them at 10,000 sq. ft. and include that City will give zone variances on them.

Councilman Wincote moved to return the matter to the City Attorney, leave the 2 pieces in 10,000 sq. ft. zone, with the balance of the Oldfield property to be placed in the 20,000 sq. ft. zone. Councilman Burgener seconded the motion.

Despite the pending motion, by common consent the item was continued until this afternoon's session. It will be found listed again, on this page.

At 11:48 o'clock A.M. the Council took a recess until 2:00 P.M. this date.

Upon reconvening, at 4:08 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

ORDINANCE NO. 6180 (New Series), recorded on Microfilm Roll No. 81, fixing, adopting and approving Annual Fiscal Budget for Fiscal Year 1954-55, approving amounts therein estimated for needs of The City of San Diego and the various departments thereof, and appropriating out of the Treasury the necessary moneys to carry on The City and the operation of various departments for the Fiscal Year, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted. (All voted for adoption of the Ordinance, without any further discussion).

The item which appeared on 321, was brought up again, at the request of the Mayor.

The Mayor spoke to the City Engineer about the hearing on Resolution of Intention No. 118395 for paving and otherwise improving Clove Street, Plum Street, Oliphant Street and Newell Street.

The City Engineer said that he had given figures on the wrong corner this morning, and that he has looked at the property on the ground in the meantime.

The earlier action was reconsidered.

The City Engineer said that there is not much that can be done; perhaps raise the street grade 1 foot. He said that the grade was established in 1913; is high on 1 side, low on the other. He answered the Mayor regarding the other side (the low side). He told the Council that the protestant has a vacant lot on the corner, where he enters his protest. The Engineer spoke of having "tipped the grade" a little bit.

A. M. Naves, who had spoken in the morning, contended that the grade had not been established right earlier. He said that it would make a steep bank for him.

The City Engineer said that Plum goes down; Newell up. He told the Council that it would cost \$400.00 to raise 1 foot.

6179 N.S. - 6180 N.S.
Ord re P/L 104 rezoning
cont to P.M.
Clove St., et al hearing
reconsidered & resumed.

7/6/54

Councilman Schneider said that the guy across the street would be hurt.
 Councilman Kerrigan moved to continue the hearing 1 week for the City Engineer to bring back a complete recommendation.
 Councilman Schneider declared that it is a question of equity: 1 is high; 1 low.

The City Engineer spoke of there being no protest from the people on the down side, who have there driveways in already.
 Mr. Naves spoke of a 5-1/2 foot cut. He said that he is willing to go down, with the other to come up. He maintained that 5-1/2 feet on 17 feet is pretty steep.
 There was general discussion between several individuals, not through the Chair.

The City Engineer spoke of a \$400. extra cost to do what was proposed.
 Mr. Nave said that it would be worth \$400. to raise 1 foot, and that he is willing to pay that.

The City Engineer said that he can talk to 2 people involved.

RESOLUTION NO. 118999, recorded on Microfilm Roll No. continuing hearing on proposed improvement of Clove Street, Plum Street, Oliphant Street and Newell Street, under Resolution of Intention No. 118395 until the hour of 10:00 o'clock A.M., July 13, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Proposed Ordinance incorporating portion of Pueblo Lot 104 into R-1B Zone as defined by Section 101.0403 of San Diego Municipal Code and repealing Ordinance No. 5179 (New Series) insofar as it conflicts - which had been continued - was presented.

(The proposed Ordinance excludes Matchinske and Oldfield properties as directed by the Council).

Councilman Kerrigan asked why not include in the Ordinance the Oldfield property.

The Mayor suggested filing, and that he would answer it.

Glenn A. Rick, City Planning Director, said that the City Engineer did not want to design sewer system until he knows what the system is.

(The above items constitute repetition of portion of the July 1 matters).

The item was continued to the meeting of Thursday, July 8 - but was held again by the Clerk until the meeting of Tuesday, July 13, inasmuch as it was not acted upon on the 8th.

There being no further business to come before the Council, the meeting was adjourned by the Mayor at 4:40 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, July 8, 1954
- Thursday -

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
~~Nays-----Councilmen-None~~
Absent---Councilmen None
Clerk----Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on amendment to San Diego Municipal Code, by adding new section to be known as and numbered Section 91 - Regulating Living Floor Space--Room Areas, the Mayor said that the Council does not have an ordinance. He said that hearing can be continued one week and then have the ordinance. He asked Glenn A. Rick, Planning Director, to read his recommendations. He did, outlining sizes in various zones. He said he felt that the recommendations which differ from the previous recommendation, is best. He commented on the regulation being part of the zoning ordinance, and as such owners can apply for variances.

Mr. Rick filed the communication, which he read.

It says, in part, that ordinance would provide that buildings to be used for residential purposes would meet the following minimums:

- a) Single family dwellings
 - 1) In zones R-1A, R-1B, R-1C 650 sq. ft.
 - 2) In zones R-1, R-2, R-4 500 sq. ft.
 - 3) In zone R-3, or less restricted 400 sq. ft.
 - 4) In zone R-2, or less restricted zones, a single apartment above a garage might be reduced to not less than 350 sq. ft.
- b) Duplex dwellings
 - 1) In zone R-2, or less restricted 800 sq. ft.
- c) Multiple dwellings
 - 1) In zone R-4, or less restricted 800 sq. ft.

It points out that over-all size of duplex dwellings is mentioned: likewise, that of multiple dwellings. No mention is made of minimum size of each apartment in a motel or multiple dwelling. Instead, size of structure is determining factor. Owner would have privilege of minimum room sizes permitted by State Housing Act. It would provide that single family detached dwelling, built anywhere in the City, would have to be 400 square feet in area, with single exception that detached unit above a garage in any zone that permitted, could be 350 square feet.

The letter says that after several weeks of discussing the matter with many people, and investigating ordinances in other cities and reviewing such cases as have been mentioned in planning literature, he has come to conclusion that the above is the best practical way of handling the problem in San Diego.

Mr. Heilman, who did not give his first name or initials - but who had appeared before the Council previously on this subject, talked to Mr. Rick. He said that the Council had asked to take into consideration regarding the objections. He stated that there had not been taken into consideration other recommendations in drafting the ordinance. He charged that the recommendation will create a hardship.

Mr. Rick replied that he had considered all recommendations received.

Mr. Heilman then stated that Mr. Rick had not taken into consideration the Mission Beach recommendation. It stated that it is an expense to have to come to the Council from time to time.

Alan Essery, building contractor, told the Council that he thought the ordinance was directed specifically at him and his partner. He stated that it has been found that it does not pay to build small houses. He said he felt that the Ordinance is superfluous. It all started regarding complaint from a couple of women, he said. He declared that no one is clamoring for the ordinance except Mr. Rick. Mr. Essery made the statement that 400-foot minimum for a 1-bedroom house is sufficient. He told the Council that if forced to go to duplexes, he would. He stated that he would not object to the proposal of Councilman Burgener. He said that he could afford to put a little house in a hole in the southeast end of the City, however. Councilman Dail objected to that statement. Mr. Essery continued, by saying that he had built 210 sq. ft. houses on 50-ft. lot zone - but that he would not do so in R-1 now.

Discussion took place between Councilman Dail and Mr. Essery regarding economical use.

Mr. Essery referred to there being dumbled down, cheap houses in the southeast area.

Mr. Heilman said that the City does not have a case, that maybe it might mean depriving a person who has to start in small way. He told of having developed 15 pieces of property for others in R-4 Zone. He said that he would build a house, then be able to add more on account of rentals received. He referred to Mr. Rick having said that it has to be 800 ft., but that there would not be space between buildings. He commented that Mr. Rick is trying to get large size buildings.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, the hearing was continued one week.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing

Hearing - floor space, living area

on ordinance incorporating portions of Blocks 13, 14, 19 and 20 Bay View Homestead, into C Zone, defined by Section 101.0411 of San Diego Municipal Code, and repealing Ordinances 12942, 12987 and 13008 insofar as they conflict - introduced July 1, 1954 - the Clerk reported no written protests.

Glenn A. Rick, Planning Director, described the area as 9th Avenue and Ash Street; and said that it would be C instead of R-4 Zone.

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 Kerrigan, seconded by Councilman Dail, reading was dispensed with by 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. 6181 (New Series), incorporating portions of Blocks 13, 14, 19 and 20 Bay View Homestead into C Zone as defined by Section 101.0411 of San Diego Municipal Code and repealing Ordinances Nos. 12942, 12987 and 13008 approved September 4, 1930, October 20, 1930 and November 3, 1930, insofar as they conflict, 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 Ordinance incorporating portion of Lot 10 Ex-Mission Lands of San Diego into R-1 Zone, and repealing Ordinance No. 5417 (New Series), insofar as it conflicts, the Clerk reported that no written protests had been received.

Glenn A. Rick, City Planning Director, told the Council that property is on Home Avenue, was purchased by the School Board which has now abandoned its plans, and property should be changed back to original zone.

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 Dail, seconded by Councilman Kerrigan, reading was dispensed with by 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. 6182 (New Series), incorporating portion of Lot 10 Ex-Mission Lands of San Diego into R-1 Zone, as defined by Section 101.0405 of San Diego Municipal Code and repealing Ordinance No. 5417 (New Series), adopted December 18, 1952, insofar as it conflicts, 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 petition for rezoning from R-2 to M-1A the South Half of North Half of Lot 41, except portion lying northerly of Market Street and North Half of Northeast Quarter of Lot 41 Ex-Mission Lands, excepting the railroad right of way, the Clerk reported that no written protests had been received.

Glenn A. Rick, City Planning Director, described the property as being on the south side of Market Street, and that no objections had been entered at the Planning Commission hearing.

The Mayor asked if there were any objections.

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

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the file was referred to the City Attorney for preparation of Ordinance.

Communication from San Diego Gas & Appliance Company (L. H. Dowdy), which had been before the Council previously and continued to this meeting, relative to installation of Liquid Petroleum Gas Plant, office and display room on Camino del Rio, west of California Highway Patrol Office, was presented.

The Mayor requested that it be referred to him.

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

Communication from Planning Commission submitting Resolution suspending portion of San Diego Municipal Code relative to Tentative Map of Berlau Subdivision, and communication from Planning Commission submitting Resolution approving Tentative Map of Berlau Subdivision, were presented.

The Mayor said that Douglas D. Deaper, Deputy City Attorney, had a note requesting a continuance.

Glenn A. Rick, City Planning Director, told the Council that it is a 1-lot subdivision. He said that if there is a change in the Major Street Plan, on account of road developments in the area, it will affect the property. He referred to the possibility of there being a major street, or an access street. He said that the Planning Commission's communication asked for improvements in 5 years.

Mr. Deaper said that it revolves around assurances to the City. He told the Council that J. F. DuPaul, City Attorney, was not satisfied regarding assurances.

Philip Anewalt was heard concerning the property. He told of having applied for an M-1 zone, for industrial use and parking on Market Street, west of Euclid Avenue. He spoke of filing of a subdivision map, but that owners are not subdividing anything; nevertheless they did file a tentative map. However, there will be requirements, on account of the map, according to Mr. Anewalt. No one is sure of the grade and the future disposition, according to Mr. Anewalt. He declared that curbs and grading are not justified. He referred to a bond for paving, which others do not do as being unjustified.

Mr. Rick spoke of the same thing on 1, 2, 3 lot subdivisions (as on larger ones). Until the City arrives at an ordinance "Harry" - Harry C. Haelsig, Asst. Planning Director - wants to provide for filing a map on the property. He pointed out that the Commission thinks improvements should go in in 5 years. He wanted an offer regarding safe drives and widening.

Mr. Anewalt told the Council that the City owns the adjacent property.

There was discussion between Councilman Burgener and Dail regarding future development, on Account of Federal Freeway, and Encanto Freeway.

Mr. Rick spoke of the matter being set down for hearing.

Councilman Wincote moved to strike "that provision" regarding paving, sidewalk and curb. The motion was seconded by Councilman Burgener.

Mr. Rick declared that the owners should provide for suitable entrance, approved by the Traffic Engineer. He stated that the pavement is too narrow. That was to be included in the motion.

The Mayor said that it should be referred back to the City Attorney.

Mr. Deaper said that it is for protestion. He asked how these things would are to get done.

Councilman Wincote stated that action taken today is positive.

By common consent the items were continued to Tuesday - although there was a motion on which there was no disposition.

Communication from Planning Commission, signed by P. Q. Burton, stating that City Water Department asked Planning Commission to initiate proceedings to change name of Deauville Street between Cumberland Street and Winchester Street, in Paradise Hills, to Flintridge Drive, was presented. It states that at Planning Commission meeting of June 30, Mrs. Jordan Power presented a petition containing signatures of 10 property owners abutting portion of Deauville proposed to be changed, all objecting. It states that the Commission voted 7-0 to recommend that name be not changed, and that study be made of feasibility of changing name of Deauville Street farther south to some other name so that it will not conflict with Deauville Street presently under consideration.

RESOLUTION NO. 119000, recorded on Microfilm Roll No. 81, abandoning proposed proceedings to change name of Deauville Street to Flintridge Drive, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by P. Q. Burton, submitting letter requesting that City accept for street purposes a strip of land 30 feet in width across front of property for Division Street, was presented. In addition to giving a detailed report, it recommends acceptance of offer upon conditions contained in City Engineer's letter of June 23, 1954.

RESOLUTION NO. 119001, recorded on Microfilm Roll No. 81, accepting offer of Fred E. Lawley and Lilian S. Lawley, filed in office of City Clerk June 7, 1954, Document No. 491692 to dedicate strip of land 30 feet in width across property for Division Street, subject to the various conditions contained in the Resolution, or to the posting of a bond satisfactory to the City, guaranteeing completion of the work, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from Planning Commission, signed by P. Q. Burton, submitting letter requesting that City accept offer to dedicate parcel of land in Pueblo Lot 1290 for street purposes in order that owner of land may file Record of Survey, required by previously granted zone variance - on a ridge between Highway 101 and La Jolla Canyon Road, in Zone R-1, was presented. In addition to giving a detailed report, it recommended acceptance of offer under conditions outlined in City Engineer's letter of June 28, 1954.

RESOLUTION NO. 119002, recorded on Microfilm Roll No. 81, accepting offer of C. R. Hoepfner, filed in office of City Clerk June 16, 1954, under Document No. 492119, to dedicate land in Pueblo Lot 1290 for street purposes, upon conditions contained in the Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Attorney reporting on petition dated June 21, 1954, in which petitioners claim that they "accepted the wording of Resolution of Intention 112881 'From the northerly boundary of Tourmaline to southerly boundary of Loring on Dawes', to include paving of the intersection of Dawes and Tourmaline", that intersection was not in face paved in the 1911 Act Proceeding referred to and that unpaved condition of intersection presents a hazard and should be paved in accordance with Resolution of Intention, was presented. It states that City Engineer, in letter to the City Attorney dated June 29, explains that reason intersection was included in limits of work was that it was necessary to include curb and paving connections within the intersection; also that he states there is an adjacent 1911 Act Proceeding under way which will result in paving the intersection within a year. It states that for reasons set out in further detail, petitioners should be advised that proceedings objected to were not ambiguous and complied with the law in every respect and that objection is not well taken. The communication was signed by Douglas Deaper, Deputy City Attorney, approved by J. F. DuPaul, City Attorney.

On motion of Councilman Burgener, the protest and the report were ordered filed.

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Communications

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Communication from the City Manager requesting approval of adjustments set out in detail, as provided in Section 71 of the City Charter, increasing the budget for the Fiscal Year 1954-55 over amounts proposed in preliminary budget submitted May 4, 1954, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Kerrigan, it was approved and ordered filed.

Two communications from Joseph Bernstein, 3311 Udall St., #6, Loma Portal, both having to do with revocation of his membership in the Shuffleboard and Bridge Club, Balboa Park, and pointing out alleged gambling operation in the Clubs, were presented.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, they were referred to the City Manager.

Item listed on the agenda upon information from the Council Secretary - considered in conference - being communication from Ocean Beach Chamber of Commerce relative to property purchase by City of San Diego, was presented.

Councilman Burgener asked about the letter. He was advised by A. M. Wadstrom, Deputy City Clerk, that there was no report here, and item had been listed on information from Council secretary relative to previous conference.

E. W. Blom, Acting City Manager, told the Council it is to come.

RESOLUTION NO. 119003, recorded on Microfilm Roll No. 81, referring to Council Conference communication from Ocean Beach Chamber of Commerce regarding City purchase of Ocean Beach property; to be listed on Council calendar for meeting of July 15, 1954, was adopted, by motion of Councilman Burgener, seconded by Councilman Godfrey.

Communication from Richard L. Parsons, on a petition form, referring to there being too many unnecessary projects under way, including replacement of lighting on Lower Broadway. It objects to trimming corners around town, which help in controlling reckless corner cutting speed merchants. Next, he objected to unnecessary junkets to all parts of the Globe. Then, it mentions unnecessary help on the pay rolls, and asks why not substract occasionally. Then, he speaks of location of the auditorium, with nothing done so far, and asks if the Council is for the people or the hotel and liquor interests, and advises looking into the way Madison Square and the Cow Palace were reestablished. Next, he refers to medicated water mess, and asks how much was spent on that brain storm. Then, he asked who dreamed up the sewer job to pump up hill out to the Pacific when all had to be done was to run it down to the lower bay and out to Coronado Islands by gravity.

Mr. Parsons was heard. He said that the Mayor brushes him off each time he tries to speak. He spoke of corner cut-offs, which he said helps to control traffic by leaving them on. He then took up the several items, each as set out in the petition.

Several members of the Council entered into discussion with Mr. Parsons.

Mr. Parsons continued. He said that there are too many non-producing Councilmen. He stated that he did not like the junkets.

Councilman Wincote said that if Mr. Parsons was referring to Councilman Kerrigan's trip to New Orleans, the City is a member of the American Municipal League; he was proud of that, and the information obtained by Mr. Kerrigan.

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

Postal card from Kay Sterner, Demo C.C. Member, 3610 Adams, urging Council not to increase City sales tax, was presented.

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

Communication from Harbor Department, signed by John Bate, Port Director, dated 6 July, 1954, attaching for approval form of sublease Dant & Russell Sales Company proposed to enter into with Dixie Lumber and Supply, was presented. It states sublease covers 78,000 square feet of yard space at same rental paid by Dant & Russell, covers for leasing of 3,000 sq. ft. of warehouse space, also, at 5¢ per sq. ft. per month and use of spur track at \$35.00 per month. Desk space in office area is to be supplied without additional charge. Report says that sublease conforms in all respects to established policy.

RESOLUTION NO. 119004, recorded on Microfilm Roll No. 81, ratifying, confirming and approving sublease entered into between Dant & Russell Sales Co., an Oregon corporation, sublessor, and Dixie Lumber and Supply, a corporation, sublessee, on file in office of City Clerk under Document No. 493324, was on motion of Councilman Kerrigan, adopted.

Communication from Harbor Department, signed by John Bate, Port Director, dated 2 July 1954, attaching for approval form of sublease which High Seas Tuna Packing Company, Inc. proposed to enter into with Standard Oil Company covering 2 parcels on Byron Street Causeway, was presented. Parcels are used as sites for marine service stations servicing both Yacht Harbor and Commercial Basin; tenancy continues one which dates back to 1 January 1949. New form of sublease presented for approval due to fact that Harbor Commission has recently entered into new lease with High Seas Tuna Packing Company, which nullifies all previous subleases and agreements.

RESOLUTION NO. 119005, recorded on Microfilm Roll No. 81, ratifying,

confirming and approving sublease, copy on file in Office of City Clerk as Document No. 493218, between High Seas Tuna Packing Company, Inc., sublessor, and Standard Oil Company of California, sublessee, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Harbor Department, signed by John Bate, Port Director, dated 29 June 1954, attaching form of lease with State of California, Department of Public Health, submitted for approval, was presented. Lease covers Rooms 7 and 8 "B" Street Pier Headhouse, rental of \$200.00 per month; one year commencing 1 July 1954, 2 1-year options to renew. It states premises are occupied by Department of Health under lease which expires 30 June 1954.

RESOLUTION NO. 119006, recorded on Microfilm Roll No. 81, ratifying, confirming and approving lease with State Department of Public Health, upon terms and conditions contained in form on file in office of City Clerk under Document No. 493224, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119007, recorded on Microfilm Roll No. 81, stating that City Manager has given notice in writing to Purchasing Agent that City has miscellaneous items, described in detail in the Resolution, stored in tanks in Balboa Park, no longer desirable for use or retention by the City, and has recommended that they be sold; authorizing and directing Purchasing Agent to advertise for sale and sell the items; all expenses in connection with sale shall be deduced from proceeds, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119008, recorded on Microfilm Roll No. 81, authorizing City Manager to employ M. H. Golden Construction to remove palm tree, and replace 47 lineal feet of 6" curb, and 75 sq ft of sidewalk in connection with improvement of 17th Street bet Imperial Avenue and Commercial St. - Drawing No. 11103-L, cost of work not to exceed \$536.00 payable from Ordinance No. 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Resolution states that The City has heretofore entered into contract with Golden Company for improvement on 17th Street; that drawing shows work to be done by City forces, and that the company has offered to do the work for that sum and City Manager has recommended acceptance.

RESOLUTION NO. 119909, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to do all work in connection with installation of acoustical baffles in Balboa Park Bowl, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilman Schneider. Absent--None.

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

A question was asked if there would be a contribution toward the work by the organizations which use the Bowl. The Mayor said that there would be "if they made any money".

RESOLUTION NO. 119010, recorded on Microfilm Roll No. 81, determining and declaring that public interest, convenience and necessity of The City of San Diego require construction, operation and maintenance of public road across portions of Lot 13 New Riverside, in the City of San Diego; that public interest, convenience and necessity demand acquisition of easement and right of way, to be used by the City for construction, operation and maintenance of public road; declaring intention of The City to acquire easement and right of way under Eminent Domain Proceedings; directing City Attorney to commence action in Superior Court of State of California, in and for County of San Diego, for condemning property and acquiring easement and right of way, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119011, recorded on Microfilm Roll No. 81, 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 Eugene E. Larsen and Irene M. Larsen, husband and wife, joint tenants, its reversionary rights heretofore conveyed to City of San Diego by El Cajon Valley Company by deed recorded in Book 1630 at page 100 of Official Records, in portion of Lot 48 El Cajon Valley Company's Lands, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119012, recorded on Microfilm Roll No. 81, authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as act and deed of City of San Diego, quitclaim deed quitclaiming to George M. Markle and Pearl Irene Markle, husband and wife, joint tenants, its reversionary rights heretofore conveyed to City of

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San Diego by El Cajon Valley Company by deed recorded in Book 1630 at page 100 of Official Records of San Diego County in portion of Lot 48 El Cajon Valley Company's Lands; authorizing and directing City Clerk to deliver quitclaim deed to Property Supervisor, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119013, recorded on Microfilm Roll No. 81, 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 Robert M. Bennis and Eula M. Bennis, husband and wife as joint tenants, its reversionary rights heretofore conveyed to The City of San Diego by El Cajon Valley Company by deed recorded in Book 1630 at page 100 of Official Records of San Diego County, in portion of Lot 48 El Cajon Valley Company's Lands; authorizing and directing City Clerk to deliver quitclaim deed to Property Supervisor, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119014, recorded on Microfilm Roll No. 81, 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 Emil J. Nagler Jr. and Margaret L. Nagler, husband and wife as joint tenants, its reversionary rights heretofore conveyed to The City of San Diego by El Cajon Valley Company by deed recorded in Book 1630 at page 100 of Official Records of San Diego County, California, in portion of Lot 48 El Cajon Valley Company's Lands; authorizing and directing City Clerk to deliver quitclaim deed to Property Supervisor, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119015, recorded on Microfilm Roll No. 81, 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, a quitclaim deed quitclaiming to Emil J. Nagler, Jr. and Margaret L. Nagler, husband and wife as joint tenants, undivided one-half interest, and Eugene E. Larsen and Irene M. Larsen, husband and wife as joint tenants, undivided one-half interest, its reversionary rights heretofore conveyed to City of San Diego by El Cajon Valley Company, in portion of Lots 47 and 48 El Cajon Valley Company's Lands; authorizing and directing City Clerk to deliver quitclaim deed to Property Supervisor, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119016, recorded on Microfilm Roll No. 81, 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 Donald L. Weaver and Gretchen E. Weaver, husband and wife as joint tenants, portion of Lots 2, 3, 4 Block 9 Loma Alta No. 1, excepting and reserving any and all abutter's rights of access in and to Wabaska Drive over and across the easterly line of the land; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that same be delivered to grantees upon receipt by the City of the deed conveying property as required by the City, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolution states that The City is desirous of acquiring portion of Lot 1 Block 9 Loma Alta No. 1 for purpose of right of way for Wabaska Drive, that the Weavers, owners are willing to deed to the City in exchange for portion of Lots 2, 3, 4, that value of each of the parcels of \$300.00, and City no longer requires its portion, and that City Manager has recommended the exchange.

RESOLUTION NO. 119017, recorded on Microfilm Roll No. 81, authorizing City Attorney to dismiss the City's Invoice No. 36048 in amount of \$84.52, against Laura S. Lerum, in view of fact that City has acknowledged liability in accident, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119018, recorded on Microfilm Roll No. 81, authorizing and directing City Auditor and Comptroller to draw warrant in favor of Mona Edith McIntosh and Lester O. McIntosh in amount of \$103.05 to satisfy Small Claims Court Judgment against The City of San Diego, case No. 11749, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119019, recorded on Microfilm Roll No. 81, approving claim of Helen R. Bennington, on file in office of City Clerk under Document No. 492418, in amount of \$111.41; authorizing and directing City Auditor and Comptroller to draw warrant in favor of Helen R. Bennington in amount of \$111.41 in full payment of the claim, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119020, recorded on Microfilm Roll No. 81, approving claim of Stanley Burne Jr. on file in office of City Clerk under Document No. 489955 in amount of \$29.01; authorizing and directing City Auditor and Comptroller to draw warrant in

favor of claimant in sum of \$29.01 in full payment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119021, recorded on Microfilm Roll No. 81, approving claim of Laymi Laskey, on file in Office of City Clerk under Document No. 491596, in amount of \$12.73; authorizing and directing City Auditor and Comptroller to draw warrant in favor of claimant in sum of \$12.73 in full payment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119022, recorded on Microfilm Roll No. 81, approving claim of Laura S. Lerum on file in office of City Clerk under Document No. 490739, in amount of \$28.94; authorizing and directing City Auditor and Comptroller to draw warrant in favor of claimant in sum of \$28.94 in full payment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119023, recorded on Microfilm Roll No. 81, approving claim of Union Title Insurance and Trust Company on file in Office of City Clerk under Document No. 492216 in amount of \$46.92; authorizing and directing City Auditor and Comptroller to draw warrant in favor of claimant in sum of \$46.92 in full payment, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119024, recorded on Microfilm Roll No. 81, denying claim of James J. Breckenridge on file in Office of City Clerk under Document No. 492203, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119025, recorded on Microfilm Roll No. 81, denying claim of Farmers Insurance Company on file in Office of City Clerk under Document No. 492085, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119026, recorded on Microfilm Roll No. 81, denying claim of Melvin Garrett, on file in Office of City Clerk under Document No. 491077, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119027, recorded on Microfilm Roll No. 81, accepting subordination agreement, executed by William C. Brown and Lela M. Brown, beneficiaries, and Southern Title and Trust Company, trustees, bearing date June 25, 1954, wherein they subordinate all their right, title and interest in and to portion of Vista Street closed, to right of way and easement for street 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 the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119028, recorded on Microfilm Roll No. 81, accepting deed of Elga L. Brewer, bearing date June 30, 1954, conveying Lot 9 Block 6 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119029, recorded on Microfilm Roll No. 81, accepting deed of Elsie L. L. Chester, bearing date June 22, 1954, conveying Lot 1 Block 30 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119030, recorded on Microfilm Roll No. 81, accepting deed of Gladys M. Krone, bearing date June 25, 1954, conveying Lot 4 Block 3 Campo Del Dios Unit 1, and Lot 13 Block 35 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119031, recorded on Microfilm Roll No. 81, accepting deed of Charles Slavik, bearing date June 23, 1954, conveying Lot 4 Block 28 Campo Del Dios

Unit 1; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119032, recorded on Microfilm Roll No. 81, accepting deed of Mina C. Taw, bearing date June 22, 1954, conveying Lot 5 Block 3 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119033, recorded on Microfilm Roll No. 81, accepting deed of Albert L. Lavaque, bearing date June 29, 1954, conveying Lot 2 Block 25 Campo Del Dios Unit 2; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119034, recorded on Microfilm Roll No. 81, accepting deed of Arthur Wilson, bearing date June 25, 1954, conveying Lot 5 Block 13 Campo Del Dios Unit 2 and 2 parcels of land in SW 1/4 of SW 1/4 of Section 32 T12S R2W; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119035, recorded on Microfilm Roll No. 81, accepting deed of Gladys Barbour, bearing date June 24, 1954, conveying Lot 7 Block 50 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119036, recorded on Microfilm Roll No. 81, accepting deed of F. J. Batters, bearing date June 23, 1954, conveying Lot 3 Block 55, Lots 1 and 2 Block 43 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119037, recorded on Microfilm Roll No. 81, accepting deed of Bertha M. Friend, bearing date June 23, 1954, conveying Lot 2 Block 78 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119038, recorded on Microfilm Roll No. 81, accepting deed of Blanche Gilbert, bearing date June 23, 1954, conveying Lot 7 Block 50 Campo Del Dios Unit 3; 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 Schneider, adopted.

RESOLUTION NO. 119039, recorded on Microfilm Roll No. 81, accepting deed of Charles O. Watson, bearing date June 23, 1954, conveying Lot 7 Block 50 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119040, recorded on Microfilm Roll No. 81, accepting deed of Fred A. Watson, bearing date June 24, 1954, conveying Lot 7 Block 50 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119041, recorded on Microfilm Roll No. 81, accepting deed of Jack A. Watson, bearing date June 25, 1954, conveying Lot 7 Block 50 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119042, recorded on Microfilm Roll No. 81, accepting deed of The Northwestern Mutual Life Insurance Company, bearing date June 23, 1954, conveying easement and right of way for street purposes in portion of Lot 2 Block 18 La Jolla Hermosa; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119043, recorded on Microfilm Roll No. 81, accepting deed of Harvey E. Brown and Marillyn B. Brown, bearing date June 4, 1954, conveying easement and right of way for street purposes in portion of Vista Street closed; setting aside and dedicating to public use as and for public street and naming it 67th Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119044, recorded on Microfilm Roll No. 81, accepting deed of Norman A. Lytle and Edna M. Lytle, bearing date May 19, 1954, conveying easement and right of way for street purposes; setting aside and dedicating to public use as and for public street and naming it 67th Street; directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119045, recorded on Microfilm Roll No. 81, accepting deed of United States of America Public Housing Administration, bearing date June 25, 1954, conveying easement and right of way for Air Raid Siren purposes in portion of Lot 5 Block A Azure Vista; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119046, recorded on Microfilm Roll No. 81, accepting deed of Ed Fletcher Company, bearing date June 23, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 37 Rancho Mission 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 the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119047, recorded on Microfilm Roll No. 81, accepting deed of Byron S. Kipp, bearing date June 28, 1954, conveying easement and right of way for storm drain in portion of Lots 27 and 28 Block 39 Fairmount Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119048, recorded on Microfilm Roll No. 81, accepting deed of United States of America Public Housing Administration, bearing date June 25, 1954, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 1175; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Ordinance, which had been before the Council since February 9, 1954, and continued week-to-week to this date, approving annexation to City of San Diego of certain portions of Tidelands of San Diego Bay, in County of San Diego, State of California, known and designated "San Diego Harbor Tidelands", was presented again.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, it was continued for one week - to meeting of July 15, 1954.

Ordinance incorporating portion of Pueblo Lot 1237 and portions of Clairemont Units Nos. 9 and 15 - which had been before the Council on June 3, June 17, July 1 (on which date it was introduced) was before the Council again.

Glenn A. Rick, City Planning Director, told the Council that this is the

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one that Mr. Levenson and Mr. Starr protested. He said that having been introduced last week, it is ready for adoption.

Councilman Kerrigan moved to adopt the Ordinance.

Councilman Godfrey spoke to Mr. Rick.

Mr. Rick said that the ordinance is not for the zoning the way he wanted, but is as Mr. Tavares asked to have it done. He said that it is too late for him to object, in that the Council had ordered the ordinance. He said that he did not agree with Mr. Levenson and Mr. Starr, protestants, either.

Councilman Wincote stated that he thought everyone was now satisfied.

Councilman Godfrey said that this was to settle a private problem.

Councilman Kerrigan observed that this is more valuable than the Shopping Center.

Councilman Burgener spoke to Councilman Kerrigan regarding location for service stations.

Councilman Kerrigan spoke of a 2 weeks continuance; this is the 3rd week.

Councilman Godfrey stated that it was the recommendation of the Zoning Committee under another method, by vote of 5-0, but that Mr. Tavares wanted these 3 corners.

Councilman Wincote expressed the belief that this should be talked over further.

Ed Wilson said that the Ordinance was introduced a week ago, and thought that there was no question.

Councilman Kerrigan pointed out that this is an amended ordinance.

The Mayor said that there is no reason why the zone can't be changed.

Councilman Godfrey said that when an ordinance is introduced, it does not mean much. He said that there is the right to ask questions prior to adoption.

Councilman Kerrigan spoke to Mr. Wilson regarding normal procedure, and there should be a look at the competitive property to the Shopping Center, according to him.

Councilman Burgener seconded by motion.

ORDINANCE NO. 6183 (New Series), recorded on Microfilm Roll No. 81, incorporating portion of Pueblo Lot 1237 and portions of Clairemont Units Nos. 9 and 15 into RC Zone and CP Zone, as defined by Sections 101.0409 and 101.0410 respectively of the San Diego Municipal Code, and repealing Ordinances Nos. 103456, 5251 (New Series), 5256 (New Series), and 5402 (New Series) insofar as they conflict, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

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

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of the next ordinance in full prior to 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. 6184 (New Series), recorded on Microfilm Roll No. 81, changing name of Camino Del Oro, east of La Jolla Shores Drive, to Calle Del Oro, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

In connection with the next Ordinance, Nicholas J. Haering asked if it is a necessary item. It was a continued ordinance for previous meeting.

The Mayor advised checking with the City Manager.

Mr. Haering replied that it would be too late then - the Ordinance would be passed.

The Mayor spoke of many problems in connection with new communications station.

Mr. Haering said that he was asking on only necessary items. He spoke of need to take into consideration the necessary items - for reduction of the local government cost. He said that he was going to stick his neck out for an independent citizens' committee, which would not be hog tied. Let's let the public in, he asked.

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 the ordinance was dispensed with by 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. 6185 (New Series), recorded on Microfilm Roll No. 81, appropriating \$17,000.00 from Unappropriated Balance Fund of City of San Diego, for providing funds for conducting a survey of radio communications system of The City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler; Nays--Councilman Schneider (on introduction, dispensing with reading, and adoption); absent--Councilmen None.

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

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the

reading of the ordinance was dispensed with by 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. 6186 (New Series), recorded on Microfilm Roll No. 81, appropriating \$1,500.00 from Unappropriated Balance Fund of City of San Diego, for providing funds for construction of acoustical baffles in Balboa Park Bowl, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler; Nays--Councilman Schneider (on introduction, dispensing with reading, and adoption); Absent--Councilmen None.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, ordinance amending Chapter V Article 6 of San Diego Municipal Code by adding a section prohibiting business of Tipsters, introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Burgener, seconded by Councilman Wincote, Ordinance incorporating portions of Lots 4, 7, 8 Marcellena Tract into R-2 Zone, as defined by Section 101.0406 of San Diego Municipal Code and repealing Ordinance No. 13559 adopted July 11, 1932, insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, ordinance incorporating portions of Lots 139 to 142 inclusive Morena into R-4 and C Zones, as defined by Sections 101.0408 and 101.0411 of San Diego Municipal Code, and repealing Ordinance No. 100 (New Series) adopted December 12, 1932, insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

There being no further business to come before the Council at this time, the meeting was adjourned by the Mayor at 10:54 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

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REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, July 13, 1954

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

The meeting was called to order by the Mayor at 10:02 o'clock A.M.

The Mayor presented Reverend Eugene C. Wood, of the Mission Hills Methodist Church. Reverend Wood gave the invocation.

Mayor Butler presented awards to the following employees, honoring their long service with the City of San Diego:

Mrs. Evelyn Gower, Senior Clerk, in the Public Library - 20 years;
Fred R. Lauterbach, Construction and Maintenance Foreman II, Division of Water Production - 35 years;
Wm. Bradner Smith, Electrical Inspector, Building Inspection Department - 30 years;
James E. Sullivan, Park Supervisor, Park and Recreation Department - 30 years.

The Minutes of the Regular Council Meetings of Tuesday, July 6, 1954, and of Thursday, July 8, 1954, 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 Small Water Main Replacements, Group No. 14, 1953-54 - Specification 61 - the Clerk reported that 5 bids had been received. They were presented to the Council.

On motion made and seconded, they were publicly opened and declared They were as follows:

Bid of Cameron Bros Construction Company, accompanied by bond written by Glens Falls Indemnity Company in sum of 10% of amount bid, given Document No. 492682;

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, accompanied by bond written by Fidelity and Deposit Company in the sum of 10% of amount bid, given Document No. 493683;

Floyd Shofner, accompanied by bond written by Fidelity and Deposit Company of Maryland in sum of 10% of amount of bid, given Document No. 493684;

Dan E. Pace dba Pace Construction Company, accompanied by bond written by American Surety Company in the sum of 10% of total amount bid, given Document No. 493685;

W. V. Hutchison Co., a copartnership, accompanied by bond written by Fireman's Fund Indemnity Company in the sum of 10% of amount of accompanying bid, given Document No. 493686.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving bids for paving and otherwise improving Alley Block 22 Ocean Beach, under Resolution of Intention No. 117902, the Clerk reported that 3 bids had been received. They were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

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. 493663;

Dan McF. Chandler, accompanied by bond written by Pacific Employer's Insurance Company in the sum of \$110.00, given Document No. 493664;

Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in sum of \$600.00, given Document No. 493665.

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

Invocation

Minutes approved

Bids

Service awards

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 L Altadena, under Resolution of Intention, the Clerk reported that 3 bids had been received. They were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

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. 493666;

Dan McF. Chandler, accompanied by bond written by Pacific Employers Insurance Company in sum of \$420.00, given Document No. 493667;

Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$200.00, given Document No. 493668.

Councilman Godfrey was excused

On motion of Councilman Burgener, seconded by Councilman Wincote, they 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. 118383, the Clerk reported that no written protests had been presented.

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

Pasquale Bruno told the Council that he has a big family, and that the improvement would be too much of an expense.

The Mayor told Mr. Bruno that 2/3 of the property owners had petitioned for the improvement. It can go to bond for 10 years, he said.

Mr. Bruno asked how much the assessment would be on his lots 15 and 16 in Block 2.

The City Engineer replied about \$118.00 per 25 ft. lot - double that for 2 lots.

Mr. Bruno said that if the majority wants it he won't protest; it is O.K., he added.

RESOLUTION NO. 119049, RECORDED ON Microfilm Roll No. 81, overruling and denying protest of Pasquale Bruno against proposed improvement of Alley Block 102 Central Park, under Resolution of Intention No. 118484; overruling and denying all other protests, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, 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. 118485 for paving and otherwise improving Alley Block 78 Point Loma Heights, 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 filed.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, 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. 118386 for paving and otherwise improving 53rd Street and San Jacinto Drive, 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 filed.

On motion of Councilman Burgener, seconded by Councilman Wincote, 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 continued hearing on Resolution of Intention No. 118294, the Clerk reported that another letter had been received from A. M. Naves and Mrs. A. M. Naves.

The City Engineer reported again that the man on the low side objects to raising the grade, and spoke of not being to reach one garage. He felt that it was best to abandon and eliminate Plum and Newell Streets from the proceedings.

Councilman Godfrey returned.

The City Engineer, answering Councilman Dail, said that there is very little protest. He said that one man (there are 2 on the low side) will protest if the City raises the grade; one is out of town. Answering Councilman Wincote, he agreed that there is small protest on the streets he recommends abandoning. He said that the garage in question was not built to established grade. He told the Council that he does not want to get into a hassel between owners. He spoke of using the 1947 grade in these proceedings. The garage was built earlier, according to him.

Asked about date of the petition, the Clerk said that it was received in 1952.

Bids
119049
Hearings

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Mr. Naves said that the neighbor across the street does not object, that the grade is already low, and doesn't want any more cug. He said that the original grade was established in 1913. He told the Council that across the street the property owners knew that they were building where it is low. He said that there was a benefit regarding the grade change on the previous change raising it.

Councilman Wincote felt that the Engineer should not change when 1 is hurt.

Mr. Naves told the Council that it is hard for both to get in and out.

Councilman Dail pointed out that always somebody gets hurt on a hillside.

Mr. Naves stated that there should be a 3-foot change on each side; $\frac{1}{2}$ & $\frac{1}{2}$.

The City Engineer related having spoken to "Paschall" yesterday.

Mr. Paschall objected to change of grade. He said that when Mr. Gabrielson from the City Engineer's office was out, he showed what is to be done. Again, he said he objected. The protestant said that he wants the grade lower = not higher.

There was discussion between Mr. Naves and Mr. Paschall regarding availability of property.

RESOLUTION NO. 119050, recorded on Microfilm Roll No. 81, overruling and denying protests of H. C. Harmelink, Muriel B. Mann, A. M. Naves and Mrs. Anthony Naves (2 protests), against improvement of Clove Street, Plum Street, Oliphant Street and Newell Street, under Resolution of Intention No. 118295; overruling and denying other protests, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Councilman Godfrey spoke to Mr. Naves about the situation.

Then Councilman Dail spoke to him, also.

There was discussion between Councilman Dail and Mr. Naves, joined in by other members of the Council.

On motion of Councilman Wincote, seconded by Councilman Dail, 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 Preliminary Determination No. 118557, 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. 119051, recorded on Microfilm Roll No. 81, determining that paving and otherwise improving Alley Block 15 Fairmount Addition to City Heights, and Alley Block 2 Mountain View, under Resolution No. 118557 of Preliminary Determination is feasible and that lands to be assessed therefor 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 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. 118558 of Preliminary Determination, for paving and otherwise improving Godsall Lane, Alley Block 2 Idyllwild, Pennsylvania Avenue, the Clerk reported that no written protests had been received.

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

Several women arose at once, and some of them came forward to the microphone.

Mrs. Mary Pierce told the Council that she was protesting Pennsylvania Avenue, that it would be inaccessible, and that it would be only 1 private driveway.

The City Engineer related having a petition of 53% by frontage - by an old petition - that it is a difficult grade, with heavy cuts. He told of the proposed improvement having been staked, and about having talked to property owners.

A conference was held over a map, between the City Engineer and some members of the Council.

Mrs. Pierce, asked about her property, identified it as "lot 1" (It is Lot 1 Block 3 Idyllwild); and said that entrance is from Brant, and that Pennsylvania is at the back. She went up and showed on the map, which she explained to the Councilmen and the Engineer.

There was confusion with 5 women speaking. They did not identify themselves.

The Mayor said that the petition and the protest are not definite. He asked for the filing of a written protest, and continuance of proceedings 1 week. When advised that the Clerk did not have protestants names for the record, the Mayor asked them to give their names.

They identified themselves as:

C. Maestro, Eleanor Todd, Mrs. Herbert McCormack, E. R. Porter (Mrs. Pierce had already spoken).

The Mayor then suggested that others go on record next week, if those present found them to be of the same opinion.

Councilman Wincote urged them to do so now, since they were present, and the Clerk now had their names.

The Mayor referred to need for verification.

Councilman Godfrey advised the protestants to get a written protest.

RESOLUTION NO. 119052, recorded on Microfilm Roll No. 81, continuing hearing on proposed improvement of Godsall Lane, Alley Block 2 Idyllwild, and Pennsylvania Avenue under Resolution No. 118558 of Preliminary Determination to hour of 10:00 o'clock A.M. of Tuesday, July 20, 1954, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

(Hearing is to be continued at that time for another week).

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The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 118559 of Preliminary Determination for paving and otherwise improving Long Branch Avenue and Spray 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.

J. L. Richardson asked a question regarding the grade, and mentioned a 30" drop from Abbott to Spray. Asked why a drain is proposed.

The City Engineer spoke to Mr. Richardson over a map, regarding change in grade, and the drain.

Mr. Richardson said that he wants paving and drainage.

The City Engineer advised him to go see Mr. Gabrielson in his office.

RESOLUTION NO. 119053, recorded on Microfilm Roll No. 81, determining that improvement of Long Branch Avenue and Spray Street, under Resolution No. 118559 of Preliminary Determination is feasible and that lands to be assessed therefor 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 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. 118560 of Preliminary Determination for paving and otherwise improving Oliver Avenue and Pacific Beach Drive, the Clerk reported that no written protests had been received.

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

Mrs. (Reuben E.) Hilbert told the Council about having a small frontage, and wondered if sidewalks would be placed out at the curb.

There was a conference over a map with the City Engineer and various Councilmen. The discussion, not recorded was held between Councilman Burgener, the City Engineer, Mrs. Hilbert, and Mr. Hilbert.

Councilman Burgener asked about continuing the hearing one week.

RESOLUTION NO. 119054, recorded on Microfilm Roll No. 81, continuing hearing on proposed improvement of Oliver Avenue and Pacific Beach Drive, under Resolution of Preliminary Determination No. 118560 until hour of 10:00 o'clock A.M., Thursday, July 15, 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 current for lighting Ocean Beach Lighting District No. 1, 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 protests were filed.

RESOLUTION NO. 119055, recorded on Microfilm Roll No. 81, confirming proposed assessment of total amount of costs and expenses of work or improvement of furnishing electric current for lighting Abbott Street, Newport Avenue, Santa Monica Avenue, Bacon Street and Voltaire Street, under Resolution of Intention No. 117568, contained in Engineer's Report and Assessment filed in office of City Clerk June 4, 1954; adopting the report as a whole, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing current for lighting University Avenue Lighting District No. 3, 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 protests were filed.

RESOLUTION NO. 119056, recorded on Microfilm Roll No. 81, confirming proposed assessment of total amount of costs and expenses of work or improvement of furnishing electric current for lighting University Avenue Lighting District No. 3, under Resolution of Intention No. 117570, contained in Engineer's Report and Assessment filed in office of City Clerk June 4, 1954; adopting report as a whole, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The Mayor left the meeting, and Vice Mayor Wincote took the Chair.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Assessment No. 2250 made to cover costs and expenses of paving and otherwise improving Jennings Street, Albion Street and Silvergate Avenue, under Resolution of Intention No. 111923, the City Engineer made a verbal report. He spoke of hearing having been continued, that he has a survey. He identified it as a profile for a proposed road, and informed the Council that somebody has started to build (in the area heretofore identified as being unbuildable). The Engineer agreed that while the road is steep, others in town are just as steep.

J. H. Bush, who had spoken at great length at the first hearing on the appeal, was heard again. He said that he thinks none in town that is "that steep" paved.

The City Engineer referred to Ash Street as being about a 24% grade - with heavy travel. He referred to hillside property, and that Mr. Bush is within 1/2 block of the improvement. He pointed out, as he had in the earlier hearing that there is unsubdivided property.

Mr. Bush disagreed with the City Engineer. He contended that if the Engineer goes on the east side (to make the assessment) he cannot see why he does not do the same on the west. He asked if assessment is going to be made.

The City Engineer replied "sure; unless the Council overrules the assessment".

A Mr. Smith, who did not give his first name or initials, spoke to the
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Council, and to the Engineer.

The City Engineer declared that the assessment district cannot be changed at this time - right or wrong.

Mr. Bush declared "that is a mighty fine attitude".

The City Engineer said that he is only repeating that Talbot Street could be extended through. He spoke regarding practice for assessing on unsubdivided property. He pointed out on a map that he can't tell when he is right. He said that he is criticized if the assessment district is too large; criticized if it is too small.

Mr. Bush spoke to Councilman Wincote, not through the Chair.

Councilman Dail pointed out that the Council had conducted 2 hearings before this one.

Mr. Bush told the Council that he had assumed that he would not be assessed on most of his property. He then talked to Councilman Godfrey, not through the Chair. He looked at a map with Councilman Wincote. He told the Council that a bulldozer can climb 45% grade, but that a City bulldozer could not climb the hill to which he referred.

The City Engineer showed profile of an alley, with an 18% grade, to Mr. Bush. He declared that property can be reached from a street and from an alley.

Councilman Burgener observed that if the Council eliminates on "this" it has to put the assessment on some other property.

Councilman Godfrey pointed out that this is a late date to be protesting.

The City Engineer said that he can go all over town, and show steep hillside development. He declared that it is possible to put in a street, but that in doing so an owner on Inez will have to move a building.

Mr. Smith spoke to Councilman Burgener regarding assessments which he declared should be on others, as he said had been mentioned by Mr. Bush last week. He said that the alley carries the misnomer of Inez Lane. He said that the assessment is not fair and equitable. Mr. Smith declared that the assessment should be distributed fairly.

The City Engineer identified Mr. Smith's property on a map.

Councilman Schneider entered.

Mr. Smith referred to Lots 13, 14, 15 being not assessed.

Councilman Dail stated that the Council bends over backwards to divulge what is done regarding every detail. He maintained that the City Attorney has told the Council that is left to a court. He declared that the Council has no right to do what it is, and duplicating a court of law in the 1911 improvement districts.

Douglas D. Deaper, Deputy City Attorney, advised the Council that the means of arriving at a formula for levying the assessment need not be divulged, but he can't see where the Council is taking over any court functions.

Mr. Smith spoke to Mr. Dail regarding the so-called Steiger estate, which he said is not being assessed. According to him, one has to have an estate in order not to be assessed.

Councilman Dail spoke to Mr. Smith about who is being assessed and about the equitability. He said that the City Engineer lays out the boundaries of the assessment, under the first 2 hearings. This is the 3rd, according to him.

Mr. Bush spoke to Councilman Dail regarding his assumption of a "block".

The Mayor returned.

There was a great amount of discussion, involving various individuals, not through the Chair - so it was not recorded.

The Mayor declared that the assessment district can't be changed.

The Mayor left again

Councilman Godfrey said that nobody argues against the assessment on the east side, regarding the 1/2 way. This is a late date to revise the assessment district, according to him.

Councilman Burgener pointed out that there are only 2 choices: either approve, or spread that assessment on others.

Councilman Dail spoke regarding a "paper street" in Encanto - in connection with an assessment proceeding out there.

Councilman Burgener said that the Council has no choice.

Councilman Godfrey agreed. He said that he wants the situation explained to him by the City Engineer.

Mr. Smith said that there is some of the Steiger property on Albion which is not assessed.

Looking at the assessment plat, Councilman Burgener said that it is assessed.

RESOLUTION NO. 119057, recorded on Microfilm Roll No. 81, overruling and denying appeal of John Bush from the Street Superintendent's Assessment No. 2250 made to cover cost s and expenses of paving and otherwise improving Jennings Street, Albion Street and Silvergate Avenue, under Resolution of Intention No. 111923; overruling and denying all other protests; confirming and approving Street Superintendent's Assessment, authorizing and directing Street Superintendent to attach his warrant thereto and issue 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.

Petition of residents and property owners for the widening and paving of Morena Boulevard.

RESOLUTION NO. 119058, recorded on Microfilm Roll No. 81, referring to Council Conference petition for widening and paving Morena Boulevard, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing Copper Tubing and Copper Fittings for water services, received June 30, 1954, from 6 bidders, was presented. It recommends award to Mission Pipe & Supply Co., low bidder, in accordance with tabulation attached, at total price of \$6,977.95, terms $\frac{1}{2}$ of 1% - 30 days on Item 1; 2% - 30 days on Items 2 through 7, all plus State Sales Tax.

RESOLUTION NO. 119059, recorded on Microfilm Roll No. 81, accepting bid of Mission Pipe & Supply Co. for furnishing 7 items of Copper Tubing and Copper Fittings; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing Fire Hydrants for period of 6 months, beginning July 1, 1954, received June 17, 1954, from 4 bidders, was presented. It recommends award to Mission Pipe & Supply Co., low bidder for furnishing Item 1. It states that Crane Company and Industries Supply Company were co-low bidders on Items 2 and 3, and recommendation was decided by laws drawn by representatives of the bidders, and it therefor recommends award to Industries Supply Company for furnishing Items 2 and 3.

RESOLUTION NO. 119060, recorded on Microfilm Roll No. 81, accepting bid of Mission Pipe & Supply Co. for furnishing approximately 100 - 6" Fire Hydrants at \$90.00 each, terms 2% - 30 days, 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 office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119061, recorded on Microfilm Roll No. 81, accepting bid of Industries Supply Company for furnishing approximately 25 6" Fire Hydrants at \$112.10, approximately 15 6" Fire Hydrants at \$154.00 each, terms 2% - 30 days, 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 office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 300 tons of Liquid Sodium Silicate for 6 months from July 15, 1954, received July 6, 1954. It recommends award to Atlas Chemical & Manufacturing Company, low bidder, at \$25.34 per ton, terms net 30 days, plus tax.

RESOLUTION NO. 119062, recorded on Microfilm Roll No. 81, accepting bid of Atlas Chemical & Manufacturing Company for furnishing 300 tons of Liquid Sodium Silicate; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in Office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 40 Outdoor Toilets, received July 6, 1954, from 13 bidders, was presented. It recommends award to Irvin A. Rose, low bidder, in amount of \$8000.00 - estimate was \$243.00 each.

RESOLUTION NO. 119063, recorded on Microfilm Roll No. 81, accepting bid of Irvin A. Rose to furnish 40 outdoor toilets; authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego a contract pursuant to plans and specifications on file in Office of the City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, authorizing bids for 9 105 Cu.Ft. capacity Air Compressors, and 1 85 Cu.Ft. capacity Air Compressor for Public Works Department as per specifications on file in Office of City Clerk bearing Document No. 493542, was presented.

RESOLUTION NO. 119064, recorded on Microfilm Roll No. 81, authorizing and directing Purchasing Agent to advertise for sealed proposals for furnishing Air Compressor, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, authorizing bids for furnishing 1 Dual Drive Street Sweeper for Public Works Department, as per specifications on file in Office of City Clerk bearing Document No. 493545, was presented.

RESOLUTION NO. 119065, recorded on Microfilm Roll No. 81, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Street Sweeper, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, submitting Resolution authorizing Purchasing Agent to advertise for bids for 1 Tractor Bulldozer for Public Works Department as per specifications on file in office of City Clerk bearing Document No. 493548, was presented.

RESOLUTION NO. 119066, recorded on Microfilm Roll No. 81, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 Tractor Bulldozer in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file in office of City Clerk bearing Document No. 493548, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

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RESOLUTION NO. 119067, recorded on Microfilm Roll No. 81, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for removal of portion of Otay First Main Pipe Line, between Detroit Avenue and Scimitar Drive in Encanto District, bearing Document No. 493495; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119068, recorded on Microfilm Roll No. 81, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of sprinkler system for public portion of Gleason Point in Mission Bay Park, bearing Document No. 493496; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

The following two items, affecting Tentative Map of Berlau Subdivision = continued to this meeting from a previous Council meeting, at which time objections were raised by Philip Anewalt to provisions, were considered.

Glenn A. Rick, City Planning Director, told the Council that he ^{had} re-written the Resolution approving map, and that he had a new letter thereon. He read the letter, which was also filed with the Clerk. It states that the department has revised form of resolution in compliance with instructions of the City Council. It says that one point mentioned at the last Council meeting, was not clear whether it was the intention of the Council to have it included. It says that if approved, the Resolution should be further revised to add: "Market Street shall be improved by the subdivider to provide an adequate entrance into the property in accordance with plans approved by the City Engineer".

Mr. Anewalt said that it was regarding tying up for the subdivision map.

RESOLUTION NO. 119069, recorded on Microfilm Roll No. 81, suspending Sections 102.091&2, 102.07-5, 102.12-6, 102.16-8, 102.17-c of San Diego Municipal Code, in connection with Tentative Map of Berlau Subdivision, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119070, recorded on Microfilm Roll No. 81, approving Tentative Map of Berlau Subdivision, subject to conditions contained in the Resolution - a 1-lot industrial subdivision of portion of Lot 41 Horton's Purchase, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

It makes specific mention to Market Street if it remains in its present location as a Major Street, and to realignment of Market Street as proposed.

Communication from Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, recommending suspension of portion of San Diego Municipal Code in connection with revised tentative map of Clairemont Units #16 & #17, was presented.

RESOLUTION NO. 119071, recorded on Microfilm Roll No. 81, suspending Sections 102.07-5, 102.11-2, 102.1208, 102.16-8, 102.17-c of San Diego Municipal Code, in connection with revised tentative Map of Clairemont Units 16 and 17, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of revised Tentative Map of Clairemont Units 16 & 17, for subdivision of portions of Pueblo Lots 1224, 1226 and 1227; Unit #16 comprising 288 single family residential lots, a 19.94 acre school site, a 3.69 acre business site and a proposed church site; Unit #17 consists of 449 single family residential lots, was presented. It states that only access to #16 & #17 is via Clairemont Drive, Clairemont Mesa Drive, and Moraga, which is a circuitous routing, which would require traveling 2-3/4 miles from Balboa Ave. and Clairemont Drive, to southerly end of the subdivision, whereas the point is only slightly less than half a mile distant from proposed Balboa Avenue. It states that subdividers' representative objected to inclusion of requirement of City Engineer for improvement of access road from southerly boundary of the subdivision via Moraga Avenue and Balboa Avenue extension, to Morena Blvd., stating that matter was under negotiation with City Manager's Office.

RESOLUTION NO. 119072, recorded on Microfilm Roll No. 81, approving Revised Tentative Map of Clairemont Units 16 & 17, a subdivision of portions of Pueblo Lot 1224, 1226 and 1227, subject to conditions contained in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Glenn A. Rick, stating that in connection with hearing on rezoning portion of Lot 139 to 142 Morena, shown as Lot 6 on Tentative Map of Clairemont Plaza Unit No. 2, the Commission has recommended a 25 foot setback along Field and Fairfield Streets, was presented. It attaches Resolution amending Resolution 118136 which approved the Tentative Map on May 18, 1954.

RESOLUTION NO. 119073, recorded on Microfilm Roll No. 81, amending Resolution 118136, which approved Tentative Map of Clairemont Plaza Unit No. 2, by adding condition No. 6; re setback, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by P. Q. Burton, reporting on letter from Cory and Longworth, Inc., signed by George L. Cory, was presented. It states that letter requests the City to accept a 5-foot wide strip of land along La Jolla Mesa Drive frontage, for street purposes and that it be named; dedication required before owner can file Record of Survey of land, which was condition in zone variance granting permission to build on the property - in Pueblo Lot 1774. Following a detailed report, the communication states that Planning Commission voted 7-0 to recommend acceptance upon conditions outlined by City Engineer, except that items 2 and 3 be not required.

RESOLUTION NO. 119074, recorded on Microfilm Roll No. 81, accepting offer of George L. Cory, filed in office of City Clerk June 2, 1954, under Document No. 491492, to dedicate 5-foot strip along La Jolla Mesa Drive frontage, upon 5 conditions named in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from Board of Architectural Review, signed by P. C. Kelley, Secretary, with signature of Glenn Rick, also, was presented. It recommended that the Council approve by accompanying Resolution standards as required by Section 101.0703 of Municipal Code. It says that the standards are to be used by Board and Planning Department staff in reviewing applications for signs on marquees, and to clarify controversial aspects of interpretation of the present ordinance. The communication advises that they were adopted at meeting of June 28, and supplemented and approved for transmittal to the Council on July 6, 1954.

RESOLUTION NO. 119075, recorded on Microfilm Roll No. 81, approving standards adopted by Board of Architectural Review at meeting of June 28, 1954 and supplemented at meeting of July 6, 1954, to be used by staff and Board of Architectural Review in considering applications for signs on marquees, as part of requirements of Section 101.0703 of the Municipal Code - as set out in detail in the Resolution - was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending that Council order a 1911 Improvement Act District formed for installation of a storm drainage system for the downtown area on portions of 4th, 5th, 7th, C Streets, Broadway, E, F Streets, 8th Avenue, Market, K Streets, 10th Avenue, was presented. It states that part of cost is to be assessed against property in the district, and balance is to be paid from Storm Drain Bond Fund.

RESOLUTION NO. 119076, recorded on Microfilm Roll No. 81, directing 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 of installing a storm drainage system for the area described therein, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from R. A. Hall, street Superintendent, signed by W. D. Olson, Deputy, with signature of approval by E. W. Blom, Assistant City Manager, was presented. It reports on petition to close south half of 56.5 foot strip of land lying northwesterly of and adjacent to Lot 1 in Joseph Reiner's Subdivision of P.L. 1103 - located in bed of San Diego River, unimproved and not required for San Diego River Channel improvement. It states that owner has granted San Diego Gas & Electric Company easements covering their existing facilities. It recommends denial of petition for closing, and says that it does not appear that closing proceedings is the answer since there is doubt that a public street exists, and that cloud on title may possibly be cleared by quiet title action. It says, also, that in any case it would be best not to do it piece-meal, but to clear up all of the questionable property adjoining Lots 1 through 8 in Joseph Reiner's Subdivision of Pueblo Lot 1103 in one action.

RESOLUTION NO. 119077, recorded on Microfilm Roll No. 81, denying petition to close south half of 56.5 foot strip of land lying northwesterly of and adjacent to Lot 1 in Joseph Reiner's Subdivision of P.L. 1103, as recommended by Street Superintendent, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Street Superintendent, with Assistant City Manager's signature of approval, was presented. It recommends granting petition to close East-West Alley adjacent to and northerly of Lots 94 through 111 Vista Park Unit No. 1, subject to filing of Final Map and provisions for installation of improvements as required by Resolution No. 118078 dated May 13, 1954, was presented.

RESOLUTION NO. 119078, recorded on Microfilm Roll No. 81, granting petition to close East-West Alley lying adjacent to and northerly of Lots 94 through 111 Vista Park Unit No. 1, subject to recommendation of Street Superintendent contained in Document No. 493563; directing City Engineer to furnish description of lands to be affected and benefited by, and to be assessed to pay costs, damages and expenses of closing, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from R. A. Hall, Street Superintendent, signed by W. D. Olson, with signature of approval by E. W. Blom, Assistant City Manager, was presented. It recommends denial of petition to close Jewell Street between Los Altos Road and Malden

Street. In addition to a detailed report, it states that portion of Jewell Street proposed to be closed can be improved on a grade of approximately 17%, that street is needed to give access to property to the north; Los Altos Road has only 1 other dedicated direct street connection to streets to south and west, being extension of Collingwood Drive from Loring Street to Los Altos Road.

RESOLUTION NO. 119079, recorded on Microfilm Roll No. 81, denying petition to close Jewell Street, as recommended by Street Superintendent, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from R. A. Hall, Street Superintendent, signed by W. D. Olson, with E. W. Blom, Assistant City Manager's signature of approval, was approved. It reports on petition to close Martin Avenue from westerly line of Chollas Creek Channel to easterly line of Gregory Street, and says that portion of Martin Avenue has been physically blocked by construction of Wabash Boulevard and Chollas Creek drainage channel, and is unimproved and contains no sewers or water mains. In addition to a detailed report, it recommends petition be granted, except that closing be modified to extend from easterly line of Gregory Street to westerly line of Wabash Boulevard.

RESOLUTION NO. 119080, recorded on Microfilm Roll No. 81, adopting recommendation of Street Superintendent to close portion of Martin Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Hi Boots Motorcycle Club of San Diego relative to holding of future motorcycle events at Torrey Pines Road, and making reference to rumored cancellation regarding fatal motorcycle accident on July 4, was presented.

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

Communication from Electrical Products Corporation, signed by K. R. Mitchell, Sales Manager, 1702-10 Kettner Boulevard, dated July 6, 1954, was presented. It asks permission to install a plastic "V" shaped display, indirectly illuminated for Allstate Insurance Company, which is standard used throughout United States and is 11'9" in length by 4'0" high, with projection of approximately 30" at center of the "V". It says that present ordinance tends to limit height of "V" shaped displays unduly.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, it was referred to Council Conference.

Mr. Mitchell came to the microphone to be heard, and action was reconsidered.

Mr. Mitchell spoke of having a request for the sign, which is 4' high, instead of 3'.

Mayor Butler returned, and resumed Chairmanship of the meeting

Mr. Mitchell told the Council that the sign had been made in the east, and sent out, that it is used elsewhere. He contended that it meets requirements regarding proper distance. He felt that part of the ordinance is discriminatory regarding "V" signs.

Glenn A. Rick, City Planning Director, expressed the belief that the sign in question is not subject to a variance. He pointed out that he had nothing to do with drafting the ordinance.

Councilman Godfrey said that if the ordinance is changed, the Council could be charged with discriminating against round signs.

Mr. Rick spoke about the committee which is studying the sign situation. He felt that the Ordinance should not be changed, before going to the committee. He said a week might cover it.

Councilman Godfrey said that the original motion to send the request to conference is good.

Councilman Wincote said that if true, the Council will do something.

RESOLUTION NO. 119081, recorded on Microfilm Roll No. 81, referring communication from Electrical Products Corporation, for permission to install plastic "V" shaped display, indirectly illuminated, for Allstate Insurance Co. to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Public Utilities Commission, signed by J. G. Hunter, Director of Transportation, dated July 6, 1954, was presented. It acknowledged receipt of copy of Council Resolution No. 118764 expressing opinion of the City with respect to plan of San Diego Transit System to establish so-called "Downtown Special" service between Civic Center and downtown area during midday hours. It expresses appreciation for the City cooperation, and advises that to date no application has been filed with the Commission.

At request of Councilman Godfrey, the letter was ordered read to the Council. On motion of Councilman Kerrigan, seconded by Councilman Burgener, it was filed.

E. W. Blom, Acting City Manager, told the Council that the Transit company had tried to file the application, and that it had been returned for correction.

Communication from San Diego Chamber of Commerce, dated July 8, 1954, signed by Stanley Grove, General Manager, was presented. It refers to establishment of a new zone, to be known as "Suburban Commercial Zone", which the Board approved, although it did not either approve or disapprove the other ordinance pending, amending the sign ordinance. It states that action was predicated on belief that local neighborhoods should have the

opportunity to establish, through legal procedures, a zoning which would protect the character of the area. It mentions, further, that it is the Board's understanding that the ordinance is permissive legislation only and that initiative for a zone change would come from the property owners within the area applying.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, it was referred to Council Conference, by RESOLUTION NO. 119082.

Communication from W. E. Starke, attorney, 1130 Bank of America Building, dated July 8, 1954, submitting petition executed by William N. Thornton as owner of property, for closing Broad Avenue and Logan Avenue, was presented.

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

A majority of members of the Council signed undertaking for street lighting with San Diego Gas & Electric Company, in San Diego Lighting District No. 3.

RESOLUTION NO. 119083, recorded on Microfilm Roll No. 81, directing notice of filing of Assessment No. 2260 and of time and place of hearing thereof, for paving and otherwise improving Alley Block 37 Ocean Beach, Santa Cruz Avenue, and Public Right of Way, under Resolution of Intention No. 113749, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119084, recorded on Microfilm Roll No. 81, directing notice of filing of Assessment No. 2261 and of time and place of hearing thereof, for paving and otherwise improving Mason Street, under Resolution of Intention No. 115263, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119085, recorded on Microfilm Roll No. 81, directing notice of filing of Assessment No. 2259 and of time and place of hearing thereof, for paving and otherwise improving Santa Isabel Drive and Olvera Avenue, under Resolution of Intention No. 115897, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119086, recorded on Microfilm Roll No. 81, directing notice of filing of Assessment No. 2258 and of time and place of hearing thereof, for paving and otherwise improving Thomas Avenue, Public Rights of Way, and Alley Block 274 Pacific Beach, under Resolution of Intention No. 113266, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119087, recorded on Microfilm Roll No. 81, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Franklin Avenue and 49th Street, Document No. 492805; approving Plat No. 2590 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 plat in office of City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119088, recorded on Microfilm Roll No. 81, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Kendall Street, Document No. 492803; approving Plat No. 2610 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 plat in office of City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119089, recorded on Microfilm Roll No. 81, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving 29th Street, Document No. 492807; approving Plat No. 2593 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 plat in office of City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 119090, recorded on Microfilm Roll No. 81, for paving and otherwise improving Alley Block 95 Ocean Bay Beach, under Resolution of Intention No. 118393, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

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RESOLUTION ORDERING WORK NO. 119091, recorded on Microfilm Roll No. 81, for paving and otherwise improving Alleys Blocks 3 and 4 Ocean Front, under Resolution of Intention No. 118394, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 119092, recorded on Microfilm Roll No. 81, for furnishing electric current for lighting ornamental street lights located in University Avenue Lighting District No. 1, under Engineer's Report and Assessment filed May 28, 1954, in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION CHANGING GRADE NO. 119093, recorded on Microfilm Roll No. 81, on California Street, Bean Street and Kurtz Street, re map filed under Document No. 485578 by City Engineer in office of City Clerk on February 24, 1954, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 119094, recorded on Microfilm Roll No. 81, for paving and otherwise improving portion of Alley Block 11 Subdivision of Lots 20 to 50 Block N Teralta, was on motion of Councilman Godfrey, seconded by Councilman Wincote,

RESOLUTION OF INTENTION NO. 119095, recorded on Microfilm Roll No. 81, for paving and otherwise improving Alley Block 31 University Heights - to modified grade - was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 119096, for paving and otherwise improving A Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 119097, recorded on Microfilm Roll No. 81, for paving and otherwise improving Udall Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 119098, recorded on Microfilm Roll No. 81, for furnishing electric current for ornamental street lights in Pacific Highway Lighting District Number One, for period of one year from and including November 5, 1954, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

PRELIMINARY DETERMINATION NO.

RESOLUTION OF ~~INTENTION~~ NO. 119099, recorded on Microfilm Roll No. 81, for paving and otherwise improving Franklin Avenue and 49th Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119100, recorded on Microfilm Roll No. 81, for paving and otherwise improving Kendall Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119101, recorded on Microfilm Roll No. 81, for paving and otherwise improving 29th Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119102, recorded on Microfilm Roll No. 81, approving diagram of property affected or benefited by work of improvement done on paving Linda Rosa Avenue and La Jolla Mesa Drive, and to be assessed to pay expenses thereof; 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119103, recorded on Microfilm Roll No. 81, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Alley Block 86 Point Loma Heights, described in Resolution of Intention No. 117128 and to be assessed to pay expenses, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119104, recorded on Microfilm Roll No. 81, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Birch Street, under Resolution of Intention No. 116894 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119105, recorded on Microfilm Roll No. 81, directing City Engineer to furnish diagram of property affected and benefited by paving and otherwise improving of Camino del Collado, under Resolution of Intention No. 116895 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Godfrey, ~~seconded by Councilman~~ Wincote, adopted.

RESOLUTION NO. 119106, recorded on Microfilm Roll No. 81, directing City Engineer to furnish diagram of property affected and benefited by paving and otherwise improving Thorn Street, under Resolution of Intention No. 117129 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119107, recorded on Microfilm Roll No. 81, directing City Engineer to furnish diagram of property affected and benefited by paving and otherwise improving Wells Street, under Resolution of Intention No. 116720 and to be assessed to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119108, recorded on Microfilm Roll No. 81, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Wightman Street, under Resolution of Intention No. 117130 and to pay expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from Street Superintendent, with City Manager's stamp of approval, recommending granting request of Callahan Bros. for 90 day extension of time on contract for paving and otherwise improving Alley Block 43 Normal Heights, was presented. It states that alley is heavy adobe and has been too wet under the surface for paving.

RESOLUTION NO. 119109, recorded on Microfilm Roll No. 81, authorizing Street Superintendent to grant 90-day extension of time for completion of contract for improvement of Alley Block 43 Normal Heights, in accordance with his recommendation filed in office of City Clerk under Document No. 493478, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for paving and otherwise improving La Jolla Shores Drive - petition signed by 77.7% of property frontage between Camino Del Oro and El Paseo Grande, was presented.

RESOLUTION NO. 119110, recorded on Microfilm Roll No. 81, granting petition for paving, etc., La Jolla Shores Drive; directing 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, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for sewers in portion of Block 16 La Mesa Colony - signed by owners of 87.0% of area including portion of Lot 40 La Mesa Colony, was presented.

RESOLUTION NO. 119111, recorded on Microfilm Roll No. 81, granting petition contained in Document No. 491806 for sewers in portion of Block 16 La Mesa Colony; directing City Engineer to furnish plat showing exterior boundaries of district or lands affected and benefited by and to be assessed to pay costs, damages and expenses - and in Lot 40 La Mesa Colony, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119112, recorded on Microfilm Roll No. 81, declaring result of canvass of election returns upon proposed ordinance initiated by petition of Registered voters of the City prohibiting fluoridation of San Diego Municipal supply, submitted at special municipal election held 8, 1954, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

On Proposition A "Shall the ordinance initiated by petition of the required 10% of the registered voters of The City of San Diego prohibiting fluoridation of the San Diego municipal water supply be adopted" total number of votes cast for and against the proposition, including absentee votes, is 95,252; total number of votes cast in favor of the ordinance is 50,789; total number of votes cast against adoption of the ordinance is 44,463.

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Number of votes cast in each precinct for and against adoption of the ordinance, and number of absentee votes cast for and against the ordinance, are recorded in the Election Returns Book of The City of San Diego, and shall be considered part of records of the Council.

It states that proposed ordinance prohibiting fluoridation of San Diego Municipal Water Supply has received vote of majority of qualified voters voting thereon, and proposition carried.

Resolution orders Clerk to enter on minutes a statement showing that fluoridation ordinance proposition voted upon, total number of votes cast in the City for and against adoption of the ordinance, total number of absentee votes cast for and against adoption of the ordinance, and statement that number of votes cast in each precinct for and against adoption of the ordinance, and absentee votes cast for and against adoption of the ordinance, are recorded in Election Returns Book.

The Resolution directs that results of canvass of the special municipal election shall be immediately made public by publication of copy of the Resolution.

RESOLUTION NO. 119113, recorded on Microfilm Roll No. 81, declaring result of canvass of election returns of Special Municipal Election held June 8, 1954, was of motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

On Proposition B. 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 for the purpose of the acquisition and construction by said City of 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 appuratus necessary or convenient therefor, total number of votes cast including absentee votes is 95,053; total number of votes cast in the City is 103,235; number of absentee votes cast is 1362; number of votes cast for the bond proposition is 55523; number of absentee votes cast for the proposition is 938; number of votes cast against the proposition is 38168; number of absentee votes cast against bond proposition is 424.

It states that number of votes cast in each precinct for and against the bond proposition and the number of absentee votes cast for and against the proposition are recorded in Elections Returns Book of The City of San Diego, and the book shall be considered as part of records of the Council.

Resolution says that bond proposition was not approved by vote of more than two-thirds of voters voting thereon, and proposition did not carry.

It orders the Clerk to enter on minutes a statement showing the bond proposition voted upon, the total number of votes cast in the City for and against the proposition, number of absentee votes cast for and against, statement that votes cast in each precinct for and against, and absentee votes cast for and against proposition, are recorded in Elections Returns Book, and that results of canvass shall be immediately made public by publication of copy of the resolution.

RESOLUTION NO. 119114, recorded on Microfilm Roll No. 81, declaring result of canvass of Election returns of Special Municipal Election held June 8, 1954, upon propositions to amend the Charter of The City of San Diego, designated propositions C, D, E, F, G, H, I:

C. Amend Section 24 of Article IV of Charter; authorizes Mayor to verify all legal pleadings, etc. - and provides a compensation to be fixed by the Council each year in Annual Appropriation Ordinance not less than \$7500.00;

D. Amend Section 54 of Article V of Charter; re jurisdiction of Harbor Commission to tidelands and harbor of Bay of San Diego, etc.;

E. Amend Section 59 of Article V of Charter; authorizing City Manager to permit officers and employees of Department of Inspection to teach or instruct students or pupils in regularly established accredited schools or colleges;

F. Amend Section 117 of Article VIII of Charter, placing in Unclassified Service of City the Assistant to Mayor and the Director of Mission Bay Park;

G. Amend Section 141 of Article IX of Charter, relative to adoption of the Council of an ordinance a retirement system for compensated public officers and employees of the City, other than policemen and firemen who were members of a pension system on June 30, 1946;

H. Amend Section 143 of Article IX of Charter; providing for retirement system authorized by the Council to be based upon a contributory plan, with City contributing equally with employees, etc.;

I. Amend Charter by adding new section to Article IX, which provides that no change in retirement system which affects benefits of City employees shall be adopted without approval of majority vote of members of such retirement system.

Council finds and determines the following:

Total number of votes cast on charter amendment propositions is 103,235;

Number of votes cast for charter amendment proposition C is 37,517;

Number of votes cast against charter amendment proposition C is 45,576;

Charter amendment proposition C has not received vote of majority of qualified voters voting thereon, and did not carry.

Number of votes cast for and against charter amendment proposition D is 63,936;

Number of votes cast against amendment proposition D is 19,327;

Charter amendment proposition D has received vote of majority of qualified voters, and proposition carried.

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Number of votes cast for charter amendment proposition E is 56,960;
 Number of votes cast against charter amendment proposition E is 25,267;
 Charter amendment proposition E has received vote of majority of qualified voters, and proposition carried.

Number of votes cast for charter amendment proposition F is 46,294;
 Number of votes cast against charter amendment proposition F is 28,697;
 Charter amendment proposition F has received vote of majority of qualified voters, and proposition carried.

Number of votes cast for charter amendment proposition G is 57,156;
 Number of votes cast against charter amendment proposition G is 26,578;
 Charter amendment proposition G has received vote of majority of qualified voters, and proposition carried.

Number of votes cast for charter amendment proposition H is 58,239;
 Number of votes cast against charter amendment proposition H is 23,808;
 Charter amendment proposition H has received vote of majority of qualified voters, and proposition carried.

Number of votes cast for charter amendment proposition I is 56,690;
 Number of votes cast against charter amendment proposition I is 26,069;
 Charter amendment proposition I has received vote of majority of qualified voters, and proposition carried.

Number of votes cast in each precinct for and against each of charter amendment propositions and number of absentee votes cast for and against each of said propositions are recorded in Elections Returns Book of The City of San Diego, and said book shall be considered part of records of the Council.

The Clerk is ordered to enter on minutes a statement showing charter amendment propositions voted upon, total number of votes cast in the City for and against each of the propositions, total number of absentee votes cast for and against the propositions, and statement that number of votes cast in each precinct for and against said propositions, are recorded in Elections Returns Book, and that result of canvass shall be immediately made public by publication of copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119115, recorded on Microfilm Roll No. 81, authorizing City Attorney, on behalf of the City to file a disclaimer in quiet title action entitled "W. B. Miller vs. The City of San Diego, a Municipal Corporation, et al., No. 187676" now pending in Superior Court of State of California in and for County of San Diego, was on motion of Councilman Wincote, adopted.

Resolution states that Miller has instituted action in portion of Southwest 1/4 of Pueblo Lot 1107 of the Pueblo Lands of San Diego, and alleging in action that City claims interest in portion adverse to plaintiff and alleges that City has no interest in said portion adverse to plaintiff and alleges that the City has no interest in the property. It says that Council is advised by City Manager that City has no actual interest, etc., and that it will be in interest of the City and its inhabitants to save unnecessary expense and costs in defending litigation.

RESOLUTION NO. 119116, recorded on Microfilm Roll No. 81, authorizing City Manager to do all work in connection with repair and remodeling of traffic signals at 28th and Main Streets and at 32nd and Main Streets, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

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

RESOLUTION NO. 119117, recorded on Microfilm Roll No. 81, authorizing and empowering City Manager to enter into contract for and on behalf of City of San Diego with Hobart Investment Co., a copartnership, subdivider of Glenclift, providing for installation of mains and appurtenances larger than necessary for the subdivision, in Hilltop Drive, on West Subdivision line to East Subdivision Line, to be made at request of City, and providing for reimbursement from City of \$3718.82 for difference in cost in installing 12" line in place of 8" line, upon execution and delivery to the City of Quitclaim Deed conveying all right, title and interest of subdivider in and to water distribution system in Glenclift Subdivision, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119118, recorded on Microfilm Roll No. 81, authorizing City Manager to execute lease with Dick Skelton of an area adjacent to Mission Beach Amusement Center Seawall as shown on Property Department Drawing No. 115 for installation and operation of coin-activated telescopes, at monthly rental of \$30.00 for 2 telescopes, for period of 3 years commencing May 14, 1954, more particular description of property and terms and conditions to be as set forth in form of lease filed in office of City Clerk under Document No. 493791, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

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RESOLUTION NO. 119119, recorded on Microfilm Roll No. 81, authorizing Director of Water Department to sell and deliver from municipal water distributing system a bulk supply of water for use of M. H. Golden Construction Company in maintenance and operation of asphalt mixing plant in Mission Gorge, in County of San Diego, in an amount not to exceed 85,000 cubic feet, and at the price of 50 cents per 100 cubic feet, together with cost of installation of a meter, supply to be discontinued upon expiration of 90 days from date of adoption of the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilman Schneider. Absent--Councilmen None.

Communication from City Attorney addressed to the City Attorney, with signature of approval by the Purchasing Agent; from the City Librarian to Hoyt E. Ray of the City Attorney's Office, and communication from the City Engineer addressed to the City Attorney, all favoring filing of "Standards, Codes, Drawings, Catalogs, and Supplementary Specifications", of the Standards of the American Society for Testing Materials in the Government Library, was presented.

RESOLUTION NO. 119120, recorded on Microfilm Roll No. 81, designating the Governmental Reference Library in the Civic Center as place to file standards, codes, drawings, catalogs and supplementary specifications referred to in The City of San Diego specification standards for purchases and public works, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The Resolution states that the City Engineer has recommended in writing, filed in office of City Clerk as Document No. 492934, that Government Reference Library in the Civic Center be designated as place for filing said documents.

RESOLUTION NO. 119121, recorded on Microfilm Roll No. 81, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portions of Lots 2, 3, 4, 5, 6, 7, 8 Block 9 Loma Alta No. 1, 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 directing him to take whatever steps he may deem necessary to secure cancellation of the taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119122, recorded on Microfilm Roll No. 81, approving request of W. H. Clint, dated July 6, 1954, contained in Change Order No. 3, for extension of 30 days to and including August 14, 1954, heretofore filed with City Clerk as Document No. 493605, in which to complete contract for construction of Catalina Street Pumping Plant, on file in office of City Clerk; extending the time of completion to August 14, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119123, recorded on Microfilm Roll No. 81, granting permission to Victor L. Baldwin, 3624 Wilcox Street, San Diego 6, to widen driveway on south side of Hawthorn Street east of Pacific Highway 16 feet to the east, so as to provide a 50-foot drive, measured at top of full-height curb, between points 12 and 62 feet east of easterly line of Pacific Highway, adjacent to Lots 1 to 3 Block 283 Middletown subject to conditions contained in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119124, recorded on Microfilm Roll No. 81, granting permission to First National Trust and Savings Bank, 1007 Fifth Avenue, San Diego 1, to install a 38-foot driveway on east side of Market Street, adjacent to Lot C Block 102 Horton's Addition; also a 30-foot driveway on west side of 12th Avenue between points 110 and 140 feet south of south line of Market Street, adjacent to Lot J Block 102 Horton's Addition, to provide access to drive-in wing of new bank building and an off-street parking area on Bank's new location at 11th Avenue and Market Street; subject to conditions contained in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119125, recorded on Microfilm Roll No. 81, granting permission to Peter Stamatopoulos, 2637 Bancroft Street, San Diego 4, to install a 60-foot driveway, as measured at top of full-height curb, on north side of C Street, between points 7 and 67 feet west of west line of 30th Street, adjacent to south 90 feet of Lots 46 to 48 Block 88 E. W. Morse's Subdivision, to provide access to 6 garages, subject to conditions contained in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119126, recorded on Microfilm Roll No. 81, denying claim of Lilliam M. Knorpp on file in office of City Clerk under Document No. 491076, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119127, recorded on Microfilm Roll No. 81, denying claim

of Claudia H. Silk, on file in office of City Clerk under Document No. 489401, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119128, recorded on Microfilm Roll No. 81, accepting Quitclaim Deed executed 29th of June, 1954, by Hobart Investment Co., a partnership, quitclaiming to 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 Glenclift, being Subdivision of portion of Lot 31 Ex-Mission Lands of San Diego, commonly called Horton's Purchase; 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 Godfrey, seconded by Councilman Wincote, adopted.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the next Ordinance was introduced.

On motion of Councilman Wincote, seconded by Councilman Godfrey, reading in full 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 passage a written or printed copy.

ORDINANCE NO. 6187 (New Series), recorded on Microfilm Roll No. 81, appropriating \$1,138.00 from Capital Outlay Fund for payment of assessments against City-owned property for improvement of Island Avenue and Marvin Avenue, and construction of sanitary sewers in Sunshine Gardens - property is in Carr's Subdivision, Sunshine Gardens, and Hunter's Addition as described in the Ordinance - was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman None.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the next Ordinance was introduced.

On motion of Councilman Godfrey, seconded by Councilman Wincote, reading in full 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 passage a written or printed copy.

ORDINANCE NO. 6188 (New Series), recorded on Microfilm Roll No. 81, establishing grade of Alley Block 83 E. W. Morse's Subdivision, between easterly line of 30th Street and westerly line of 30th Place, was on motion of Councilman Godfrey, seconded by Councilman Wincote, 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 Godfrey, seconded by Councilman Wincote, the next Ordinance was introduced.

On motion of Councilman Godfrey, seconded by Councilman Wincote, reading in full 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 passage a written or printed copy.

ORDINANCE NO. 6189 (New Series), recorded on Microfilm Roll No. 81, establishing grade of Altadena Avenue between northerly line of Trojan Avenue and southerly line of Orange Avenue, was on motion of Councilman Godfrey, seconded by Councilman Wincote, 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 Godfrey, seconded by Councilman Wincote, the next Ordinance was introduced.

On motion of Councilman Godfrey, seconded by Councilman Wincote, reading in full 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 passage a written or printed copy.

ORDINANCE NO. 6190 (New Series), recorded on Microfilm Roll No. 81, establishing grade of 47th Street between westerly prolongation of southerly line of Hilltop Drive, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilman Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the next Ordinance was introduced.

On motion of Councilman Godfrey, seconded by Councilman Wincote, reading

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reading in full 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 passage a written or printed copy.

ORDINANCE NO. 6191 (New Series), recorded on Microfilm Roll No. 81, establishing grade of 51st Street, between northerly line of Trojan Avenue and southerly line of Orange Avenue, was on motion of Councilman Godfrey, seconded by Councilman Wincote, 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 Godfrey, seconded by Councilman Wincote, the next Ordinance was introduced.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the reading in full 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 passage a written or printed copy.

ORDINANCE NO. 6192 (New Series), recorded on Microfilm Roll No. 81, establishing grade of Florence Land, between easterly line of Wabash Boulevard and northerly prolongation of west line of 35th Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, 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 Godfrey, seconded by Councilman Wincote, the next Ordinance was introduced.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the reading in full 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 passage a written or printed copy.

ORDINANCE NO. 6193 (New Series), recorded on Microfilm Roll No. 81, establishing grade of Hilltop Drive, between westerly line of 47th Street and northerly prolongation of easterly line of Glencliff, was on motion of Councilman Godfrey, seconded by Councilman Wincote, 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 Godfrey, seconded by Councilman Wincote, the next Ordinance was introduced.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the reading in full 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 passage a written or printed copy.

ORDINANCE NO. 6194 (New Series), recorded on Microfilm Roll No. 81, establishing regulations governing use of land (Interim Zoning) in portion of Lot 67 Rancho Mission ~~Mission~~ (annexed as Steinbaum Tract) - R-1A Zone according to Planning Commission Zone Map Drawing No. C-110, filed in office of City Clerk under Document No. 493136 - was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the next Ordinance was introduced.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the reading in full 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 passage a written or printed copy.

ORDINANCE NO. 6195 (New Series), recorded on Microfilm Roll No. 81, establishing regulations governing use of land (Interim Zoning) in Lot 31 and portion of Lot 35 La Mesa Colony (annexed as La Mesa Colony No. 5) - R1 Zone according to Planning Commission Zone Map Drawing No. B-611, filed in office of City Clerk under Document No. 493135 - was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--None. Absent--None.

Ordinance incorporating portion of Pueblo Lot 104 into R-1B Zone as defined in Municipal Code and repealing Ordinance No. 5179 (New Series) insofar as it conflicts - which had been before the Council earlier and continued, with hearing held June 17, 1954 - excluding Oldfield & Matchinske properties - was presented.

Councilman Wincote moved to introduce the Ordinance, which motion was seconded by Councilman Burgener.

Glenn A. Rick, City Planning Director, asked the Council what it was introducing.

Mayor Butler said that F. H. Nottbusch, attorney, is recommending to the Oldfields that they file a subdivision.

Mr. Rick said that he has a map regarding what he thought was wanted by the Council.

There was discussion between various members of the Council, not through the chair.

6191 N.S. - 6195 N.S.

Mr. Rick reviewed Mrs. Oldfield's letter which was before the Council earlier. He told the Council that purchasers (who had bought from the Oldfields) would not be included in the 20,000-foot zone.

On motion of Councilman Kerrigan, seconded by Councilman, requesting the City Attorney to redraft ordinance for zoning in Pueblo Lot 104, in accordance with the map presented by the City Planning Director.

On motion of Councilman Schneider, seconded by Councilman Burgener, incorporating portions of Pueblo Lots 1194 & 1195 and portion of Fos Addition into CP & C Zones, repealing Ordinances Nos. 100 N.S. and 1347, was on motion of Councilman Schneider, seconded by Councilman Burgener, introduced.

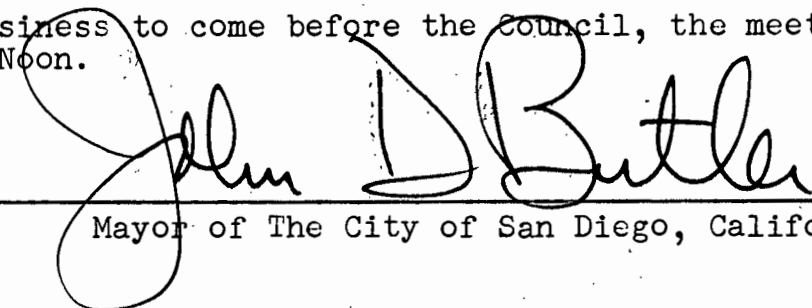
The Mayor requested, and was granted, unanimous consent, to present the next item, not listed on the agenda:


RESOLUTION NO. 119129, recorded on Microfilm Roll No. 81, congratulating Mary Catherine "Mickey" Wright upon her splendid accomplishment at the recent Women's National Open Golf Tournament held at Peabody, Massachusetts, in becoming the low amateur golfer and for the acclaim she has splendidly earned, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 6196 (New Series), recorded on Microfilm Roll No. 81, declaring it to be unlawful to use in or add to the Water Supply of the City of San Diego, California, any fluorine, sodium fluoride, sodium silico fluoride or any fluoride compound, or to treat such water supply with the aforesaid chemicals before delivery to the consumers thereof, was adopted at the special municipal election, consolidated with State Primary election held on the 8th day of June 1954.

There being no further business to come before the Council, the meeting was adjourned by the Mayor at 12:06 o'clock Noon.

ATTEST:
FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, July
15, 1954

Present--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey.
Absent---Councilman Kerrigan, Mayor Butler (from the City on City Business in Washington)
Clerk----Fred W. Sick

In the absence of the Mayor, Charles B. Wincote presided. He called the meeting to order at 10:05 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Resolution No. 118560 of Preliminary Determination for paving and otherwise improving Oliver Avenue and Pacific Beach Drive, Councilman Burgener stated that it had been continued regarding location of sidewalk (as brought out at the first hearing). He said that property owners have practically no front yards, and that there is a problem in the block to the West on account of trees, but is all right to the east.

The matter was continued, temporarily, and will be found again on page 363 of these Minutes.

119129
6196 N.S.
Hearing

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Kenneth C. Hazen for himself, Doris E. Hazel, Roy M. Allen and Donna M. Allen, from Board of Zoning Adjustment decision (that Record of Survey Map be filed) in connection with permission to divide a 2-acre parcel into 2 building sites, in portion of Lot 4 Cave & McHatton Subdivision, at 938 South 61st Street, in Zone R-1, the finding of facts was read to the Council by the Clerk.

Glenn A. Rick, City Planning Director, said that the Planning Department is anxious to assist the owners to construct 2 dwellings. He spoke of approval regarding filing of subdivision map. He said that study had been made indicating streets. He showed the Council a map regarding the Planning Department's proposals. He said that he would recommend revision of Resolution regarding dividing the property.

Councilman Dail said that the property owners came to see him, and showed fees providing for charges - \$200. being minimum for record of survey. He declared it to be a burden, and that both are working people. He agreed that they have to comply with the law, but that it is quite a burden.

Mr. Rick referred to the proposal as being planning, for the development of a community plan. He said, when asked if that is a Planning Department function, that it is a service that pays.

There was discussion between Councilmen Burgener, Dail and Mr. Rick over an agreement and the plan.

Councilman Dail pointed out that they are "willing to go along", but that they don't want to be overburned regarding the cost.

Mr. Hazel and Mr. Allen both spoke to the Council about the costs involved in a record of survey.

Mr. Allen said that the "whole thing can be done for a whole piece".

Mr. Rick said that appellants could file a regular subdivision map, and hold property for a (future) street. He agreed that they have a problem, but it apparently it all hinges on the price. He stated to the Council that he can't tell engineers what they should charge for their services.

Councilman Dail stated that the Council is trying to circumvent the high cost. He showed a folder regarding fees. (The Clerk secured a copy of the folder from the Planning Director, which was obtained by the Assistant to the City Manager, later).

Councilman Wincote asked if it was not illegal to put out such a list of fees.

Mr. Rick told the Council that it is to the City's interest that a map of survey be filed.

Mr. Allen stated that the 4 acres have been surveyed before, and that stakes are still there.

There was discussion between Councilmen Schneider and Dail over the stakes present.

Mr. Rick said that whoever signs the map is responsible.

Mr. Hill, who did not give his first name or initials, identified himself as the man who had sold the property. He stated that there had been a survey on the 4 acres. It was his contention that there would be need for setting the center stakes only. He added that property had been surveyed twice. Mr. Hill estimated that a couple of hours would be more than required to do the job.

Vice Mayor Wincote asked if it could be done at a later date.

Mr. Rick said he would not recommend that, and agreed that the fee looks pretty heavy to him. He stated to the Council that he does not want to recommend a practice which would involve the charging of exorbitant fees.

Vice Mayor Wincote stated that he would like to have a survey made, with an observer present to determine the charge.

Councilmen Schneider, Burgener and Mr. Hill spoke about the cost of survey made in 1952.

Mr. Rick said that if the practice proved to be an evil, ^{be} may the City should do it (the survey).

Councilman Dail said that the City Engineer ought to set the stakes, and give a report of costs - for comparison.

Councilman Wincote said that there should not be any interference, after the City Engineer has looked at it.

Councilman Godfrey pointed out that he can't understand the fees. He said that before action is taken, the Council should invite engineers to come in on Tuesday, and explain their fees. He pointed out that the Council should hear from the engineers.

The City Engineer, who had said nothing up to this point, told the Council that there is a whole lot more than appears, on the surveys. He told of having to have a survey party, and also the need for looking up the records. He said that it can't be done in an hour, spoke of lost time which alone would take more time. He mentioned having to make a map, do leg work, etc. A. K. Fagg, City Engineer, said that he does not want to get into a price cutting affair. Also, he said that he does not want to go out and survey the property.

Councilman Dail said that he could state that it is the Council's idea that he do so.

Vice Mayor Wincote said that it might be right; and that the Council needs the City Engineer's support, in any event.

The City Engineer stated that the engineers should defend themselves.

Councilman Godfrey moved to invite representatives of the Association to come in on Tuesday morning at 8:00 and explain regarding their fees, with the City Engineer present to offer rebuttal. The motion was seconded, ^{want} by Councilman Burgener.

Councilman Dail said that he does not want the Association to come in and speak, without the City being able to do something. He contended it should be done in an official way, and that the City Engineer should cooperate. Councilman Dail pointed out that the Council is not trying to set up a price control.

Councilman Schneider stated that he was impressed by property owners' willingness to cooperate, but that cooperating with engineers seems to be excessive. He spoke of having to comply with the law.

Councilman Godfrey declared that the Council would not be hearing "these people" to make a law.

Vice Mayor Wincote said that he did not know if it is excessive. He urged that the City Engineer "do it", then report to the Council.

Councilman Dail said that Councilmen are making up their minds that time is not of the essence. He declared that time is of the essence, and that the appellants had come to him 6 months ago. It may be a difficult case, he declared. He pointed out a need for Council comparison, and that this would be the sensible way to do it.

Councilman Schneider observed that it would not be too much to ask the City Engineer, through the Manager, to check.

The City Engineer said, again, that it would be necessary to check records regarding surveys and subdivisions. He referred to property in La Jolla, in hillside areas as metes and bounds descriptions, which are all gummed up. Records are terrible, he said. Others are easier, however, according to him. Things are not all that they seem on the surface, the City Engineer added. He told the Council that a party costs about \$100. per day, and felt that the engineers should be able to defend themselves.

Councilman Godfrey said that if the survey under the engineers would cost \$200., it would cost the City at least \$100. to do it.

Mr. Hill pointed out that he had paid for 2 surveys, that he had explained that to the engineers, and they should have a record.

The Vice Mayor spoke to Councilman Dail about making a "personal" check.

Councilman Dail said that would not be an absolute barometer, that the City Engineer should report regarding actual time spent. Even that would prove nothing, he said, in that it could differ.

The Vice Mayor said that \$200 minimum seems to him to be excessive. He asked why not send the matter to the City Manager for making a check. He declared that it might be worth \$150.00 for the future.

Mr. Allen spoke about having had the property for 2 years, fighting for a record of survey map. He said that there would have to be a front and a back.

Vice Mayor Wincote said that it is a matter of their own judgment.

Mr. Hill told the Council that the Zoning Board turned down the back half.

Mr. Rick stated that many things enter the picture. He said that the Zoning Committee had recommended that property owners would be better off for the front half.

Vice Mayor Wincote said that he is in sympathy.

The roll was called, resulting in

RESOLUTION NO. 119130, recorded on Microfilm Roll No. 82, inviting ~~represent-~~
~~ing~~ representatives of the San Diego Council of Registered Civil Engineers and Licensed Land Surveyors to come to a Council conference at 9:00 A.M., Tuesday, to explain fees in connection with surveys in connection with subdivisions; requesting the City Engineer to be present to offer rebuttal, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The Council referred to the first hearing, which had been continued on improvements of Oliver Avenue and Pacific Beach Drive, under Resolution No. 118560 of Preliminary Determination. (shown on page 361 also)

Resuming the matter, the City Engineer reported to the Council from a map, on which he showed location of sidewalks. He recommended that proceedings be abandoned and sent back for revision.

RESOLUTION NO. 119131, recorded on Microfilm Roll No. 81, abandoning proposed improvement of Oliver Avenue and Pacific Beach Drive, under Resolution of Preliminary Determination No. 118560, as recommended (verbally) by the City Engineer, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119132, recorded on Microfilm Roll No. 82, directing City Engineer to furnish the Council with 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 of paving and otherwise improving, sidewalks (as recommended by City Engineer, on Oliver Avenue and on Pacific Beach Drive, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Councilman Dail was excused

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance adopting amendment to Major Street and Highway Plan of Master Plan for City of San Diego - particularly affecting realignment of Fulton Street, between Cabrillo Freeway and a point approximately 1500 feet north of Linda Vista Road - the Clerk reported that no protests had been received.

The Vice 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.

Councilman Godfrey looked at a map, with Councilman Burgener, regarding the property.

Glenn A. Rick, City Planning Director, spoke of the road being wanted.

Councilman Dail returned.

On motion of Councilman Burgener, seconded by Councilman Schneider, Ordinance adopting amendment to Major Street and Highway Plan of the Master Plan for City of

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San Diego, as adopted Ordinance No. 13116, approved January 26, 1931, particularly affecting realignment of Fulton Street between Cabrillo Freeway and a point approximately 1500 feet north of Linda Vista Road, was on motion of Councilman Burgener, seconded by Councilman Schneider, introduced.

In connection with the next matter, Councilman Burgener said that he would not vote.

The question arose about his refraining from voting.

Councilman Burgener said that under the Charter he could refrain from voting when he was affected personally by the issue before the Council; that the zoning did affect him.

On motion of Councilman Godfrey, seconded by Councilman Dail, the reading of the next ordinance 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. 6197 (New Series), recorded on Microfilm Roll No. 82, incorporating portions of Lots 139 to 142, inclusive, Morena, into R-4 and C Zones, as defined by Sections 101.0408 and 101.0411 respectively of San Diego Municipal Code, and repealing Ordinance No. 100 (New Series) adopted December 12, 1932, insofar as it conflicts, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted, by the following vote: Yeas--Councilmen Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Kerrigan, Mayor Butler. Refraining from voting--Councilman Burgener.

Prior to adoption, Glenn A. Rick, City Planning Director, made a brief verbal explanation of the issue which had been before the Council earlier.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Ordinance amending San Diego Municipal Code by adding a new section to be known as and numbered Section 101.0615 Regulating Living Floor Space - Dwellings - Vice Mayor Wincote spoke of the changes which have been made. He said that he agreed with them.

Edgar Hastings, told the Council that he thinks changes are satisfactory. He thanked the Council for its consideration. He mentioned that it can be far reaching. He spoke of being still 500 (sq.ft.) in R-2, and that there are many 25-foot lots.

Councilman Schneider said that on them owners can get variances.

The Vice Mayor said that was discussed, and that the Council is aware of it.

Mr. Hastings agreed that this is the right way.

George Westover, attorney, declared that the measure is not necessary. He contended that this is a large city; many do not have much money. He spoke about living quarters over garages. He asked why the City must preclude owners from using for residences as single apartments. Many garages are not big enough for the requirements of the ordinance, according to him. Mr. Westover declared that he was speaking for the "ordinary man".

Councilman Schneider pointed out that small garages are usually not strong enough to support apartments above.

Mr. Westover reiterated that there is no need for the ordinance.

There was discussion between Vice Mayor Wincote and Mr. Westover, regarding use - without kitchens.

Mr. Westover said that there is difficulty over variances, that ordinances should not be adopted providing for variances. It is not necessary, he repeated.

Mr. Heilman told the Council that he was coming in to this hearing for "the general public", indicating that he was its representative. Mr. Heilman declared that San Diego is not Santa Barbara; it is a country town which has grown up. He contended that not any part of the ordinance is needed. He offered to pay for an advertisement in papers, to provide arguments on the issue. Mr. Heilman charged that the Council by this ordinance would be going beyond police powers. He spoke about the high cost of the budget for the Planning Department. He declared that he had spent as much as 4 hours to be told that he could do something, lawfully. If the City has the Ordinance, it should be under the Building Department, according to the speaker. He pointed out that the Building Department marks on the plans what can be had, and if not, why. He declared that there is no protection in the Planning Department. He said that it (the ordinance) is not needed. Mr. Heilman said that the Building Department has few employees, and that it costs little.

Councilman Dail said that Mr. Heilman was putting forth election arguments.

Mr. Heilman then spoke about its not being economical to build in certain zones. He maintained that the ordinance is not consistent. He asked about the health situation between buildings of 500 and 350 square feet. It is inconsistent. He declared that if R-2 is cut to 350 it would not hurt anyone. He spoke about the Building Ordinance relative to 1 wall under 400 feet. He stated that this ordinance cuts the single-wall construction out. He charged that there is a catch at the tail end, regarding amendments. That, he maintained, will make certain changes impossible. Mr. Heilman insisted that only 1 person wanted the ordinance, referring to the Planning Director. He read what he referred to as a "joker" on the 2nd page.

Douglas D. Deaper, Deputy City Attorney, handed a copy of the San Diego Municipal Code to the Vice Mayor at his request, in connection with an argument which had arisen over a title.

Councilman Dail said that it refers to the present regulation.

Mr. Heilman wanted it under another section

6197 N.S.

Hearings - Zoning and Minimum sizes for dwellings

Councilman Godfrey spoke to Mr. Heilman regarding only changing the title, and addition. He said that what follows has been there.

Mr. Heilman said that he has had 2 attorneys "on this, already". He declared that he does not want it retroactive. He pointed out that he may take court action.

Mr. Deaper referred to the word "hereafter", as used, and declared that it cannot be more clear.

The Vice Mayor declared that it is clear.

Councilman Dail pointed out that it is not necessary to spell out in the ordinance each possibility. He stated that the attorney has said that it is not retroactive. He said that maybe Mr. Heilman was talking about some other ordinance.

Vice Mayor Wincote stated that it is a zoning matter.

There was discussion between Mr. Heilman and Councilman Godfrey regarding possible misinterpretation.

Councilman Godfrey said that Mr. Heilman has a good point, but that the Ordinance says specifically what is required.

The Vice Mayor stated that it is up to the Council to interpret the ordinance before it.

Mr. Heilman again said that it is not consistent. He stated that in Mission Beach "these laws" cannot be followed. He declared that in East San Diego it would be impossible. He charged that the Council is regulating everybody.

Councilman Schneider spoke to Mr. Rick regarding the Mission Beach area.

On motion of Councilman Schneider, seconded by Burgener, the hearing was closed.

Mr. Hastings spoke of interpretation at 400 sq. ft. and over, regarding single-wall construction. He said it means 400; if 401 it goes over. He maintained that has been in the Building Code for years. He said that the Council has to adopt.

The Vice Mayor said that the hearing had been closed, when Mr. Heilman attempted to speak, again. He said that he should not have recognized Mr. Hastings.

Mr. Heilman continued to talk about single-wall construction.

The City Manager said "allright".

On motion of Councilman Dail, seconded by Councilman Burgener, Ordinance amending the San Diego Municipal Code by adding thereto a new section to be known as and numbered Section 101.0615 regulating Living Floor Space - Dwellings - as changed by the Clerk upon direction of the Council, was introduced by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Kerrigan, Mayor Butler.

On motion of Councilman Schneider, seconded by Councilman Godfrey, reading of the next ordinance 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 its final passage a written or printed copy.

ORDINANCE NO. 6198 (New Series), recorded on Microfilm Roll No. 81, incorporating portions of Lots 4, 7, 8 Marcellena Tract into R-2 Zone, as defined by Section 101.0406 of San Diego Municipal Code and repealing Ordinance No. 13559 adopted July 11, 1932, insofar as it conflicts, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Kerrigan, Mayor Butler.

Communication from H. O. Parks, Pres., Travelers Motel Corporation, 1734 Title Street, dated July 13, 1954, asking for dedication of access road east of India Street north of Washington Freeway, as a permanent City street, was presented.

Councilman Schneider requested that the City Manager send a report to him.

Councilman Wincote and Councilman Godfrey said that Parks had talked to them.

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

(See also Page 371).

Petition of Residents and Property Owners for widening and paving Morena - supplements previous petition, which had been referred to Council Conference, was presented.

RESOLUTION NO. 119133, recorded on Microfilm Roll No. 81, referring to Council Conference petition of Residents and Property Owners for widening and paving Morena Boulevard, filed in office of City Clerk July 14, 1954, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, submitting report on bids received June 22, 1954, for furnishing Decomposed Granite for one year beginning July 1, 1954, was presented. It states that El Cajon Granite Company was the sold bidder @ \$0.60 per cu. yd., plus State Sales Tax. It says that while there exist other sources of decomposed granite suitable for street repair work, none is available within economical hauling distance to the City. Communication recommends award.

RESOLUTION NO. 119134, recorded on Microfilm Roll No. 81, accepting bid of El Cajon Granite Co. for furnishing Decomposed Granite for one year; awarding contract;

119133 - 119134
6198 N.S.
Communication
Petition

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 office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, submitting Resolution authorizing bids for approximately 50 Passenger Automobiles for Public Works and Police Department, as per specifications on file in office of City Clerk bearing Document No. 493730, was presented.

RESOLUTION NO. 119135, recorded on Microfilm Roll No. 82, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing approximately Passenger Automobiles, in accordance with Document No. 493730, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119136, recorded on Microfilm Roll No. 82, authorizing and directing Purchasing Agent to rent heavy tractor bulldozer from Shaw Sales & Service Company as required during period July 15, 1954 to August 31, 1954, at \$50.00 per day, without operator, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from the Planning Director, stating that the office had been advised by District Engineer's Office in Los Angeles that U.S. Beach Erosion Board will visit San Diego July 29 for inspection of Ocean Beach in connection with their visit to the West Coast, was presented. It states that time allowed for inspection trip at mouth of Mission Bay is short, but that the Board and the men who will accompany it on the tour, plan to stay over-night in San Diego. It asks if the City Council would care to authorize a dinner for the occasion.

Glenn A. Rick, Planning Director, spoke of contact with Chamber of Commerce. He said that there will be 15 in the party who will be invited to the dinner by the Chamber, and that others will be billed.

Councilman Schneider said that there should be reimbursement authorized by the City.

Councilman Wincote said that if there were 22 instead of 15 it would be chintzy if they were not asked as guests. He insisted that the City should pick up the check - except for the City of San Diego people.

Councilman Godfrey said that it should be a City-County-Chamber of Commerce affair.

The City Manager said that he will request sponsorship.

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

Communication from the Zoning Administrator, recommending extension of 2 years to John McCormick on zone variance granted by Resolution No. 107424 which allows conduct of small, part-time photographis business at 235 Playa del Sur, La Jolla, was presented.

RESOLUTION NO. 119137, recorded on Microfilm Roll No. 82, granting extension of 2 years to John McCormick on Resolution No. 107425, on conditions set out in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The next matter had been continued.

Ocean Beach Chamber of Commerce communication, relative to property purchase by the City of San Diego.

On motion of Councilman Burgener, seconded by Councilman Schneider, the subject was referred to the City Manager. (There was nothing for the City to send, in that the original item had gone to the Manager from Conference, and nothing had appeared for prepenatation at Council meeting).

Communication from Rev. Quentin P. Garman, Christ Lutheran Church in Pacific Beach, 4761 Cass Street, San Diego 9, dated July 12, 1954, was presented. It refers to the condition of paving at intersection of Diamond and Dawes Streets, and in front of 1108 Diamond Street, and his reaction.

On motion of Councilman Burgener, seconded by Councilman Schneider, it was referred to the City Manager.

Communication from Mission Bay Park Commission, signed by George A. Scott, dated July 7, 1954, making recommendations relative to lease on Tierra del Fuego Island, for an underseas exhibit, was presented.

RESOLUTION NO. 119138, recorded on Microfilm Roll No. 82, referring to Council Conference communication from Mission Bay Park Commission re lease of Mission Bay lands on Tierra del Fuego Island for underseas exhibit and allied activities, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Councilman Dail was excused

119135 - 119138
Communications

Communication from Richard L. Parsons on a great number of subjects - similar to the one of a week ago, was presented.

Mr. Parsons said that he wanted an intelligent answer. He said that he would skip the item of lights on Broadway, covered in the communication. He wanted to know why scrap iron from B Street Pier is being sent to Los Angeles.

On motion of Councilman Burgener, seconded by Councilman Schneider, it was referred to the City Manager.

Communication from Byrl D. Phelps, 434 Land Title Building, San Diego, dated July 9, 1954, was presented. It refers to petition for annexation to the City of East San Diego Villa Heights and other territory, and the sewage problem of the affected area.

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

Communication from various residents protesting sanitary condition of sewerage running openly out of storm drain, off Meade Ave. between Van Dyke and Fairmount, was presented. It asks for assurance that something be done about settlement and filth that will be left when situation is cared for, as there are many children that play in the area.

The original motion was for reference to the City Manager, but it was changed, so that Councilman Schneider moved to file it. Councilman Godfrey seconded the motion.

Communication from San Diego City & County Visitors' Bureau, dated July 9, 1954, dated July 9, 1954, signed by A. V. Engel, Vice President, was presented. It urges rescinding of order freezing funds, in that the action will probably force cancellation of some of scheduled advertising, and thereby inevitably curtail tourist business of San Diego County.

RESOLUTION NO. 119139, recorded on Microfilm Roll No. 82, referring to Council Conference communication from San Diego City and County Visitors' Bureau, re withholding funds allotted, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119140, recorded on Microfilm Roll No. 82, authorizing and empowering City Manager to execute, for and on behalf of City of San Diego, amendment to lease agreement, agreement filed as Document No. 486950, with House of Hospitality Association, Inc.; description of property and terms and conditions set forth in form of amendment filed in office of City Clerk under Document No. 493734, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119141, recorded on Microfilm Roll No. 82, authorizing City Manager to employ Cox Bros. Construction Co. to construct 6.28 square feet of gutter and 41.9 square feet of pavement on Logan Avenue, near 40th Street, in connection with Logan Avenue work at not to exceed \$18.60, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119142, recorded on Microfilm Roll No. 80, authorizing City Manager to execute agreement with San Diego Symphony Orchestra Association to perform 6 concerts, City to pay \$5,000.00, in accordance with terms and conditions of form of agreement filed in office of City Clerk as Document No. 493737, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119143, recorded on Microfilm Roll No. 81, authorizing and directing Mayor to execute for and on behalf of The City of San Diego, the name of the City of San Diego on certificate of ownership on final Map of Linda Vista Unit No. 3, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

It states that U.S.A., Housing and Home Finance Agency, Public Housing Administration, that Tentative Map has been approved, and that City of San Diego is owner in fee of area described in the Resolution.

RESOLUTION NO. 119144, recorded on Microfilm Roll No. 81, granting Charles H. Brown, President Town and Country Development, Inc., (Roy Bordeaux, Bordeaux Plumbing) to install 1 vegetable cleaning sink and 2 pot sinks to be indirectly connected to house drain by spilling into properly installed floor sink at Town and Country Club, subject to approval

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of the Chief Plumbing Inspector and the City Manager, upon conditions contained in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119145, recorded on Microfilm Roll No. 82, granting Esther Brun, 355 North Genesee Avenue, Los Angeles, to install a 6-inch cast iron sewer line between property line and sidewalk; to be placed 1 foot outside property line and run in easterly direction, parallel to northerly line of Lot 1 Block 5 City Heights Annex No. 1 Subdivision, to point of intersection with public sewer; to serve property at 4401 to 4407 University Avenue, subject to conditions contained in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119146, recorded on Microfilm Roll No. 82, granting General Petroleum Corporation, 2619 East 37th Street, Los Angeles 54, permission to install 1 31-foot and 1 35-foot driveway on easterly side of Morena Boulevard between points 4 feet and 35 feet and points 90 feet and 125 feet south of southerly line of Jellett Street; also 1 38-foot driveway on southerly side of Jellett Street between points 20 feet and 58 feet east of easterly line of Morena Boulevard, adjacent to Lots 1 to 5 inclusive Block 24 Morena, subject to conditions contained in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119147, recorded on Microfilm Roll No. 82, granting Jack Holt, 7955 Broadway, Lemon Grove, permission to install 2 30-foot driveways, measured at top of full-height curb on easterly side of Morena Boulevard, between points 11 feet and 41 feet and points 68 feet and 98 feet north of northerly line of Jellett Street, adjacent to Lots 11 to 14 Block 23 Morena; to provide access to service station pump islands, on conditions contained in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119148, recorded on Microfilm Roll No. 81, granting permission to Robert Rosenberger, 4906 Jumano Drive, to install and maintain 2-inch water main on east side of Iowa Drive, for approximately 300 feet north of Lake Murray Boulevard, to connect with facilities on Lake Murray Boulevard belonging to La Mesa, Lemon Grove and Spring Valley Irrigation District, on conditions contained in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119149, recorded on Microfilm Roll No. 82, granting San Diego Unified School District (George R. Saunders, Construction Engineer) to change main slope to 1/8" per foot and increase size of pipe to 6 inches from building to curb, in connection with installation at Eugene Field Elementary School, 4401 Bannock Avenue; subject to approval of Chief Plumbing Inspector and City Manager and upon conditions contained in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119150, recorded on Microfilm Roll No. 82, granting San Diego Unified School District (George R. Saunders, Construction Engineer) to make various installations at George W. Marston Junior High School, 3799 Clairemont Drive; subject to approval of Chief Plumbing Inspector and City Manager and upon conditions contained in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119151, recorded on Microfilm Roll No. 82, allowing bill of San Diego City and County Convention Bureau, bearing date July 12, 1954, in sum of \$764.85 for expenses incurred; authorizing requisition to be drawn on Advertising and Publicity Fund for fiscal year 1954-55, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119152, recorded on Microfilm Roll No. 82, authorizing City Attorney to accept \$205.00 in full settlement of City's claim against John William Vance as to his liability as driver in an accident occurring July 19, 1953 resulting in damage to an overhead light standard in amount of \$259.36, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119153, recorded on Microfilm Roll No. 82, 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, a quitclaim deed quitclaiming to San Diego Unified School District

portion of Block "G" Starkey's Prospect Park, reserving right of access from the property in and to Fay Avenue; authorizing and directing City Clerk to deliver the deed to Property Supervisor with instructions that it be delivered to grantees upon receipt by the City of deed conveying property as required by the City, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

The Resolution states that The City is desirous of acquiring portion of Lots portion of Lots 26 and 27 Block A in connection with projected Fay Avenue Extension; that the district is willing to exchange property; that value of each of the parcels is \$4,000., and City Manager has recommended the exchange.

RESOLUTION NO. 119154, recorded on Microfilm Roll No. 82, accepting Deed of Frank E. Othrow and Laura M. Othrow, bearing date July 1, 1954, conveying Lot A Campo Del Dios Unit 1 and portion of Southwest 1/4 of Southwest 1/4 Section 32 T125 R2W SBM, in County of San Diego; authorizing and directing City Clerk to transmit the 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 Godfrey, adopted.

RESOLUTION NO. 119155, recorded on Microfilm Roll No. 82, accepting Deed of Nathan Barker, bearing date June 29, 1954, conveying Lots 9 and 10 Block 30 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the 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 Godfrey, adopted.

RESOLUTION NO. 119156, recorded on Microfilm Roll No. 82, accepting Deed of Mary Gurovka, bearing date July 3, 1954, conveying Lot 18 Block 7 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the 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 Godfrey, adopted.

RESOLUTION NO. 119157, recorded on Microfilm Roll No. 82, accepting Deed of Robert E. McLain, bearing date July 1, 1954, conveying Lot 12 Block 8 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the 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 Godfrey, adopted.

RESOLUTION NO. 119158, recorded on Microfilm Roll No. 82, accepting Deed of Doris M. Smoot, bearing date June 30, 1954, conveying Lot 6 Block 6 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the 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 Godfrey, adopted.

RESOLUTION NO. 119159, recorded on Microfilm Roll No. 82, accepting Deed of Florence Conant, bearing date June 28, 1954, conveying Lot 1 Block 58 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the 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 Godfrey, adopted.

RESOLUTION NO. 119160, recorded on Microfilm Roll No. 82, accepting Deed of Rudolph Gering, bearing date July 3, 1954, conveying Lot 9 Block 47 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the 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 Godfrey, adopted.

RESOLUTION NO. 119161, recorded on Microfilm Roll No. 82, accepting Deed of Gertrude G. Moore, bearing date July 1, 1954, conveying Lot 5 Block 58 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the 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 Godfrey, adopted.

RESOLUTION NO. 119162, recorded on Microfilm Roll No. 82, accepting Deed of Gertrude G. Moore, bearing date July 1, 1954, conveying Lot 2 Block 73 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit the 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 Godfrey, adopted.

RESOLUTION NO. 119163, recorded on Microfilm Roll No. 82, accepting Deed of C. Wesley Burkle, Thelma Fern Buerkle, William B. Buerkle and Nellie Ann Buerkle, bearing date June 29, 1954, conveying portions of Section 4, 8 and 9 T14S R1E SBBM of Rancho Canada de Vicente Y Mesa de Padro Barona; authorizing and directing City Clerk to transmit the 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 Godfrey, adopted.

RESOLUTION NO. 119164, recorded on Microfilm Roll No. 82, accepting Deed of Wilfred A. Newton and Rose Virginia Newton, bearing date July 6, 1954, conveying easement and right of way for street purposes in portion of Lot 19 Rancho Mission; setting aside and dedicating it to the public use as and for public street, and naming same Aragon Drive; 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 Godfrey, adopted.

RESOLUTION NO. 119165, recorded on Microfilm Roll No. 82, accepting Deed of Julien E. Cliff and Helen Cliff, bearing date July 1, 1954, conveying Lot 2 Block 92 San Diego Homestead Union; setting aside and dedicating it to the public use as and for public street, and naming same Wabash Boulevard; 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 Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119166, recorded on Microfilm Roll No. 82, accepting Deed of Raymond C. Camacho and Aurora G. Camacho, bearing date April 15, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 13 Block 498 Dougherty's Subdivision; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution; was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119167, recorded on Microfilm Roll No. 82, accepting Deed of Armistead B. Carter and Mary Delafield Carter, conveying easement and right of way for storm drain purposes in portion of Lots 14 and 15, Block 498; 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 Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119168, recorded on Microfilm Roll No. 82, accepting Deed of Ralph F. Claric, bearing date July 6, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 19 Block 40 Fairmount Addition; 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 Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119169, recorded on Microfilm Roll No. 82, accepting Deed of Bayview Village, Incorporated, No. 2, conveying easement and right of way for water main purposes in portion of Quarter Section 77 Rancho de la Nacion; 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 Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119170, recorded on Microfilm Roll No. 82, accepting Deed of Foundations, Inc., bearing date June 21, 1954, conveying easement and right of way for water main purposes in portion of Quarter Section 77 Rancho de la Nacion; 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 Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119171, recorded on Microfilm Roll No. 82, accepting Deed of West Rancho Hills, bearing date June 28, 1954, conveying easement and right of way for water main purposes in portion of Quarter Section 77 Rancho de la Nacion; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Ordinance, which had been before the Council since February 9, 1954, and continued from week to week until this date, was presented again.

Ordinance approving annexation to 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", was on motion of Councilman Burgener, seconded by Councilman Schneider continued to August 3, 1954.

Councilman Dail returned

On motion of Councilman Schneider, seconded by Councilman Godfrey, the Reading of the next ordinance 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. 6199 (New Series), recorded on Microfilm Roll No. 82, amending Chapter V Article 6 of The City of San Diego Municipal Code by adding thereto a Section Prohibiting the Business of Tipsters, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Kerrigan, Mayor Butler.

On motion of Councilman Schneider, seconded by Councilman Burgener, the reading of the next ordinance 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. 6200 (New Series), recorded on Microfilm Roll No. 82, amending Section 3 of Ordinance No. 6139 (New Series), entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of The City of San Diego, providing Uniform Compensation for Like Service in Classified Service, for Fiscal Year beginning July 1, 1954" adopted May 27, 1954, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted by the following vote: 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 41 Ex-Mission Lands of San Diego into M-1A Zone, as defined by Section 101.0412.1 of The San Diego Municipal Code, and repealing Ordinance No. 35 (New Series) adopted September 12, 1932, insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Kerrigan, Mayor Butler.

The City Manager requested, and was granted, unanimous consent to present the next item, not listed on the agenda:

RESOLUTION NO. 119172, recorded on Microfilm Roll No. 82, electing Charles Salik, whose term expired June 1, 1954, to serve on the Planning Commission for an additional 2 year term, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted. (Councilman Dail was asked to notify Mr. Salik of his re-appointment).

At the request of Councilman Godfrey the Council returned to item found on page 365 of these Minutes, being communication from H. O. Parks.

Councilman Godfrey moved to refer the item to the City Manager (It had been referred to the Manager).

Mr. Parks appeared, and said that what he wants is a permanent road. There was no further action, in that it had already been referred.

The City Manager requested, and was granted unanimous consent, to present the next matter, not listed on the Agenda:

RESOLUTION NO. 119173, recorded on Microfilm Roll No. 82, authorizing the Hon. John D. Butler, Mayor of The City of San Diego, to go to Washington, D.C., for the purpose of representing the City's interests in the matter of the Mission Bay appropriation, authorizing him to incur all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

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The City Manager requested, and was granted, unanimous consent to present the next item, not listed on the agenda:

RESOLUTION NO. 119174, recorded on Microfilm Roll No. 82, authorizing and empowering the City Manager to do all the work in connection with the paving of an area around the new Flamingo Pool, located at the San Diego Zoo, in Balboa Park, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

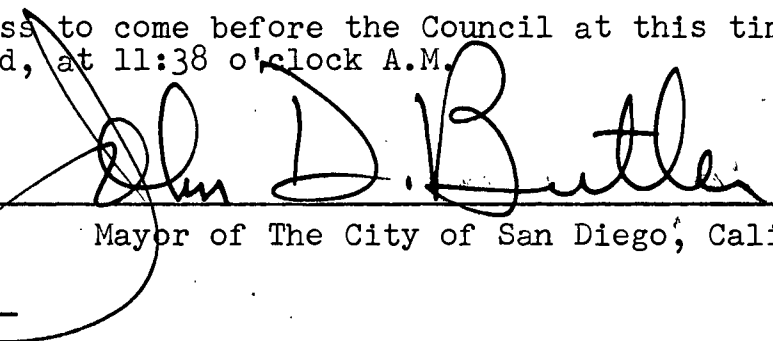
There being no further business to come before the Council at this time, the Vice Mayor declared the meeting adjourned, at 11:38 o'clock A.M.

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, July 20, 1954

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

The Mayor presented the Reverend Harold Barrett Robinson. Father Robinson, Rector of St. Paul's Episcopal Church, gave the invocation.

On motion of Councilman Wincote, seconded by Councilman Burgener, the Minutes of the Regular Council Meetings of Tuesday, July 13, 1954, and of Thursday, July 15, 1954, were presented to the Council by the Clerk.

On motion of Councilman Wincote, 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 I Montecello, under Resolution of Intention No. 118154, the Clerk reported that 2 bids were received. They were publicly opened and declared.

Bids were as follows:

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 sum of \$700.00, given Document No. 494162;

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. 494163.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, they 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 installation of sewer mains in Ollie Street, Camulos Street, Liberty Street and Venus Street, under Resolution of Intention No. 118156, the Clerk reported that 7 bids had been received. They were publicly opened and declared.

Bids were as follows:

William H. Clint, accompanied by bond written by Hartford Accident & Indemnity Company in sum of \$1700.00, given Document No. 494166;

L. B. Butterfield, accompanied by bond written by Maryland Casualty Company, in the sum of \$2500.00, given Document No. 494167;

Walter H. Barber, accompanied by bond written by Hartford Accident & Indemnity Company in the sum of \$1700.00, given Document No. 494168;

H. C. Dennis, accompanied by bond written by American Surety Company of New York in the sum of \$1600.00, given Document No. 494169;

Sim J. Harris Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$1,650.00, given Document No. 494170;

Cameron Bros. Construction Company, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1,700.00, given Document No. 494171;

119174

Bids

Councilman Godfrey was excused

H. H. Peterson, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$2,000.00, given Document No. 494172.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, 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 for receiving bids for paving and otherwise improving Alley Block 46 Ocean Beach, and Sunset Cliffs Boulevard, under Resolution of Intention No. 118155, the Clerk reported that 2 bids had been received. They were presented to the Council.

On motion ~~of~~ made and seconded, they were publicly opened and declared. Bids were as follows:

John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$800.00, given Document No. 494173;

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 \$1,000.00, given Document No. 494174.

On motion of Councilman Burgener, seconded by Councilman Wincote, 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 furnishing electric current for lighting ornamental street lights located in Loma Portal Lighting District No. 1, for period of one year from and including June 28, 1955, the Clerk reported that 1 bid had been received. It was presented to the Council.

On motion made and seconded, it was publicly opened and declared.

Bid was as follows:

San Diego Gas & Electric Company, accompanied by certified check written by San Diego Trust and Savings Bank in the sum of \$222.96, given Document No. 494151.

On motion of Councilman Burgener, seconded by Councilman Wincote, bid was referred to City Manager and City Attorney for report and recommendation.

In connection with the hearings on the Resolutions of Preliminary Determination, it was pointed out that 6 votes were necessary to pass the Resolutions of Feasibility, and there were not 6 members of the Council present.

At the request of the Mayor, the Sergeant at Arms left the Council Chambers, and returned from the Council offices with Councilman Godfrey

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 118716 for paving and otherwise improving Olvera Avenue and Bonita Drive, 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 filed.

RESOLUTION NO. 119175, recorded on Microfilm Roll No. 82, determining that proposed improvement of Olvera Avenue and Bonita Drive, under Resolution No. 118716 is feasible and that lands to be assessed therefor 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 Burgener, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 118717, for paving and otherwise improving Lister Street, Jellett Street, Chicago Street, Denver Street, Erie Street, Morena Boulevard, Milton Street, Illion Street, Frankfort Street, Gardena Avenue, Ashton Street, Galveston Street, Orten Street and Littlefield Street, the Clerk reported that a written protest had been received. It was presented to the Council.

Asked for a report, the City Engineer said that it is a 5.3% protest, requesting that Milton Street (between Morena Boulevard and Galveston Street) be omitted. He spoke of the proposal for addition of 5 feet, and curb. He told the Council that it would be a 40 ft. street. He reported that on Milton Street the assessment would be levied at 70% on frontage; 30% 1/2 block, on the paving; curbs would be assessed on Milton only.

The Mayor stated that in the 1911 Act proceedings, the Council is guided by a majority; not by a minority.

Howard Livermore asked if there would be a sidewalk.

The Mayor's answer was that the property owners would pay for their own walks.

Mr. Livermore said that the 5.3% is on Milton, and not figured over the district.

Councilman Kerrigan stated that it had been agreed that when the center was paved, there would be a 1911 Act proceeding on the balance.

The City Engineer made an estimate of cost for the improvement: \$1.70 per foot for curb; sidewalk at \$2.00 per foot; paving around 8¢, base 16¢, excavation 10¢ (about 37¢ or 38¢) - about \$2.00 per front foot.

Mr. Livermore told the Council that a neighbor had quoted a price of \$900. to \$1050.00.

Councilmen Wincote and Burgener entered into discussion with Mr. Livermore. That was followed by a conference over a map with the City Engineer, Councilmen, et al taking part.

Mr. Livermore said that if there were to be sidewalks, he wanted the whole thing abandoned.

Councilman Kerrigan told Mr. Livermore that if a majority of the property

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owners protest, the job would be abandoned.

Councilman Wincote declared that the City has combined petitions - to save cost.

Councilman Kerrigan pointed out that if the Council acknowledges the protest, the job would have to be abandoned, and re-entineered.

Mr. Lewis (whose first name was not understood) spoke in behalf of the Southern Baptist Church, spoke. He asked about sewer in Galveston Street, between Gardena and Orten Streets.

The Engineer showed plans to Mr. Lewis.

Mrs. H. H. Lust (as the name was understood), said that she was interested in getting the paving done near the school.

The Mayor and Councilman Godfrey spoke to Mrs. Lust.

Councilman Godfrey stated that there is a small protest on the whole, but is larger on Milton. He assured those interested that there will be another hearing.

Councilman Burgener agreed that at present there is a small protest.

A woman, who did not give her name and whose name was not asked by the Chairman, was heard. She contended that there is practically a 100% protest on Milton. She asked if that could not be left out.

The Mayor pointed out that the Council has to comply with the State law.

The same woman continued. She spoke specifically to Councilman Burgener regarding the sign of the protest.

Councilman Burgener stated that someone had called him regarding protest on an alley. (There was no such protest in the file, and no one responded when the Mayor asked if anyone was present on that subject). (There is no alley improvement called for in the proceedings).

Councilman Godfrey said that it is the whole thing - not just sidewalks.

The Mayor pointed out that the property owners already have an advantage as a result of the previous center paving having been done.

Councilman Wincote said that this stems out of an agreement, and that Milton is included now.

RESOLUTION NO. 119176, recorded on Microfilm Roll No. 82, overruling and denying protest of Howard J. Livermore, et al, against proposed improvement of Lister Street, Jellett Street, Chicato Street, Denver Street, Erie Street, Morena Boulevard, Milton Street, Illion Street, Frankfort Street, Gardena Avenue, Ashton Street, Galveston Street, Orten Street and Littlefield Street, under Resolution of Preliminary Determination No. 118717; overruling and denying all other protests, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119177, recorded on Microfilm Roll No. 82, determining that improvement of Lister Street, Jellett Street, Chicago Street, Denver Street, Erie Street, Morena Boulevard, Milton Street, Illion Street, Frankfort Street, Gardena Avenue, Ashton Street, Galveston Street, Orten Street and Littlefield Street, under Resolution No. 118717 of Preliminary Determination is feasible and that lands to be assessed therefor 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 Kerrigan, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 118718, for paving and otherwise improving Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street and Public Right of Way, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners were present to be heard. Several persons arose.

Frank Titcomb spoke of 7" of paving on the street, which is 1 block long with no traffic. According to him it is too expensive.

Councilman Wincote said that the cost runs about the same on what is proposed as for 4" a.c. He then explained the content of proposed improvement.

The City Engineer spoke to Councilman Wincote regarding bids and cost.

The Mayor said that the difference in cost is small. He said that specifications arose as a result of soil tests conducted by the Engineer.

Mr. Titcombe declared that sand had been hauled in on Fairmount Park.

The City Engineer said that work had been authorized prior to this. He said that it is 6" granite, with 2" of asphalt. He pointed out that developers of Fairmount Park are still working.

Mr. Titcombe asked if there is a sewer connection to every lot. He said that he has 2 lots, but that he will not build another house, or sell the extra lot.

Councilman Kerrigan spoke to Mr. Titcombe regarding possibility of change of ownership.

Mr. Titcombe said that another owner could not build, on account of the garage, on a separate area because of the heavy cement slab under the garage. He declared that another connection would cost almost \$100.00.

There was discussion between Mr. Titcombe and various Councilmen, not through the Chair.

The City Engineer said that a lateral was not being put in. He showed Mr. Titcombe the plans.

The Mayor agreed that it is not to be put in.

Mr. Titcombe said that the City wants to put in a 6" water line. He said that he had to put in the water before he could build. He said that the Fairmount people put in a new line; now they want to put in another new line.

The City Engineer said that is not a part of this project.

Mr. Titcombe asked why there had not been a 6" line installed 2 years ago, when the line was taken out of the Alley.

The Mayor declared that protestants should put protests in writing, so that the City would have a written record.

Allen E. Humphrey protested on Pepper Drive. He spoke of having signed a petition, but that it is now proposed to pave less. He declared that it wants the whole thing paved, or nothing.

The City Engineer explained that it has to do with a City park, and that the portion not included, will be paid for by the City.

Mr. Humphrey contended that it might mean 10 years.

The City Engineer said that plans are ready, and that it would be at the same time - or soon there after - at City expense.

Mr. McKearney, who resides on Pepper Drive, told the Council that he wants the work done.

The Mayor said that part is under 1911 Act, part under a City cash job.

Mr. Garber, representing Gas & Electric Co., told the Council that the improvement would create a fill across the entrance to the Company's \$500,000.00 sub-station. He said that if the north 1/2 is paved, there can be no way of getting into the property. He added that there is a 33% grade.

Councilman Godfrey said that there is an important question involved. He contended that the Council should wait until engineer is available.

Mr. Garber told of having constructing the company's own driveway, and being not able to get into the substation over the Wabash Freeway.

There was general discussion, not through the Chair, over a gas company map.

Councilman Godfrey said that he had heard the discussion between the City Engineer and Mr. Garber, during which the Engineer had said that the company might put in a head wall. He contended that it would be reasonable to continue the hearing 1 week, for a solution.

Councilman Wincote spoke of having no control, if there is protest in the 4100 block - with the plan ready.

Mrs. Caldwell, who did not give her first name or initials, asked for an estimate of cost.

The Mayor advised going to the Engineer's office for the information.

Councilman Kerrigan said that the water item is outside the 1911 Act.

The hearing was held up temporarily, and will be found again on page 376 of these minutes.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 118719 for paving and otherwise improving Alley Block 14 F. T. Scripps Addition to La Jolla Park; portion of Alley lying westerly of and contiguous to Block 2 J. T. Corcoran's Subdivision and Draper Avenue, 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 filed.

RESOLUTION NO. 119178, recorded on Microfilm Roll No. 82, determining that proposed improvement of Alley Block 14 F. T. Scripps Addition to La Jolla Park, portion of Alley lying westerly of and contiguous to Block 2 J. T. Corcoran's Subdivision, and Draper Avenue, under Resolution No. 118719 of Preliminary Determination is feasible and that lands to be assessed therefor 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 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 Preliminary Determination No. 118720 for paving and otherwise improving Alleghany 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, and no written protests were filed.

Resolution of Feasibility was adopted.

After its adoption, a man came to the microphone. As a result, the Council reconsidered its action, and re-opened the hearing.

Robert L. Price told the Council that he was not protesting, but that he wanted a change in a sewer lateral - in Sea Breeze. He said that he has a cesspool, that he had checked with the City Engineer who suggested talking to the Council.

The City Engineer said that after argument, it had been decided to send notice.

RESOLUTION NO. 119179, recorded on Microfilm Roll No. 82, determining that paving and otherwise improving of Alleghany Street and Public Right of Way, under Resolution of Preliminary Determination No. 118720 is feasible and that lands to be assessed therefor 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 Burgener, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 118558 for paving and otherwise paving Godsall Lane, Alley Block 2 Idyllwild, and Pennsylvania, the Mayor said that it had been decided at the hearing a week ago that hearing would be continued 1 more week.

RESOLUTION NO. 119180, recorded on Microfilm Roll No. 82, continuing hearing

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on Resolution of Preliminary Determination No. 118558 for improvement of Godsall Lane, Alley Block 2 Idyllwild, and Pennsylvania Avenue, until the hour of 10:00 o'clock A.M. Tuesday, July 27, 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 for hearing on Resolution of Intention No. 118554, for paving and otherwise improving Alley Block 56 Ocean Beach, the Clerk reported a written protest from Mary A. Hynde and Lois A. Walsh. It was presented to the Council.

The City Engineer reported that it was a 3% protest, based on an area assessment. No one appeared to be heard; there were no additional protests filed.

RESOLUTION NO. 119181, recorded on Microfilm Roll No. 82, overruling and denying protest of Mary A. Hynde and Lois A. Walsh, for improvement of Alley Block 56 Ocean Beach, under Resolution of Intention No. 118554; 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, 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. 118555, for paving and otherwise improving Grand Avenue, 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 filed.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, 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. 118556, for paving Russ Boulevard, 25th Street, and 26th Street, the Clerk reported that a written protest had been received.

The City Engineer told the Council that it was a majority protest.

RESOLUTION NO. 119182, recorded on Microfilm Roll No. 82, sustaining protest of Charles H. Wendel, and others against proposed improvement of Russ Boulevard, 25th Street and 26th Street, under Resolution of Intention No. 118556; abandoning proceedings taken for such improvement, 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 furnishing electric current for lighting of Mission Beach Lighting District No. 2, the Clerk reported no written protests had been filed.

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. 119183, recorded on Microfilm Roll No. 82, confirming and adopting as a whole the Engineer's Report and Assessment for Mission Beach Lighting District No. 2, filed in office of City Clerk June 11, 1954, 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 Ordinance incorporating portions of Pueblo Lots 1194 and 1195, and portion of Fos Addition into CP and C Zones, and repealing conflicting ordinances, the Clerk reported no 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 filed.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, reading 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. 6201 (New Series), recorded on Microfilm Roll No. 82, incorporating portions of Pueblo Lots 1194 and 1195, and portion of Fos Addition into CP and C Zones, as defined by Sections 101.0410 and 101.0411 of the San Diego Municipal Code, and repealing Ordinances Nos. 100 (New Series) and 13457 insofar as they conflict, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

The Council resumed the hearing which had been held over on the Resolution of Preliminary Determination for paving Juniper Street, et al, shown on page 374 of these

119181 - 119183
6201 N.S.
Hearings

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Minutes.

Paul Beermann, Water Department Director, spoke regarding Sycamore Street. He said that it now has a 2" line, that the street is up for paving, and that line is to be replaced. Why the cost is what it is, is being asked, according to him. Mr. Beermann said that although the main is only 2 years old, the replacement is regarding the paving, he stated.

Mr. Titcombe, who had spoken earlier, asked why it would cost so much now.

The Mayor said that the City does not always have the money to do what it wants, and as a result has to make substitutions. He carried on a discussion with Mr. Titcombe. Councilman Kerrigan joined the discussion.

Mr. Beermann spoke of signing up only for permanent pipe. There is no water service on portions, according to him.

Councilman Godfrey spoke of not having full control.

Councilman Dail maintained that it is still a subsidized price (despite the alleged high cost).

RESOLUTION NO. 119184, recorded on Microfilm Roll No. 82, overruling and denying protests of Frank Titcombe; Allen E. Humphre; Mr. McKearney; Mr. Garber, in behalf of San Diego Gas & Electric Co.; Mrs. Caldwell, against proposed improvement of Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street and Public Right of Way under Resolution of Preliminary Determination; overruling and denying all other protests thereon, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119185, recorded on Microfilm Roll No. 82, determining that improvement of Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street and Public Right of Way under Resolution No. 118718 of Preliminary Determination, is feasible and that lands to be assessed therefor 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 Burgener, seconded by Councilman Dail, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received June 7, 1954, from 4 bidders for furnishing 1 Vacuum Type Chlorinator for the Water Department, was presented. It recommends award to Fischer & Porter Company of Hatboro, Pennsylvania, low bidder, in amount of \$826.00, net, plus tax.

RESOLUTION NO. 119186, recorded on Microfilm Roll No. 81, accepting bid of Fischer & Porter Company for furnishing 1 Vacuum Type Chlorinator; authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract, pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for Purchasing Agents of The City and The County jointly calling for bids for furnishing requirements of Lubricating Oil for one year beginning July 1, 1954, received June 23, 1954, from 7 bidders, was presented.

It recommends acceptance of low bid of Shell Oil Company for furnishing Shell Rotella Oil, which is approved under City-County specifications and by Army Nornance Department at \$0.3414 per gallon delivered in returnable iron containers and ordered in minimum quantities of 65 barrels (carload lots).

RESOLUTION NO. 119187, recorded on Microfilm Roll No. 82, accepting bid of Shell Oil Company for furnishing to the City of San Diego and County of San Diego jointly, their respective requirements of Lubricating Oil for period of one year beginning July 1, 1954; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of Sab Diego contract, pursuant to specifications on file in office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for Painting Serra Museum in Presidio Park, was presented. It recommends award to George C. Punton, low bidder, in amount of \$1785.00.

RESOLUTION NO. 119188, recorded on Microfilm Roll No. 82, accepting bid of George C. Punton for painting Serra Museum; 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 office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, reporting on bids for paving Small Plane area, Lindbergh Field, received July 9, 1954, from 8 bidders, was presented. It recommends acceptance of low bid of Griffith Company in the sum of \$5,748.00 = estimate was \$8,511.66.

RESOLUTION NO. 119189, recorded on Microfilm Roll No. 82, accepting bid of Griffith Company for paving Small Plane area, Lindbergh Field, for the Harbor Department; awarding contract; authorizing and instructing majority of members of Harbor Commission to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for storm drain in Bandini Street, and easement in Lot 9 Rodefer Hills View Point Division, from 4 bidders, was presented. It recommends award to Schafer & Stowers, low bidder, in amount of \$2450.00 = same amount as estimate.

RESOLUTION NO. 119190, recorded on Microfilm Roll No. 82, accepting bid of Schafer & Stowers for construction of storm drain in Bandini Street, and easement in Lot 9 Rodefer Hills View Point Division; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City, a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119191, recorded on Microfilm Roll No. 82, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for improvement of 47th Street and Hilltop Drive, adjacent to Gompers Junior High School (including grading, preparation subgrade, construction curb, sidewalk, driveways, storm drain, curb inlet, storm drain cleanouts, underwalk drain, and relocation of fire hydrant), bearing official Document No. 493921; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119192, recorded on Microfilm Roll No. 82, authorizing and directing Purchasing Agent to advertise for sale and sell buildings - 5 metal structures of Quonset Hut type, numbered 2831, 2832, 2833, 2834 and 2834, located on Pueblo Lot 1324 in Camp Callan - no longer needed for City purposes, and recommended by the City Manager to be sold; buildings to be moved by purchaser, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting petition signed by 7 property owners asking that name of Amalfi Street be changed to Torrey Way, was presented. It states petition gives no reason for proposed change, that about $\frac{1}{2}$ is dedicated; east $\frac{1}{2}$ is undedicated. It says that there are 17 property owners along the entire street. It recites the various objections to the change, and says that at the hearing a petition was presented by Mrs. Newell who lives at 7827 Amalfi Drive containing signatures of 8 property owners protesting the change. It says that 4 signers on original request have been stricken, that only 3 now favor the change, while 8 oppose. The communication states that the Planning Commission voted 6-0 recommend that name be not changed.

Although it was moved by Councilman Kerrigan, and seconded by Councilman Godfrey to "file", the following resolution was written - in order to have a record of the action:

RESOLUTION NO. 119193, recorded on Microfilm Roll No. 82, denying petition requesting that name of Amalfi Street be changed to Torrey Way.

Communication from the City Manager reporting on San Diego Public Safety Committee communication requesting improvement of 54th Street adjacent to schools south of El Cajon Boulevard, was presented. It states temporary improvement of east side of 54th Street in front of the 2 schools has been provided as a joint project of the City and the Board of Education; that recently the Council approved temporary surfacing of west side of 54th Street adjacent to the large market parking area which will greatly improve the situation pending time that permanent reconstruction of 54th is undertaken. It states that it is believed that proper maintenance of the temporary paved areas will provide adequate surface for time being. Communication states that copy of the report is sent to the San Diego Public Safety Committee for its information.

Communication from City Engineer recommending that Council order district formed to install drainage system in Girard Avenue area approximately between Genter Street and Virginia Way southeasterly of Ravina Street closed, part of cost to be paid from Storm Drain Bond Fund, and balance to be assessed to property benefited.

RESOLUTION NO. 119194, recorded on Microfilm Roll No. 82, adopting recommendation of City Engineer, contained in Document No. 493864, to order district formed to install drainage system in Girard Avenue area approximately between Genter Street and Virginia Way southeasterly of Ravina Street closed; part of cost to be assessed against property owners, balance to be paid from 1952 Storm Drain Bond Fund; authorizing and requesting the City Engineer and City Attorney to prepare and present papers and proper resolutions, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from City of Coronado, signed by A. A. Mathewson, City Clerk, submitting copy of Resolution No. 2495 adopted July 13, 1954, requesting consent of The City of San Diego to annexation by City of Coronado of portion of City of San Diego

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described in the Resolution, was presented. It advises that the territory is uninhabited, and does not include any tidelands owned by City of San Diego or any other city, except City of Coronado.

RESOLUTION NO. 119195, recorded on Microfilm Roll No. 82, referring to Council Conference communication from City of Coronado transmitting Resolution No. 2495 adopted July 13, 1954, setting hearing on proposed annexation to City of Coronado of portion of San Diego Bay known as "Glorietta Bay", was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Telegram from Edward E. Keeley, National President, Fleet Reserve Association; communication from Fleet Reserve Association Branch No. 9, Inc., signed by Ambrose H. Redmond - both objecting to proposed increase in Sales Tax - were presented.

RESOLUTION NO. 119196, recorded on Microfilm Roll No. 82, referring telegram and communication from Fleet Reserve Association protesting proposed increase in City Sales Tax, to Council Conference, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from Dagney Ingebritsen, 4904 Crystal Drive, San Diego 9, dated July 14, thanking the City for placing trash can at north ramp of Palisades Park, and for cleaning beach at the north end, was presented. It states that it is the best cleaning in the 13 years the writer has been there.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, it was referred to the Mayor for reply, and ordered filed.

Communication from San Diego Chamber of Commerce, signed by Arnold Klaus, dated July 15, 1954, relative to need for connection of a road connecting North Clairemont with U.S. Highway 395, was presented. It mentions the present existing, totally inadequate dirt road which is impassable at certain times of the year, and need for immediate relief from a standpoint of safety and freedom of access to hospital facilities. It mentions that it has urged County Board of Supervisors to assist in relief of the new area which is comparatively isolated.

RESOLUTION NO. 119197, recorded on Microfilm Roll No. 82, referring to Council Conference communication from San Diego Chamber of Commerce on recommendations of the Highway Committee, was on motion of Councilman Burgener, seconded by Councilman Burgener, adopted.

Communication from San Diego Taxpayers' Association, signed by Edward C. Hall, president, 526 Spreckels Building, San Diego 1, dated July 25, 1954, asking a number of questions in connection with the City's proposed purchase of the Frontier Housing Area from the Federal Government, was presented. It says, among other things, that because the City has not presented sufficient specific information concerning proposed purchase, it is felt that the Association has no alternative but to oppose acquisition of property by the City of San Diego.

RESOLUTION NO. 119198, recorded on Microfilm Roll No. 82, referring to Council Conference communication from San Diego Taxpayers' Association, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from Gerard A. Dougherty, dated July 14, 1954, was presented. The writer identifies himself as author and co-producer with Renan Prevost of the dramatic operetta "Serafina", a story based on historical fact and incident of Old San Diego. In addition to referring to the production as a tourist attraction, it requests endorsement by the City of the second annual presentation in September, 1954.

Mr. Dougherty said that a fiesta should include a production of a historical play. He said that with endorsement, it can be made into a bigger thing.

The Mayor said that the Council has to review these things and be cautious of endorsements, as a safeguard, in that an endorsement lends an official suggestion.

RESOLUTION NO. 119199, recorded on Microfilm Roll No. 82, referring to Council Conference communication from Gerard A. Dougherty re presentation of operetta "Serafina", was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

The City Manager was requested to secure information on the project, for presentation to the Council in conference.

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

Communication from Mrs. Leopoldo M. Castro, 1572 9th Avenue, dated July 15, 1954, was presented. It was addressed to "City Council Board of Appeal". The communication refers to Permit #15899 to stucco property at 1572 9th Avenue, issued to "re-side" with no designation that it is limited to 2 sides of the house for application of stucco. It mentions proceeding with the work, and that on July 13 a City Building Inspector called and advised that the Law only permits plastering 2 sides, and that Fred Noon, attorney, has

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investigated and advises that it is a new law. It says that it is the desire to abide by the law, but since the permit does not state "two sides" request is made for permission to extend plastering to take in small area on third side extending to existing concrete steps.

Councilman Godfrey said that Mrs. Castro, 9th and Cedar, got a permit for ~~ren~~ siding, that she wants to improve the building by use of stucco. He said that the Building Inspector advised when he came out that she could not do as desired on account of being in the inner fire zone. She just wants to stucco a little area by the steps, he said. He said that it should be referred to the City Manager.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, it was referred to the City Manager. (The original was given to O. W. Cope, Assistant to City Manager, immediately - at his request).

RESOLUTION OF AWARD NO. 119200, recorded on Microfilm Roll No. 82, accepting bid of Dan McF. Chandler, doing business as Chandler Const. Co., for paving and otherwise improving Alley Block L Altadena, and awarding contract, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

The City Engineer reported in writing that low bid is 8.7% below the estimate.

RESOLUTION OF AWARD NO. 119201, recorded on Microfilm Roll No. 82, accepting bid of Dan McF. Chandler, doing business as Chandler Const. Co., for paving and otherwise improving Alley Block 22 Ocean Beach, and awarding contract, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

The City Engineer reported in writing that low bid is 20.4% below the estimate.

RESOLUTION NO. 119202, recorded on Microfilm Roll No. 82, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 2 Bartlett Estate Company's Subdivision; North and South Alley Block 27 H. M. Higgins Addition; and Broadway; approving Plat No. 2601 showing exterior boundaries of district to be included in assessment, directing City Clerk to file plat in office of City Engineer upon passage of Resolution of Intention, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119203, recorded on Microfilm Roll No. 82, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alleys Block 20 Ocean Beach Park, and Block 99 Ocean Bay Beach; approving Plat No. 2609 showing exterior boundaries of district to be included in assessment, directing City Clerk to file plat in office of City Engineer upon passage of Resolution of Intention, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119204, recorded on Microfilm Roll No. 82, approving plans, drawings, typical cross-sections, profiles and specifications for sewers in Figueroa Boulevard, Magnolia Avenue, Hornblend Street, Grand Avenue, Bond Street, and Alleys in Mission Bay Park Tract, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted. It also approves Plat No. 2616 and authorizes filing with City Engineer.

RESOLUTION NO. 119205, recorded on Microfilm Roll No. 82, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving 45th Street, Ocean View Boulevard and Elizabeth Street; approving Plat No. 2607 showing exterior boundaries of district to be included in assessment, directing City Clerk to file plat in office of City Engineer upon passage of Resolution of Intention, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119206, recorded on Microfilm Roll No. 82, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Manzanita Drive, Poppy Place, Violet Street, Tuberosa Street, Tuberosa Place, Sycamore Drive, et al.; approving Plat No. 2551 showing exterior boundaries of district to be included in assessment, directing City Clerk to file plat in office of City Engineer upon passage of Resolution of Intention, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119207, recorded on Microfilm Roll No. 82, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Soto Street and Castelar Street; approving Plat No. 2614 showing exterior boundaries of district to be included in assessment, directing City Clerk to file plat in office of City Engineer upon passage of Resolution of Intention, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 119208, recorded on Microfilm Roll No. 82, for paving and otherwise improving Alley Block 102 Central Park, under Resolution of Intention No. 118484, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 119209, recorded on Microfilm Roll No. 82, for paving and otherwise improving Alley Block 78 Point Loma Heights, under Resolution of Intention No. 118485, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 119210, recorded on Microfilm Roll No. 82, for paving and otherwise improving Clove Street, Plum Street, Oliphant Street and Newell Street, under Resolution of Intention No. 118395, was on motion of Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 119211, recorded on Microfilm Roll No. 82, for paving and otherwise improving 53rd Street, Santa Margarita Street and San Jacinto Drive, under Resolution of Intention No. 118486, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 119212, recorded on Microfilm Roll No. 82, for furnishing electric current for lighting ornamental street lights located in Ocean Beach Lighting District No. 1, for period of one year from and including August 14, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 119213, recorded on Microfilm Roll No. 82, for furnishing electric current for lighting ornamental street lights located in University Avenue Lighting District No. 3, for period of one year from and including August 7, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119214, recorded on Microfilm Roll No. 82, directing Notice Inviting Sealed Proposals for furnishing electric current for lighting ornamental street lights located in University Avenue Lighting District No. 1, for period of one year from and including August 7, 1954, in accordance with Engineer's Report and Assessment filed May 28, 1954 in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 119215, recorded on Microfilm Roll No. 82, for closing of 10-foot paths adjacent to Lots 3109 and 3110, and to Lots 3083 and 3084 respectively in Clairemont Unit No. 15; was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119216, recorded on Microfilm Roll No. 82, appointing time and place for hearing protests, and directing notice of hearing for furnishing electric current for lighting of ornamental street lights located in Adams Avenue Lighting District No. 1, for period of one year from and including October 13, 1954, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119217, recorded on Microfilm Roll No. 82, for paving and otherwise improving Alley Block 2 Bartlett Estate Company's Subdivision, North and South Alley Block 27 H. M. Higgins Addition, and Broadway, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119218, recorded on Microfilm Roll No. 82, for paving and otherwise improving Alleys Block 20 Ocean Beach Park, and Block 99 Ocean Bay Beach, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119219, recorded on Microfilm Roll No. 82, for sewers in Figueroa Boulevard, Magnolia Avenue, Hornblend Street, Grand Avenue, Bond Street, Alleys Blocks 16, 18, 19, 31 Mission Bay Park Tract, et al., was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119220, recorded on Microfilm Roll No. 82, for paving and otherwise improving 45th Street, Ocean View Boulevard and Elizabeth Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119221, recorded on Microfilm Roll No. 82, for paving and otherwise improving Manzanita Drive, Poppy Place, Violet Street, Tuberosa Street, Tuberosa Lane, Sycamore Drive, et al., was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119222, recorded on Microfilm Roll No. 82, for paving and otherwise improving Soto Street and Castelar Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119223, recorded on Microfilm Roll No. 82, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 15 Fairmount Addition to City Heights, and Alley Block 2 Mountain View, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119224, recorded on Microfilm Roll No. 82, ascertaining and declaring wage scale for paving and otherwise improving Long Branch Avenue and Spray Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119225, recorded on Microfilm Roll No. 82, granting Security Trust & Savings Bank of San Diego permission to grade and pave a portion of Alley Block 49 Olive Hill, by private contract, under Document No. 493482, on conditions contained in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119226, recorded on Microfilm Roll No. 82, granting General Petroleum Corporation to pave and otherwise improve Jellett Street, from Morena Boulevard to point 60 feet easterly thereof, by private contract, under Document No. 493675, on conditions contained in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119227, recorded on Microfilm Roll No. 82, ratifying, confirming and approving Reassignment and Release of Assignment of Lease of Real Property for Security, copy of which is on file in office of City Clerk as Document No. 492847, entered into between Yellow Manufacturing Acceptance Corporation, a corporation, as Assignee, and General Truck and Engine Company, Inc., as Lessee - original Tidelands lease on file in Office of City Clerk under Document No. 492847, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119228, recorded on Microfilm Roll No. 82, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with C. M. Engel, W. F. Engel, and B. R. Engle, operating as a general partnership known as Engel Equipment Company, of Lot 1 Block 7 Hillcrest, according to Map No. 1069, together with building located thereon and numbered 305 Washington Street, for 5 years, at monthly rental of \$300.00 for first year, \$325.00 for remaining term; description of property and terms and conditions to be as set forth in form of lease filed in office of City Clerk under Document No. 494310 - property has value of \$45,000.00 as disclosed by report of last appraisal made by Auditor and Comptroller, being leased for reason that City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, Ordinance authorizing and empowering City Manager, for and on behalf of the City, to execute amendment to lease agreement with the City and Associated Glider Club of Southern California, Ltd., lease agreement filed in office of City Clerk as Document No. 446956, which excludes 5 Quonset Huts located on portion of the property; amendment to lease filed in office of City Clerk as Document No. 494311, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen Nore Absent--Councilman Schneider.

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RESOLUTION, authorizing and directing City Manager to execute for and on behalf of The City of San Diego an agreement with Clarence A. Winder, Public Utilities Consultant, on public utility matters as may be required by the City under Document No. 493039, was presented.

On motion of Councilman Wincote, seconded by Councilman Burgener, it was continued until the meeting of next Thursday. The original motion was for continuance 1 week, but was changed.

RESOLUTION, authorizing and empowering City Manager to execute for and on behalf of City of San Diego, easement with Dr. Carl Wilson, of Los Angeles, Consulting Technologist on Water purification, for services for one year beginning July 1, 1954, at monthly compensation of \$100.00, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, it was continued until the meeting of next Thursday. The original motion was for continuance 1 week, but was changed.

RESOLUTION NO. 119229, recorded on Microfilm Roll No. 82, authorizing and directing City Manager to furnish in the public interest and service the necessary pipe for storm drain extension from existing storm drain culvert across Lots 10 and 11 Block G Redlands Gardens Extension, on condition owner install the pipe under supervision of the City Engineer, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Councilman George Kerrigan abstained from voting, in that he was the interested person involved, and who had made the application for extension of existing drain.

RESOLUTION NO. 119230, recorded on Microfilm Roll No. 82, directing the Park and Recreation Department to plan its Hallowe'en programs for Saturday evening, October 30, 1954, and urging all clubs and organizations setting up plans for Hallowe'en programs be contacted and requested to direct their efforts to conducting similar programs on the same evening, in the interest of providing an outlet for the exuberance normally expended by the children at this time of year, making possible continuance of a safe and sane celebration of the traditional event; directing the Mayor to issue a proclamation at the proper time declaring Saturday, October 30, 1954, the day for observing Hallowe'en in The City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Richard Gallagher, Director of Public Works, addressed to the City Manager, forwarded to the Council with Acting City Manager's stamp of approval, was presented. It states that in view of difficulties having in trying to maintain deck of the Ventura Bridge in Mission Bay under fast traffic conditions (a legal 55-mile zone), it states that it is considered advisable to request the State to inspect the structure to see if it will be possible to restrict speed as low as possible, at least for commercial vehicles and, possibly, the gross vehicle weights. It says that 25-mile signs on either end of the bridge have been posted in an attempt to cope with the problem, but they are not enforceable. It offers to forward the resolution to the State Highway Engineer, if desired.

RESOLUTION NO. 119231, recorded on Microfilm Roll No. 82, requesting Department of Public Works of State of California, in accordance with provisions of Sections 715 and 516 of Vehicle Code of State, to make an engineering investigation of bridge structure: Ventura Bridge in Mission Bay, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

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

RESOLUTION NO. 119232, recorded on Microfilm Roll No. 82, authorizing and directing City Engineer to remove 38 old style lumen lights and standards in Pacific Highway Lighting District and install in place thereof 26 400 watt mercury vapor lights and 2 250 watt mercury vapor lights, effective November 5, 1954, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Resolution states that the City Engineer has recommended the work authorized by the Resolution.

RESOLUTION authorizing City Engineer to enter into written stipulation with an attorney or attorneys representing owners of land in San Pasqual Valley and in the watershed of San Dieguito River, who have presented to and filed with City Manager claims for damages alleged to have been suffered because of impoundment and diversion of water by Sutherland Dam and Reservoir, was presented. It states that rights of parties to negotiations shall be preserved and protected against any claim of estoppel, abandonment, or statute of limitation during period of negotiations.

The City Manager explained the matter to the Council. He said that effort is being made to work out claims without litigation.

Councilman Godfrey asked for a report, and for holding the Resolution until Thursday.

On motion of Councilman Godfrey, seconded by Councilman Dail, the proposed Resolution was continued until Thursday.

RESOLUTION NO. 119233, recorded on Microfilm Roll No. 82, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against property described as Lots 41 and 42 Block 11 Nor-

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dica Heights 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 of property 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 Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119234, recorded on Microfilm Roll No. 82, authorizing and directing Property Supervisor to advertise for 5 consecutive days in the official newspaper sale at public auction of Lots 17, 18, 19, 20, 21, 22 Block 147 Choate's Addition, no longer needed for City purposes, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

Resolution states that S. McClendon, 301 South Bancroft Street, has petitioned the Council to put property up for sale, and has deposited with Property Supervisor \$100. to cover costs pertaining to sale, including cost of title report, and as guarantee that he will at the sale bid minimum amount fixed, as required by Section 22.0902 of San Diego Municipal Code. It fixes \$3,000.00 as minimum amount Council will consider for sale of the property, and directs that all costs in connection with the sale shall be deducted from proceeds.

RESOLUTION NO. 119235, recorded on Microfilm Roll No. 82, granting Roscoe Arnett, 3454 Oak Glen Lane, San Diego 17, on a revocable permit to install a 4-inch cast iron sewer line in the alley, to be placed 1-foot outside property line and run in northerly direction, parallel to easterly line of Lot 8 Block C Plumosa Park Subdivision, to point of intersection with public sewer, to serve property at 3630 Hyacinth Drive; subject to approval of Chief of Plumbing Inspection and City Manager, and upon conditions set out in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119236, recorded on Microfilm Roll No. 82, granting J. M. Lopez De Nava (Owner) and Edward L. Thornley, General Contractor, to connect sewer line for new building to be constructed at 1786 Newton Avenue, to existing sewer line on Lots 21 and 22 Block 131 Manasse and Schillers Addition; subject to approval of Chief Plumbing Inspector and City Manager, upon conditions contained in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119237, recorded on Microfilm Roll No. 82, granting Paul Knudsen, 5527 San Onofre Terrace, San Diego 14, permission to install 4-inch cast iron sewer line between property line and the sidewalk, to be placed 3 feet outside property line and run in southerly direction, parallel to easterly line of Lot 6 Block Indian Hill Subdivision, thence westerly along southerly line of Lot 6 in public easement, to point of intersection with public sewer; to serve property at 5262 Cromwell Court; subject to approval of Chief of Plumbing Inspection, and City Manager, and upon conditions contained in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119238, recorded on Microfilm Roll No. 82, granting J. C. Penney Company permission, during construction of basement for the building, to remove paving and excavate 24 inches of dirt in the Alley Block I Hartley's North Park Addition, and to construct sheet piling around the area to be occupied by the basement of the building on the several conditions contained in the Resolution; directing City Clerk to transmit certified copy of the Resolution to Paderewski, Mitchell & Dean, Architects for said J. C. Penney Company, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119239, recorded on Microfilm Roll No. 82, accepting Quitclaim Deed executed on 10th day of May, 1954, by Mid City Heights, Inc., a corporation (1150 Silverado, La Jolla), quitclaiming to 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 Clairemont Manor Unit No. 2, being portion of Pueblo Lots 1236 and 1237; 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.

RESOLUTION NO. 119240, recorded on Microfilm Roll No. 82, accepting Quitclaim Deed executed on 10th day of May, 1954, by Mid City Heights, Inc., a corporation (1150 Silverado, La Jolla), quitclaiming to 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 Clairemont Manor Unit No. 3, being portions of Pueblo Lots 1235 and 1236 of the Pueblo Lands of San Diego;

authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119241, recorded on Microfilm Roll No. 82, accepting quitclaim deed executed on 10th day of May, 1954, by Mid City Heights, Inc., a corporation (1150 Silverado, La Jolla), quitclaiming to The City of San Diego, all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named Clairemont Manor Unit No. 4; authorizing and directing City Clerk to file deed, together with certified copy of Resolution for record in office of County Recorder, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

On motion of Councilman Burgener, seconded by Councilman Godfrey, Ordinance amending San Diego Municipal Code by adding Sections 63.12 to and including 63.12.7 establishing Regulations for Montgomery Field Municipal Airport, was ~~on motion of Councilman Burgener, seconded by Councilman Godfrey~~, introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Godfrey, seconded by Councilman Wincote, Ordinance naming portion of County Road in Kensington Park 42nd Street, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Godfrey, seconded by Councilman Wincote, Ordinance changing name of portion of Fenelon Street to Plum Street, was introduced, by the following vote: 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 name of Polk Street to Polk Avenue, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

RESOLUTION NO. 119242, recorded on Microfilm Roll No. 82, granting Kiwanis Club of Linda Vista permission to hold a Carnival at Linda Vista, July 21, 22, 23, 24, 25, 1954, upon payment of license fee of \$250.00 as provided by Section 31.0320.4 of San Diego Municipal Code, and deposit of \$500.00 with City Treasurer to guarantee required cleaning and policing of premises, as provided by Section 91.14 of the Code; subject to approval of Fire and Building Inspection Departments, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:38 o'clock A.M.

ATTEST:
FRED W. SICK, City Clerk

By

August M. Hadstone
Deputy

John D. Butler
Mayor of The City of San Diego, California

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REGULAR MEETING

Regular Meeting, Chamber of the Council of The City of San Diego, Thursday, July 22, 1954

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

In the absence of the Mayor, Vice Mayor Charles B. Wincote presided.

Communication from East San Diego Chamber of Commerce, dated July 16, 1954, signed by Eugene L. Kehmstedt, President, was presented. It requested that permit be granted to erect an area designation sign at intersection of Fairmount and University, similar to those at 5th and University, 30th and University, Torrey Pines Road and Pacific Highway and other competitive areas in the City. It asks for presentation and consideration at Council Meeting of July 20 (It was received in the Clerk's office after closing time for the agenda of the 20th).

RESOLUTION NO. 119243, recorded on Microfilm Roll No. 82, referring to Council Conference communication from East San Diego Chamber of Commerce request that permit be granted for sign at intersection of Fairmount and University Avenues, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Petition of residents for installation of traffic signal at intersection of Lamont Street and Garnet Avenue in Pacific Beach, was presented. It gives reasons for need for the signal.

On motion of Councilman Burgener, seconded by Councilman Dail, it was referred to the City Manager, for report to Conference.

Communication from Purchasing Agent reporting on bids for street lighting of Broadway between Pacific Highway and Harbor Drive, opened July 16, 1954. It recommends award to EtsOHokin & Galvan, the low bidder of 2 bids, in amount of \$4231.00. Estimate was \$4100.00.

RESOLUTION NO. 119244, recorded on Microfilm Roll No. 82, accepting bid of Ets-Hokin & Galvan for street lighting of Broadway between Pacific Highway and Harbor Drive; awarding contract; authorizing and instructing majority of members of 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 office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, submitting Resolution authorizing bids for 2 4-door Sedans for Fire Department, and 2 4-door station wagons for departmental use, was presented. It advises that bids for furnishing approximately 50 Passenger Cars for Police and Public Works Departments are to be opened August 4, 1954, and requests authorization to issue addendum to be advertised for the automobiles adding them to the bid list.

RESOLUTION NO. 119245, recorded on Microfilm Roll No. 82, authorizing and directing Purchasing Agent to issue addendum to advertised bid for automobiles filed under Document No. 493730, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, submitting Resolution authorizing bids for Compound Water Meters and Check Valves for Water Department as per specifications on file in office of City Clerk bearing Document No. 494318, was presented.

RESOLUTION NO. 119246, recorded on Microfilm Roll No. 82, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing Compound Water Meters and Check Valves in accordance with Document No. 494318, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

119243 - 119246
Petition
Communications

Communication from the Planning Director, stating that he has been advised by Executive Director of American Society of Planning Officials that they desire to have the chairman of the City Planning Commission, Mr. Joseph Padgett, attend the annual conference to be held in Philadelphia the latter part of September and appear on the program of Monday September 27th, which day has been set aside for Planning Commissioners. He has been requested to give a talk on relationship between Planning Commission and Board of Zoning Adjustment - he is one of 3 members on a panel. It states that it is desirable that the Council determine whether or not such a trip should be sponsored by the City.

Councilman Kerrigan moved to file the communication.

The Vice Mayor said that it would be for City benefit.

The motion was withdrawn.

At the request of Vice Mayor Wincote the communication was read.

Councilman Kerrigan moved to send it to conference.

Councilman Godfrey declared that there is not a policy on trips, except for City career personnel.

Councilman Dail pointed out that it is a function of an advisory member to the Council.

Councilman Schneider said that it is for information.

Councilman Godfrey referred to the proposal as "opening the door for something".

Councilman Wincote and Councilman Dail said that referring the item to Conference crowds the Conference agenda.

The motion of Councilman Kerrigan to send to conference was withdrawn.

Councilman Schneider moved to file the communication, and request the Mayor to write to Mr. Padgett and explain why the Council cannot comply with request on unpaid commissions.

Mr. Rick assured the Council that Mr. Padgett would not have his feelings hurt over Council action, but he feels that he would not want to pay his own expenses.

Councilman Burgener seconded the motion made by Councilman Schneider, to file the communication and request the Mayor to advise Mr. Padgett. The motion carried by the following vote: Yeas--Councilmen Burgener, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilman Wincote. Absent--Mayor Butler.

Along the lines of the preceding item, the following took place, although not listed on the agenda:

Councilman Dail moved that the Council review its policy regarding travel expense, reasons for the travel, and review all travel allowances granted for the past year, to whom granted and the subject matter covered in the travel.

Councilman Wincote, acting as Vice Mayor, said that he knows of no such policy as referred to by Councilman Dail.

Councilman Dail wondered if the action on preceding Padgett matter is right. He declared that the Council has never paid for committee members.

Councilman Burgener stated that a review of policy would be helpful.

The Vice Mayor said that if it is important to review, the previous action should be reconsidered.

Councilman Dail told of there having been many reports prepared in the past as a result of trips, which took much time.

Councilman Godfrey said that he wants Mr. Padgett to take the trip, but..... (he did not complete the statement).

Councilman Wincote repeated that he knows of no policy.

Councilman Burgener told the Council that there should be a conference. He seconded the motion, resulting in

RESOLUTION NO. 119247, recorded on Microfilm Roll No. 82, referring to Council Conference for review by the Council policy regarding travel expense, reasons for the travel, and review of all allowances granted for the past year, and to whom such travel was granted, as well as the subject matter covered by the travel, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

Communication from Mission Bay Park Commission, signed by George A. Scott, Chairman, stating that the Commission amended its action taken at regular meeting on June 14, 1954, relative to proposed lease of Mission Bay lands for an oceanarium and other purposes, by addition to motion of recommendation of following items:

(c) That corporation be formed within 6 months from June 14, 1954, with paid up capital stock in amount of \$750,000.

RESOLUTION NO. 119248, recorded on Microfilm Roll No. 82, referring to Council Conference communication from Mission Bay Park Commission, filed in office of City Clerk July 20, 1954, under Document No. 494202, on proposed oceanarium lease on Tierra del Fuego Island, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Bird Association of California, Box 287, Long Beach 1, dated July 19, 1954, signed by John Papin, president, was presented. It states that members of the Association have been informed that San Diego is contemplating some sort of Ordinance or Health regulations regarding hobbyists raising parrakeets.

It goes into the subject thoroughly; states that Dr. Ben Dean, head DVM., Acute Communicable Disease Dept. of State of California has commended the Association on several occasions for its help and co-operation. It says that City of Los Angeles recently gave up the idea of any regulations on parrakeets after conducting extensive special survey by Los Angeles Health Officers. In addition to going into other phases of the situation, the communication gladly offers co-operation in working out a solution of any problems concerning aviary birds.

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

Communication from Good Shepherd Evangelical Lutheran Church, 4335 Van Dyke Ave. at El Cajon Blvd., dated July 18, 1954, signed by Benjamin Ashley, Secretary, and R. F. Kibler, Pastor, was presented. In a long detailed letter it requests the Council to protest granting application for a liquor license to Wayne McCafferty and Henry J. Theuner for a building to be erected at 4245 El Cajon Blvd. - approximately 522 feet from the church.

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

Communication from Old San Diego Chamber of Commerce, 3960 Mason Street, dated July 19, 1954, signed by James K. Fowler, Sr., Secretary, was presented. It states that at a regular meeting of the Chamber held July 1954, immediate improvements to Morena Avenue development was endorsed.

RESOLUTION NO. 119249, recorded on Microfilm Roll No. 82, referring communication from Old San Diego Chamber of Commerce endorsing favorably the immediate improvements to Morena Avenue, to Council Conference, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

The next matter had been considered previously, and continued to this date.

RESOLUTION NO. 119250, recorded on Microfilm Roll No. 82, authorizing and directing City Manager to execute for and on behalf of The City of San Diego an agreement between the City and Clarence A. Winder, Public Utilities Consultant, and such consulting services on public utility matters as may be required of him by the City under terms and conditions set forth in form of agreement on file in office of City Clerk as Document No. 494148, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The next matter had been considered previously, and continued to this date.

RESOLUTION NO. 119251, recorded on Microfilm Roll No. 82, authorizing and empowering City Manager to execute for and on behalf of City of San Diego agreement with Dr. Carl Wilson, of Los Angeles, Consulting Technologist on water purification, for services for one year beginning July 1, 1954, at monthly compensation of \$100.00, in connection with purification of City's water supply, introduction of chemicals, operation of filter plants, control of algae growth in reservoirs, etc., in accordance with terms and conditions outlined in the agreement, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

The next matter had been considered previously, and continued to this date.

RESOLUTION NO. 119252, recorded on Microfilm Roll No. 82, authorizing City Attorney to enter into written stipulation with an attorney or attorneys representing claimants wherein rights of parties to negotiations shall be preserved and protected against any claim of estoppel, abandonment, or the statute of limitations during period of negotiations, was on motion of Councilman Godfrey, seconded by Councilman Godfrey, adopted.

Resolution states that certain owners of land in San Pasqual Valley and in watershed of San Dieguito River have presented to and filed with City Manager claims for certain damages alleged to have been suffered because of impoundment and diversion of water by Sutherland Dam and Reservoir, that claimants and representatives of The City are now negotiating to see if it is possible to settle the claims without litigation, and both parties are anxious that rights of both shall be preserved and not be lost, abandoned or jeopardized during negotiations, and are willing to enter into stipulation to that effect.

RESOLUTION NO. 119253, recorded on Microfilm Roll No. 82, re-affirming City's position favoring principle of uniformity of Sales and Use Taxes and if possible, collection by the State, with division of proceeds between the State and its political agencies; that The City of San Diego shall cooperate with the State and its agencies to accomplish that purpose and shall adjust or repeal its own Sales and Use Tax Ordinance to conform whenever such becomes possible; authorizing the Mayor to communicate the City's position and expression to State Legislators, the various committees of the State, to other cities and counties and to organizations interested in uniform Sales and Use Tax, all of whom are hereby strongly urged to support such movement and its resultant legislation, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution states that Sales and Use Taxes are presently imposed by The State of California and by the great majority of municipalities therein; that they are at different rates and imposed under non-uniform laws; that some geographic areas are subject to lesser tax or none at all compared to immediately adjacent areas; that such facts create disruptive effect upon normal economic conditions of competition and selection of sales sites, impose grievous burden upon retailers who must submit returns with varying requirements to number of taxing jurisdictions and result in undesirable duplication of enforcement and auditing functions, all to detriment of people of the State.

RESOLUTION NO. 119254, recorded on Microfilm Roll No. 82, authorizing and empowering City Manager to do all work in connection with construction of drainage ditch in Alley Block 2 Edgemont, to drain dead end of Chamoune Avenue north of El Cajon Boulevard, at Hoover High School, shown on City Engineer's Drawing 5343-B by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution states that Engineering Department of The City has recommended the construction, that 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. 119255, recorded on Microfilm Roll No. 82, authorizing City Manager to employ V. R. Dennis Construction Co. to replace curb returns on northerly side of Montezuma Road and Catoctin Drive, shown on Drawing 10699-L and replace necessary pavement and resurface old pavement up to curb line on northerly side of Montezuma Road, in connection with improvement of Catoctin Drive, not to exceed \$288.00, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution states that The City has entered into contract with Dennis for improvement of Catoctin Drive under 1911 Street Improvement Act proceedings, and that drawing shows work to be done by City, and Dennis has offered to do work for sum mentioned, and City Manager has recommended that offer be accepted.

RESOLUTION NO. 119256, recorded on Microfilm Roll No. 82, authorizing City Manager to employ Griffith Company to replace 82 square feet of sidewalk, and install 130 square feet of A. C. sidewalk, shown on Drawing 11019-L at termination of Linda Rosa Avenue in La Jolla Mesa Drive, as safety measure to bring walkway over to Colima Street, in connection with improvement of Linda Rosa, at cost not to exceed \$70.22, payable from funds appropriated by Ordinance No. 5341 (New Series), was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Resolution states that The City has entered into contract with Griffith for improvement of Linda Rosa Avenue under 1911 Street Improvement Act proceedings, and that drawing shows work to be done by City, and Griffith has offered to do work for sum mentioned, and City Manager has recommended that offer be accepted.

RESOLUTION NO. 119257, recorded on Microfilm Roll No. 82, authorizing and empowering City Manager to execute for and on behalf of The City of San Diego, Extension Agreement with Cleveland National Forest, extending Cooperative Agreement entered into in 1954 and bearing Document No. 355824, as modified by Document No. 404660, by The City of San Diego of total of \$3240.00 per year in 6 monthly payments of \$540.00 each, to commence 1st day of July, 1954 and end on 30th day of June, 1955, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119258, recorded on Microfilm Roll No. 82, authorizing and directing City Manager to execute agreement for and on behalf of City of San Diego by and between The City and the County of Orange for use by City of relay station KMB-86 under terms and conditions set forth in form of agreement on file in office of City Clerk as Document No. 494326, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119259, recorded on Microfilm Roll No. 82, authorizing and directing City Clerk to write in rates of compensation for 2 positions: Director of Operations of Police Department and Director of Service of Police Department: Standard Rate No. 31E, \$713.00 per month, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Among other things, Resolution states that Council is advised and finds as a fact that omissions were clerical, the result of inadvertence and mistake, and mistake should be corrected.

RESOLUTION NO. 119260, recorded on Microfilm Roll No. 82, approving report and plan of City Engineer, dated June 3, 1954, entitled Document No. 11601-L (Sewer Extension No. 9) showing tributary areas of Paradise Hills Units No. 2 and 3 sewer outfalls, and water connection, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution states that City Engineer prepared report and plat, together with estimated cost of outfalls in amount of \$2690.00, that City Manager has recommended approval.

RESOLUTION NO. 119261, recorded on Microfilm Roll No. 82, approving Change Orders No. 17 and 20 dated May 19, 1954, and July 7, 1954, respectively, heretofore filed

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with City Clerk as Documents Nos. 494330 and 494331, issued in connection with contract between City of San Diego and Daley Corporation for construction of Wabash Boulevard, Section "B", contract contained in Document No. 470651 on file in office of City Clerk; changes amounting to increase in contract price of approximately \$5,794.00, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119262, recorded on Microfilm Roll No. 82, approving request of Royal Pipeline Construction Co., dated July 16, 1954, contained in Change Order No. 4, for extension of 30 days to and including August 17, 1954, heretofore filed with City Clerk as Document No. 494333, in which to complete contract for construction of Catalina Street Pipeline, contract contained in Document No. 483837 on file in office of City Clerk; extending completion under contract to August 17, 1954, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119263, recorded on Microfilm Roll No. 82, accepting bid of Charles L. Green for purchase of portion of Block 34 Normal Heights, at public auction for \$250.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Resolution directs Mayor and City Clerk to execute for and on behalf of the City a deed quitclaiming the property to Charles L. Greene and Rose C. Greene, as joint tenants, and Property Supervisor to place deed in escrow with directions that it be delivered to successful bidder when all escrow instructions have been complied with.

Resolution also states that Greene requested property, belonging to the City, be put up for sale, and accompanied request by deposit of \$100.00 to cover all costs; that Property Supervisor advertised property for sale at public auction, and held auction sale July 16, 1954, at which time Greene submitted only bid which is minimum amount fixed by Council for sale of property, and City Manager has recommended acceptance.

RESOLUTION NO. 119264, recorded on Microfilm Roll No. 82, authorizing and directing Property Supervisor to advertise for at least 5 consecutive days in official newspaper of the City, sale at public auction of portion of Pueblo Lot 1785, no longer needed for City purposes, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Resolution states that C. Ed Schuetz Company has petitioned for sale of the City-owned property, and has deposited with Property Supervisor \$100.00 to cover all costs pertaining to the sale, including cost of title report, and as guarantee that depositor will bid minimum amount fixed by the Council, that City Manager has filed communication recommending that it be sold, that value as disclosed by appraisal made by qualified real estate appraiser is \$3,500.00, setting amount to be considered by the Council for sale as \$3,500.00, and that Council reserves right to reject any and all bids at the public auction.

RESOLUTION NO. 119265, recorded on Microfilm Roll No. 82, granting Ed Fletcher Company, 1020 Ninth Avenue, San Diego, to install 2 30-foot driveways, measured at top of full-height curb, on southwesterly side of Sandrock Road between Murray Ridge Road and Greyling Drive, adjacent to portion of Lot 1 Cabrillo Heights Business Center, on conditions contained in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119266, recorded on Microfilm Roll No. 82, granting The Marston Company, Samuel Wood Hamill, architect, 403 Scripps Building, San Diego 1, permission to use 2 loop vents or foot vents on kitchen fixtures being installed in additions to The Marston Company building, as designated in the Resolution, subject to approval of Chief Plumbing Inspector and City Manager, and upon conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

In connection with the next Resolution, E. W. Blom, Acting City Manager, made a verbal report.

RESOLUTION NO. 119267, recorded on Microfilm Roll No. 82, waiving any claim of damages by The City of San Diego against contractor, M. H. Golden Construction, under contract for Anna Street improvement, Document No. 486931 on file in office of City Clerk for 16 days delay on account of excessive moisture in subgrade preventing concreting; recommended by City Engineer and approved by City Manager under subdivision D-1 and D-2 as per Document 494490, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119268, recorded on Microfilm Roll No. 82, authorizing and directing City Auditor and Comptroller to draw warrant in favor of David Scott Kirbach in amount of \$9.35 to satisfy Small Claims Court Judgment against The City of San Diego, Case No. 11716, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119269, recorded on Microfilm Roll No. 82, approving claim of Mrs. Aida Jacob, on file in Office of City Clerk under Document No. 493243 in amount of \$49.69; authorizing and directing City Auditor and Comptroller to draw his warrant in favor of Mrs. Jacob in amount of \$49.69 in full payment of the claim, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119270, recorded on Microfilm Roll No. 82, approving claim of J. Leonard Leland, on file in office of City Clerk under Document No. 489179 in amount of \$573.44 (it does not direct auditor to draw warrant in payment), was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119271, recorded on Microfilm Roll No. 82, denying claim of George Formanek, on file in Office of City Clerk under Document No. 492488, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119272, recorded on Microfilm Roll No. 82, denying claim of Frank M. Lowen, on file in Office of City Clerk under Document No. 492846, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119273, recorded on Microfilm Roll No. 82, denying claim of William E. Russell, on file in Office of City Clerk under Document No. 485269, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119274, recorded on Microfilm Roll No. 82, rescinding Resolution No. 118805, adopted June 24, 1954, accepting deed of Bror S. Danielson, covering Lot 4 Block 54 Campo Del Dios Unit No. 3, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119275, recorded on Microfilm Roll No. 82, accepting Quitclaim Deed executed on 15th day of July, 1954, by Fairmount Gardens, a corporation (Care Birmingham Developing Co., 4937 El Cajon Boulevard, San Diego 15) quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without subdivision named Fairmount Gardens, a subdivision of portion of east half of southeast quarter Lot 18 Horton's Purchase in Rancho Ex Mission of San Diego; authorizing and directing City Clerk to file deed, together with certified copy of Resolution of Record in office of County Recorder, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119276, recorded on Microfilm Roll No. 82, accepting subordination agreement, executed by Marion Gebert and Laura B. Gebert, beneficiaries and Union Title Insurance and Trust Company, trustee, bearing date May 24, 1954, wherein the parties subordinate all their right, title and interest in and to portion of Lot 18 Blethen Subdivision, to right of way and easement for street purposes heretofore conveyed to The City of San Diego, on conditions therein expressed; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119277, recorded on Microfilm Roll No. 82, accepting subordination agreement, executed by Union Title Insurance and Trust Company, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date July 1, 1954, wherein parties subordinate all their right, title and interest in and to portion of Lots 3083 and 3109 Clairemont Unit No. 15, to right of way and easement for walkway 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 the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119278, recorded on Microfilm Roll No. 82, accepting Deed of Lucile M. Little and Melba V. Meeks, bearing date June 17, 1954, conveying Lot 3 Block 31 Campo del Dios Unit No. 1; authorizing and directing City Clerk to transmit the 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 Godfrey, seconded by Councilman Burgener, adopted.

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RESOLUTION NO. 119279, recorded on Microfilm Roll No. 82, accepting Deed of Lula Stauffer and Minne B. Wheeler, bearing date July 7, 1954, conveying Lot 16 Block 6 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the 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 Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119280, recorded on Microfilm Roll No. 82, accepting Deed of Joseph P. Williams, bearing date July 7, 1954, conveying Lot 3 Block 4 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the 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 Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119281, recorded on Microfilm Roll No. 82, accepting deed of Maude E. Mayes, bearing date July 14, 1954, conveying Lot 5 Block 24 Campo Del Dios Unit 2; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119282, recorded on Microfilm Roll No. 82, accepting deed of Clarence Britt, Joey B. Britt and William F. Britt, (date of deed not stated), conveying Lot 3 Block 44 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119283, recorded on Microfilm Roll No. 82, accepting deed of Alfred A. Gregory, bearing date July 2, 1954, conveying Lots 1, 2, 3, 4 Block 63 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119284, recorded on Microfilm Roll No. 82, accepting deed of Dean R. Hall, bearing date July 8, 1954, conveying Lots 1 and 2 Block 57 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119285, recorded on Microfilm Roll No. 82, accepting deed of Edith Thurston Keyes, bearing date July 8, 1954, conveying Lot 16 Block 78 Campo Del Dios Unit 3; 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 Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119286, recorded on Microfilm Roll No. 82, accepting deed of John Arthur Schwab and Ethel Elm Schwab, bearing date July 6, 1954, conveying Lot 5 Block 53 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119287, recorded on Microfilm Roll No. 82, accepting deed of Eugene Watson, bearing date July 3, 1954, conveying Lot 7 Block 50 Campo Del Dios Unit 3; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119288, recorded on Microfilm Roll No. 82, accepting deed of Roberta Wilson, bearing date July 13, 1954, conveying Lot 7 Block 50 Campo Del Dios Unit 3; authorizing and directing City Clerk to file deed for record in office of Recorder

of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119289, recorded on Microfilm Roll No. 82, accepting deed of Mary Draeger, bearing date July 12, 1954, conveying Lots 5 and 6 Block 88 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119290, recorded on Microfilm Roll No. 82, accepting deed of Ida M. Kauffman, bearing date July 8, 1954, conveying portion of Lot 6 Block 85 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119291, recorded on Microfilm Roll No. 82, accepting deed of Arthur M. Anderson, bearing date July 12, 1954, conveying Lot 20 Block 105 Campo Del Dios Unit No. 5; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119292, recorded on Microfilm Roll No. 82, accepting deed of Lee N. Chung and Audrey Chung, bearing date July 7, 1954, conveying portion of Lot 3 Block 14 Central Homestead; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119293, recorded on Microfilm Roll No. 82, accepting deed of Herbert C. Kelly, Jr., and Jane M. Kelly, bearing date July 12, 1954, conveying Lots 12, 13, 14 Block 7 McLaren's "H" Street Addition; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119294, recorded on Microfilm Roll No. 82, accepting deed of Evert Andrew Hodges and Lorena Hodges, Robert Enoch Hodges and Mary A. Hodges, Minerva E. Hodges, and Geneva Helen Jones, bearing date April 15, 1954, conveying portion of Lot 1 Block 33 Point Loma Heights; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119295, recorded on Microfilm Roll No. 82, accepting deed of Bernice Merriam Hazen, bearing date July 9, 1954, conveying Lots 29 and 30 Block 4 Reed and Hubbell's Addition; authorizing and directing City Clerk to transmit the deed, together with certified copy of the resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119296, recorded on Microfilm Roll No. 82, accepting deed of Della A. Williams, bearing date July 6, 1954, conveying easement and right of way for street purposes in portion of Lot 1 Block 11 Tres Lomas; setting aside and dedicating land to public use as and public street and naming it Potomac Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119297, recorded on Microfilm Roll No. 82, accepting deed of H. Nelson Smith and Wilma M. Smith, bearing date July 6, 1954, conveying easement and right of way for street purposes in portion of Lot 13 Block 8 Encanto Heights; setting aside and dedicating land to public use as and for public street, and naming it 63rd Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119298, recorded on Microfilm Roll No. 82, accepting deed of Dorothy Lewis and Cecelia Ines Lockwood, bearing date April 17, 1954, conveying easement and right of way for street purposes in portion of Lot 18 Blethen Subdivision; setting aside and dedicating land to public use as and for public street, and naming it 70th Street; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119299, recorded on Microfilm Roll No. 82, accepting deed of Herbert C. Kelly, Jr., and Jane M. Kelly, bearing date July 12, 1954, conveying portion of Lots 36 and 37 Block 128 Reed and Swayne's Central Park Addition; setting aside and dedicating land to the public use as and for public street, and naming it Wabash Boulevard; authorizing and directing City Clerk to transmit the deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119300, recorded on Microfilm Roll No. 82, accepting deed of James J. Andersen and Lillian G. Andersen, bearing date July 12, 1954, conveying easement and right of way for sewer purposes in portion of Lot 24 Soledad Terrace; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119301, recorded on Microfilm Roll No. 82, accepting deed of Willard H. Fink and Mary Charlotte Fink, bearing date July 12, 1954, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 1785; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119302, recorded on Microfilm Roll No. 82, accepting deed of Clemens H. Freres and Helen M. Freres, bearing date June 30, 1954, conveying easement and right of way for sewer purposes in portion of Lot 18 Loma Heights; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119303, recorded on Microfilm Roll No. 82, accepting deed of William Sandberg and Dorothy Sandberg, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 1785; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119304, recorded on Microfilm Roll No. 82, accepting deed of Lee N. Chung and Audrey Chung, bearing date July 7, 1954, conveying easement and right of way for storm drain and sewer purposes in portion of East One-half of Lot E Block 14 Central Homestead; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119305, recorded on Microfilm Roll No. 82, accepting deed of Robley E. Veall, bearing date June 21, 1954, conveying easement and right of way for street purposes in portion of Lot 6 Block 2 College Park Unit No. 1; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119306, recorded on Microfilm Roll No. 82, accepting deed of Union Title Insurance and Trust Company, bearing date July 1, 1954, conveying easement and right of way for walkway purposes in portion of Lot 3083 Clairemont Unit No. 15; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119307, recorded on Microfilm Roll No. 82, accepting deed of Union Title Insurance and Trust Company, bearing date July 1, 1954, conveying easement and right of way for walkway purposes in portion of Lot 3109 Clairemont Unit No. 15; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, adopted.

RESOLUTION NO. 119308, recorded on Microfilm Roll No. 82, accepting deed of Antoinette Le Marquis Seiss, bearing date July 8, 1954, conveying easement and right of way for water main purposes in portion of Northeast Quarter 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 the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

On motion of Councilman Godfrey, seconded by Councilman Burgener, the reading of the next ordinance 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. 6202 (New Series), recorded on Microfilm Roll No. 82, adopting amendment to Major Street and Highway Plan of The Master Plan for The City of San Diego, as adopted by Ordinance No. 13116 approved January 26, 1931, particularly affecting realignment of Fulton Street between Cabrillo Freeway and point approximately 1500 feet north of Linda Vista Road, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Ordinance amending San Diego Municipal Code by adding a new section to be known as and numbered Section 101.0615 Regulating Living Floor Space - Dwellings - Councilman Burgener said that there is new information.

Vice Mayor Wincote pointed out that the hearing had been closed at the hearing held July 15, 1954.

Thomas Fanning, attorney, told of having been retained by Lydia Manhold and Mission Beach Civic Council, to appear in their behalf.

Councilman Dail said that the Council had already conducted the hearing, and asked Mr. Fanning why he had not appeared.

Mr. Fanning replied that he did not know of it, and had not been retained at that time. He repeated that he was not retained in time to be here for the hearing.

Councilman Dail declared that if Mr. Fanning had a client who hired him after a case had been closed, a court would not re-open it for that reason.

Councilman Schneider said that he had received a call from Mrs. Manhold.

Vice Mayor Wincote said that the Ordinance was before the Council last week. He asked if everybody interested had not been heard.

Councilman Godfrey said "yes".

Councilman Dail said that the Council bends over backward to accommodate the people; and that the Council is behind for weeks (apparently referring to its Conferences).

The Vice Mayor spoke to George E. Westover, attorney, and asked if the Council did not hear from everybody last week.

Mr. Westover replied that there was no opportunity for a lot of people to see what was in the ordinance before the Council today.

The Vice Mayor, speaking again to Mr. Westover, referred to everybody having been heard.

Mr. Westover agreed.

The Vice Mayor asked how many were here who had not been heard.

Five persons arose.

The Vice Mayor said that a contractor who stood with the group (Alen Essery) had spoken at the hearing.

Councilman Schneider proposed re-opening the hearing for 20 minutes, limiting the hearing until a quarter to 11. He suggested hearing those first who had not been heard previously.

Mr. Heilman, who had been heard from time to time by the Council, but who did not give his first name or initials, told the Council that 20 people will not be here until after 11 - and referred to the item appearing on the agenda as "no. 57".

Mr. Fanning said that all agree regarding zoning, as police power, and referred to health, welfare and morals subjects. They have been regulated in San Francisco

119306 - 119308

6202 N.S.

Hearing (unscheduled) re Minimum Living Floor Space for dwellings

in the Morena area in connection with a 10-story building, in relation to health. Mr. Fanning said that it is a question if the proposed ordinance does what it purports to do. He spoke regarding Mission Beach, and the matter of aesthetics, which is not proper, according to him. He referred to the proposal as regulating the exterior size. He declared that the beaches people says that this ordinance does the reverse, and that this is principally for architectural control. He contended that the ordinance does not regulate health on the interior; that is just under the State Housing Act. Let it be regulated by the State, he urged. He insisted that the size does not necessarily have to do with "shacky" appearance. Mr. Fanning told the Council that in Mission Beach the largest lots are 30x80. If in R-2, it would be necessary to use 800 sq. ft. for a duplex, or 500 each for 2. If 800, it would be possible to get a small garage of 20x20. He said that if owners put on duplexes, they would not have good appearance. Going up in the air increases the cost, and desirability, he stated.

Although the Council had got into a hearing without a motion, the Vice Mayor said that property owners can remodel 650 sq. ft. houses.

Mr. Fanning referred to that as meaning regarding separate building. He spoke about 800 sq. ft. and multiple dwellings. He said it could be a tri-plex, which would be small. He said, further, that he was uncertain. Mr. Fanning declared it to be discriminatory on account of being on the ground, or over a garage. He said that restriction should be greater, or equal above garages.

The Vice Mayor said that Mr. Fanning had already taken 10 minutes for his presentation.

Mr. Fanning said that he would close now, but that he could take more time. Councilman Godfrey pointed out that the Council was making a concession, since the hearing had been closed.

Mr. Fanning referred to the 800 sq. ft., and analyzed various meanings. He said that when an ordinance was first proposed 3-1/2 months ago, it had included apartment houses; not now. He repeated, they are not covered now. He declared that the Ordinance could defeat its purpose. He said that it is the principal feeling that the ordinance does not serve the purpose for which it was proposed, but that it is one of architectural control.

Councilman Godfrey asked why a stenotype operator was present transcribing the hearing.

Mr. Fanning replied that his clients had asked for it to be done.

Councilman Dail said that the Council should ask the Attorney regarding the transcriptions - if it can be permitted, or what.

Douglas D. Deaper, Deputy City Attorney, told the Council that he has not considered the subject.

Councilman Dail asked about the legal attitude. He said that maybe the Council should have a transcript.

The Vice Mayor stated that there is no objection to the transcription.

Alla J. Lange told the Council that she could not see why a small floor space is considered untidy. She declared that the City should not limit it. She told of having called Councilman Godfrey, who invited her to the meeting. The speaker told of living in East San Diego, and said that she has a small rental.

James O. Melton spoke to the Council, and said that his mother has 4 small units; she has limited money, and wants 2 more. He said that limitation should not be placed on the "small man" and that there is need for adjustment. He said that the proposed Ordinance just modifies the outside.

Councilman Burgener spoke to Mr. Rick regarding amount of room in a bedroom. He spoke to Mr. Burgener, not through the Chair.

Vice Mayor Wincote asked if the difficulty is regarding the lot coverage.

Mr. Melton's answered that's what he is trying to find out.

The Vice Mayor said if that is O.K. now, the Ordinance has nothing to do with it.

Councilman Godfrey said that it is a 31-day ordinance.

Edward L. Penny, a carpenter and contractor, spoke. He contended that the ordinance would work a hardship on lots of people, especially people wanting to convert garages into apartments.

Councilman Wincote spoke to Mr. Penny re permission for alterations.

Mr. Penny spoke about the ordinance originating 2 1/2 months ago; and asked who is for it.

Vice Mayor Wincote replied that some are for it; some against. He declared that few had appeared against it.

Councilman Schneider spoke of the complaint which had been received from one woman, as a result of small houses being built next to her place, and of her complaint being referred to the Planning Department.

Glenn A. Rick, City Planning Director, pointed out that the Planning Department did not originate the ordinance. He said that the question was called to the attention of the Architectural Review Board, as a result of Mr. Essery having built 15 260 sq. ft. houses.

Councilman Dail declared that there is not wide spread City interest in the matter.

Councilman Burgener spoke of the Council having a responsibility in the matter.

Mr. Penny declared that those interested should speak.

Councilman Godfrey stated that there are a lot of people for it; he has had many calls, and that they feel they are represented in the ordinance.

Councilman Dail, speaking on the idea of who is for it, pointed out that ordinances are not passed on the basis of popularity contests.

Mr. Penny took the position that it affects so many.

The Vice Mayor stated that the Council tries to decide what is good legislation. It was his contention that a majority would oppose small unattractive houses. He stated that few come down to hearings "for" a measure, but that protestants come down.

Mr. Penny felt the issue should go to a vote.

Hearing - Minimum floor space for dwellings

Councilman Godfrey pointed out to Mr. Penny that a referendum could be obtained. He declared that the proposal is before the people, and that the Council is elected by the people.

Mr. Penny's comment was that he has only the Council's word.

Councilman Dail said that it is a question of "why government".

Virginia Hunter, who identified herself as a real estate woman, and a grand mother, spoke next. She referred to improving shanty area downtown in Los Angeles, and in Belvedere Gardens. She maintained there should be place for a few people who "want to pound nails". She said that she is against it.

Mr. Heilman spoke again, over the protest of the Vice Mayor that he wanted to hear at this time from those who had not spoken, stated that he has plans for a 500 sq. ft. house which have been stamped by the Building Department.

Councilman Burgener spoke to Bert Lembeck regarding properties in Mission Beach.

Mr. Lembeck said to Councilman Burgener that there are no R-1 lots left in Mission Beach.

Councilman Burgener spoke to Mr. Lembeck again, and he answered.

Next, Councilman Burgener spoke to Glenn A. Rick, City Planning Director.

As a result of comments made to him, Mr. Rick pointed out that property owners can build better buildings in a less restricted area. It was his contention that Mission Beach will be all R-2 and R-4. He answered "yes" to a comment about 400 sq. ft. in Mission Beach; 500 in R-2.

Councilman Burgener then spoke directly to Mr. Lembeck, again.

Mr. Lembeck identified himself as a Mission Beach real estate broker. He said that a woman had spoken about a small house on R-1 property.

Discussion followed between Councilman Burgener and Mr. Lembeck about 210 sq. ft. houses.

Mr. Lembeck said that does not justify this discussion, which provides more power to say "no". He referred to restriction of parking. He said that in Mission Beach lots of 2500 feet should not be involved.

Councilman Burgener spoke to Mr. Lembeck about owners getting variances. He stressed the need for legislation in San Diego.

Mr. Lembeck's reply to Councilman Burgener was "no". He said that the Council is coming along with "left-handed philosophy. He referred to it as being like closing the Mission Bay Channel (which was done through ordinance by the Council, and is still in effect).

Councilman Burgener pointed out that many communities have such ordinances.

Mr. Lembeck said that such regulation should be on new subdivisions, and that new properties built should be the same as next door.

The Vice Mayor pointed out, as had been done previously, that application could be made for variances.

Mr. Lembeck replied that is not easy, and declared that the proposal "is ridiculous".

The Vice Mayor stated that is one man's opinion.

Nicholas J. Haerring tried to speak, but did not gain the floor.

Councilman Burgener said that the City is 104 years old; there is a need for something of the sort proposed, but there is no hurry.

Mr. Haerring told the Council that he is just interested in the best interest of the City. He said that he has a 10-unit apartment, and that he is disappointed regarding a 200-ft. unit ordinance. He suggested that voters' interest in the matter is lacking. He stated that he is in favor of not building slums regarding 200-ft. slum houses. He advocated that restriction should be in districts.

The Vice Mayor declared that is not possible.

Mr. Haerring contended that the City should get together with the State. He said that it is unfair to build shacks next to a \$40,000.00 building.

Vice Mayor Wincote stated that the Council is advised by the City Attorney that any legislation on the subject has to be City-wide.

Mr. Haerring told of having 2 lots, but that he is not building on account of the red tape. He took the view that the situation is not encouraging to citizens. He said that there should be a law for cabins. For people who want small places they would be right in a specified district.

The Vice Mayor spoke to Mr. Haerring about the continued hearing.

Mr. Haerring said that he has said everything that he wanted to say. He stated that he wants to try to prevent 2x4 shanties. He wondered why the Vice Mayor would not ask questions.

Discussion was entered into between Vice Mayor Wincote and Mr. Haerring.

Mr. Haerring spoke of being able to be on both sides, when it was inferred by the Vice Mayor that he was not consistent, and still be right. Mr. Haerring told of trying to clear the slums.

Geo. Westover, attorney, tried to speak again.

As a result, Councilman Godfrey said that it was not advisable to have people repeat themselves, when they had been heard before. He advocated closing the hearing, which had already become lengthy.

Mr. Westover gain the floor, and said that the ordinance is unnecessary; there is a State law. He contended that the only right the Council has in the subject is regarding health, safety and welfare. Anything else is not proper, according to him.

Vice Mayor Wincote said that all Mr. Westover was saying was repetitious.

Mr. Westover said that when the proposal was first submitted, he prepared an ordinance regarding shacks, after consultation (did not say with whom), and sent it to the Planning Department.

The Vice Mayor declared that Mr. Westover's comments in his ordinance draft had been considered by the Council.

Mr. Westover declared that the Council is here for the benefit of the people, and that it should limit its restrictive actions to health, welfare and safety.

7/22/54

Again, the Vice Mayor said that Mr. Westover keeps repeating his statements, that the Council has reviewed his proposal.

Councilman Dail said that the Council has held a Sales Tax hearing, which it has closed; that in fairness, the Council will have to re-open that closed hearing, as the result of having done that in this instance.

Councilman Godfrey said that Mr. Westover keeps repeating, and that he wants to read what the Council has studied.

The Vice Mayor said again that the Council has gone over the Westover suggestions.

Thomas J. Fanning, attorney, spoke again. He said that he heard a statement made by Douglas Deaper, Deputy City Attorney, that the legislation would have to be City-wide. He told of a San Francisco citation which provides that the matter does not have to apply to all areas.

The Vice Mayor stated that the Council will check everything.

Edgar Hastings contended that the Ordinance is not necessary. He pointed out that he had been on both sides of the rail (on the other side from which he was now speaking, for 12 years). He informed the Council that he has built houses in San Diego 45 years, and that the City did not have a Planning Department, or Planning Commission, then. He stated that the buildings would not pass the Planning Department or Commission now, but that they are still standing. Mr. Hastings declared that "1/2 the freedom pie is gone", and that the red tape is terrific. It was his contentention that it is not known where the City is going regarding what things can't be done.

The Vice Mayor declared that the Council is concerned.

Mr. Hastings said that the proposal is just a nail in the coffin for the little fellow.

Councilman Burgener moved to close the hearing. The motion was seconded by Councilman Schneider.

Councilman Burgener expressed concern over forcing a larger segment of the town into a variance procedure. He spoke to Mr. Lembeck, again, regarding lot sizes in Mission Beach.

Instead, Mr. Lembeck said that he owns 5 1,250 square foot lots.

Planning Director Rick stated that all lots less than 2,000 sq. ft. are not subject to side yard restrictions, and that the setback is provided in the deed.

Mr. Lembeck attacked Mr. Rick over the use of property.

Councilman Godfrey spoke to Mr. Lembeck regarding distrimination which results in connection with construction of houses on large or small lots (discriminating against the large lot which is obliged to observe the side yard restrictions).

Councilman Schneider asked if anybody is impressed.

Councilman Godfrey replied "not much". He said that the Lembeck point is interesting, but that the Ordinance is not retroactive. He said, further, that is it not a quicky. He point out, also, that the ordinance is not based on "one woman weeping". Councilman Godfrey spoke of the necessity for having laws. He stated that protestants are looking at it from their standpoint.

Vice Mayor Wincote related that the Council has had discussion after discussion. He said that when the minimum size proposed had been cut down to 400 sq. ft. it had become acceptable. He stated that everybody on the Council is not happy with the idea. He wondered if the Council wanted to act now. He agreed that there had been 1 or 2 new things submitted for consideration today.

Councilman Burgener said that he wants to find out how many lots in his district (specifically Mission Beach) are subject to zone variance.

Councilman Dail moved to continue the matter one week; re-close the hearing. The motion was seconded by Councilman Schneider.

Mr. Hastings asked about a fee.

Mr. Rick said that no fee had been established.

The roll was called on the motion; the ordinance was continued one week, and the hearing "re-closed".

On motion of Councilman Kerrigan, 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. 6203, (New Series), recorded on Microfilm Roll No. 82, incorporating portion of Lot 41 Ex-Mission Lands of San Diego into M-1A Zone, as defined by Section 101.0412.1 of the San Diego Municipal Code, and repealing Ordinance No. 35 (New Series) adopted September 12, 1932 insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Ordinance amending Article 2 of Chapter 3 of San Diego Municipal Code by adding Section 32.01.1 providing for temporary increase of one half of one percent in Sales and Use Taxes, etc., was listed on the agenda for introduction - having had a hearing, and been referred to conference, and direction given for placing it on this agenda - Vice Mayor Wincote stated that hearing had been held. After having stated that the Ordinance had been introduced, the Vice Mayor said that he was in error, in that the Ordinance had not been introduced.

Douglas D. Deaper, Deputy City Attorney, told the Council that it was his understanding that the hearing had been closed.

The Vice Mayor said that he was trying to find out the position of the proposal.

6203 N.S.

Hearing - Minimum Floor Area for dwellings.

Councilman Godfrey said that The City must increase the Sales Tax - or add 26¢ to the Tax rate.

On motion of Councilman Godfrey, seconded by Councilman Dail, the hearing was re-opened.

Councilman Dail stated that the Sales Tax Ordinance would raise:

\$1,296,000. - Group 1
448,000. - Group 2
749,050. - Group 3
204,000. - Group 4

Joseph P. Mc Andrews, president of the Mens' Democratic Club of San Diego, read a letter opposing increase in Sales Tax.

A man whose name was understood to be B. S. "Sperater", 4583 - 34th Street, a homer, spoke in opposition. He said that home taxes were \$64. when he purchased; now are \$188.; that he paid \$2700 for his house. He contended that he spends 20% of his pay on taxable items. He made the statement that the taxes have reached the saturation point.

Henry DuPree, public relations officer for Fleet Reserve Association, spoke in opposition to the Ordinance. He read copy of telegram from the National Association, and stated that he will circulate a petition to abolish City Sales Tax if the ordinance is adopted. He said that there is a 160 million dollar pay roll (the Navy) in San Diego = Mr. DuPree is a Navy Chief = that some personnel get \$90.00 per month, or less. He said that there should be better public relations maintained with Navy people.

Councilman Schneider stated that the Budget Office had informed him that an increase of 1¢ on the tax rate would raise \$43,000. He said that 30¢ on the Tax Rate would be required if the sales tax is not increased, in order to raise \$1,750,000.

Vice Mayor Wincote spoke of 67¢ for 2-1/2 million. He said that comparative merits of Sales Tax vs. real estate taxes were discussed at length by various Councilmen.

Fred Landgraff, attorney, spoke in opposition to the Ordinance. He secured a list of proposed items for which the increased tax was to be spent. He referred to \$250,000 for Frontier Housing as a down payment. He said that another \$100,000 will probably be required. If purchased by the City, it will be operated by the City for not to exceed 5 years - during housing shortage, according to him. Mr. Landgraff asked why the City wants to purchase.

Councilman Godfrey answered that this is the opportune time to secure it, and that the Federal Government will sell only to the City. He answered questions on items 1, 2, 3 of Mr. Landgraff.

Douglas D. Deaper, Deputy City Attorney, stated that these were proper Capital Outlay expenditures.

Mr. Landgraff disagreed. He quoted from Judge Higgins, Assistant City Attorney. He said that street lights and traffic signals were not proper expenditures. The Frontier Housing purchase was discussed again.

Councilman Kerrigan was excused at 12:23 Noon.

According to Vice Mayor Wincote, there was nothing in the old, original Sales Tax ordinance to show an expiration. He pointed out that the new ordinance is written for a one-year period only.

A man arose and asked about his property in an S-C zone. He was told by Councilman Wincote and Mr. Rick, that it would not be affected. This matter was not pertinent to discussion and hearing. The Council resumed the discussion.

Councilman Wincote continued, by saying that the Budget procedure regarding Capital Outlay items are now under discussion by the Attorney.

Mr. Landgraff charged that it is irregular.

Councilman Dail asked the City Attorney for a written opinion on the proper Capital Outlay items on the list under discussion. The motion was seconded by Councilman Burgener.

Councilman Kerrigan returned at 12:32 Noon.

Councilman Schneider suggested making the parking meters 10¢ per hour in order to raise part of the required funds. He said annual revenue is now \$480,000.00.

Closing a hearing on an ordinance before it is drafted, was criticised by Mr. Landgraff. He said that the City of San Diego has no right to buy the Frontier Housing Project.

Nicholas J. Haerring stated that he was in favor of a Sales Tax, up to 5%. He said that all service men benefited by the Sales Tax in Parks, Playgrounds, etc. (items to be financed through the increased Sales Tax). Mr. Haerring said that property owner must be considered, and not hurt, by increased taxes. He suggested parking meters in the Civic Center parking lots. He said that families with children are protected by income tax exceptions.

Henry B. Cramer was heard as a private citizen and taxpayer. He said that tenants, not landlords pay real estate taxes.

Councilman Kerrigan referred to "single tax" in that connection.

On motion of Councilman Godfrey, seconded by Councilman Dail, the hearing was closed (again).

Councilman Schneider said that \$3.00 on \$3,000 assessed valuation increase per house would take care of everything except the Frontier Housing Project.

Increased meter parking fees was discussed.

An unidentified man said that his "taxes tripled in 17 years".

On motion of Councilman Kerrigan, seconded by Councilman Dail, ordinance amending Article 2 of Chapter 3 of San Diego Municipal Code by adding Section 32.01.1 provided -

Sales Tax increase Ord. unshcheduled hearing.

7/22/54

ing for temporary increase of one-half per cent in the Sales and Use Taxes, and restricting expenditure of the proceeds thereof to permanent public improvements (for period of time commencing October 1, 1954, and running to and including September 30, 1955), was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey. Nays--Councilman Schneider. Absent--Mayor Butler.

RESOLUTION NO. 119309, recorded on Microfilm Roll No. 82, requesting City Attorney to furnish a written opinion as to whether all items listed in Group One of City Manager's Proposed Capital Improvement Program, dated July 20, 1954, are proper Capital Outlay Expenditures, was on motion of Councilman Dail, seconded by Councilman Burgener, adopted.

On motion of Councilman Kerrigan, seconded by Councilman Dail, Ordinance incorporating portion of Pueblo Lot 104 into R-1B Zone as defined by Section 101.0403 of The San Diego Municipal Code, and repealing Ordinance No. 5179 (New Series) adopted May 8, 1952, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

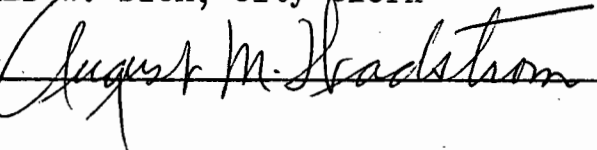
On motion of Councilman Kerrigan, seconded by Councilman Schneider, Ordinance amending San Diego Municipal Code by amending Section 22.0502 relating to Powers and Duties of the Purchasing Agent; having to do with payment - revolving fund; to take effect and be in force on and after the 29th day of August, 1954, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

There being no further business to come before the Council at this time, the meeting was adjourned, at 1:00 o'clock P.M., on motion of Councilman Schneider, seconded by Councilman Godfrey.

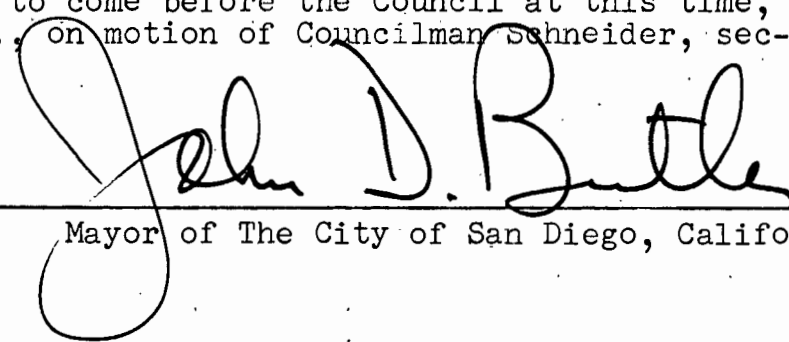
ATTEST:

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, July 27,
1954

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Absent---Councilmen None
Clerk----Fred W. Sick

Mayor Butler presented Reverend William A. Kraft, Chaplain of the Newman Club, San Diego State College. Father Kraft gave the invocation.

The Minutes of the Regular Council Meetings of Tuesday, July 20, 1954, and of Thursday, July 22, 1954, were presented by the Clerk.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, 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 Small Water Main Replacements, Group No. 15, 1953-54 - Specification No. 62 - the Clerk reported that 5 bids had been received. They were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

W. V. Hutchison, John A. Brand, August L. Deuchler, William V. Hutchison, Jr., a copartnership doing business as W. V. Hutchison Co., accompanied by bond written by Fireman's Fund Indemnity Company in the sum of 10% of amount of accompanying bid, given Document No. 494700;

H. C. Dennis, accompanied by bond written by American Surety Company in the sum of 10% of the total amount of the Bid, given Document No. 494701;

Councilman Kerrigan was excused

W. A. Robertson, S. E. Robertson, M. L. Robertson, B. W. 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, given Document No. 494702;

Royal Pipeline Construction Company, Inc., accompanied by bond written by United Pacific Insurance Company in the sum of 10% of the total amount of the bid, given Document No. 494703;

Floyd Shofner, accompanied by bond written by Fidelity and Deposit Company of Maryland, in the sum of 10% of the amount of the bid, given Document No. 494704.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Alleys Block 3 Alhambra Park, under Resolution of Intention No. 118274, the Clerk reported that 3 bids had been received. They were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

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 \$750.00, given Document No. 494710;

John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$800.00, given Document No. 494711;

Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$800.00, given Document No. 494712.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving 67th Street, Mohawk Street, Bowman Lane, 68th Street, Saranac Street and Public Right of Way, under Resolution of Intention No. 118276, the Clerk reported that 6 bids had been received. They were presented to the Council.

On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

Bids

7/27/54

H. C. Dennis, accompanied by bond written by American Surety Company of New York in the sum of \$3,000.00, given Document No. 494745;

Councilman Kerrigan returned.

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$3,000.00, given Document No. 494746;

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$3,000.00, given Document No. 494747;

R. E. Hazard Contracting Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$3,000.00, given Document No. 494748;

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$3,000.00, given Document No. 494749;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$2,700.00, given Document No. 494750.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Alleys Block 12 Normal Heights, the Clerk reported that 3 bids had been received. They were presented to the Council.

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

Bids were as follows:

John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$800.00, given Document No. 494713;

William M. Penick and Lloyd T. Penick, copartners doing business under the name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$1,000.00, given Document No. 494714;

Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$800.00, given Document No. 494715.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving bids for furnishing electric current for lighting ornamental street lights located in San Diego Lighting District No. 4, for period of one year from and including August 1, 1954, the Clerk reported that 1 bid had been received. It was presented to the Council.

On motion made and seconded, bid was publicly opened and declared.

It was as follows:

San Diego Gas & Electric Company, accompanied by certified check written by San Diego Trust and Savings Bank in the sum of \$590.46, given Document No. 494684.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving bids for furnishing electric current for lighting ornamental street lights located in Five Points Lighting District No. 1, for period of one year from and including August 5, 1954, the Clerk reported that 1 bid had been received. It was presented to the Council.

On motion made and seconded, bid was publicly opened and declared.

It was as follows:

San Diego Gas & Electric Company, accompanied by certified check written by San Diego Trust and Savings Bank in the sum of \$133.44, given Document No. 494683.

On motion Councilman Schneider, seconded by Councilman Kerrigan, it was referred to the City Manager and to the City Attorney for report and recommendation.

Mayor Butler welcomed as visitors to the meeting, pupils from the Civics Class of the Hoover High School - Fred G. McNamara, teacher. At his invitation, they arose and received applause. The Mayor explained the procedure of the Council in meetings, and made reference to conferences held before and after the meetings.

RESOLUTION NO. 119310 - numbered out of order.

~~See Page ---- of these Minutes for matter that came before the Council.~~

The Resolution, recorded on Microfilm Roll No. 82, accepts deed of George L. Cory and Helen C. Cory, executed in favor of The City of San Diego, bearing date July 26, 1954, conveying easement and right of way for street purposes in portion of Pueblo Lot 1774; it sets aside and dedicates land for public use as and for public street, and names it La Jolla Mesa Drive; and it authorizes and directs City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was adopted on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119311 - numbered out of order.

The Resolution, recorded on Microfilm Roll No. 82, waives requirement for

Bids
Visitors
119310 - 119311

bond in connection with construction of residence on portion of Pueblo Lot 1774 by George L. Cory and Helen C. Cory, adopted.

Preceding Resolutions Nos. 119310 and 119311, numbered out of order, the Mayor recognized Alec Cory, attorney. Mr. Cory, in behalf of George L. Cory, told the Council that he thought there would be on the docket for this meeting the acceptance of a 5 ft. strip of land for La Jolla Mesa Drive. He told the Council that the Planning Department will not approve the request (which has to do with construction of residence on portion of Pueblo Lot 1774). He spoke of having to grade the street and post a bond, and having to get City permission to do the work. Mr. Cory said that maybe the Council could waive posting of the bond - which takes time. He referred to the long time already spent in trying to get going. He repeated that it takes time of many, but they still can't get a permit.

Councilman Dail said that the Corys came to his office, and said that they had applied since May. He stated that the City Attorney had ruled that there should be a proper description filed. Mr. Dail commented that Glenn A. Rick, City Planning Director, had pointed out that surveys show a 13 foot discrepancy. He said that has been amended and corrected. He agreed that Mr. Rick is following the law.

Mr. Cory stated that it is completed, except for the bond.

Mr. Rick told the Council that the error (apparently in the survey) has been corrected. He said that the Engineer is satisfied, and that acceptance by the Council is the only hold up. He spoke of having to have approval of the Planning Commission.

Mr. Cory said that a letter is in the Engineer's file.

Capt. Fogg, City Engineer, said he knew nothing of it.

Mr. Cory answered that it is Russell Hall, Asst. City Engineer, who has it.

Councilman Godfrey observed that the question is one regarding time. He asked how the Council could take action today.

Councilman Kerrigan spoke about the ordinance for bond on permit for improvement.

Mr. Cory said he was trying to write a check, in lieu of a bond.

Douglas D. Deaper, Deputy City Attorney, wondered if it comes into the picture where cash can be put up instead of the bond.

Mr. Rick said that the easement would be accepted and recorded before the Planning Department could approve request for construction. He said that if the Council wants to waive, it can.

Councilman Wincote said that a lot of trouble is made of a lot of stupid little things.

Councilman Godfrey declared that the system is one for protection.

The City Manager said he had the deed.

Councilman Wincote moved to waive the bond.

Councilman Kerrigan made the motion resulting in Resolution No. 119310.

Mr. Deaper asked Mr. Cory to talk to J. F. DuPaul, City Attorney

The Mayor said that the hold up was regarding acceptance of the dedication.

Councilman Wincote moved to waive the bond, or accept cash. It was seconded by Councilman Dail.

The Mayor asked the Clerk to call the roll, after there had been more discussion.

The Clerk asked on what the roll was being called.

The Mayor said it was on waiving the bond.

The roll call resulted in Resolution No. 119311.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Resolution of Preliminary Determination No. 118558, for paving and otherwise improving Godsall Lane, Alley Block 2 Idyllwild, Pennsylvania Avenue, new written protests were presented.

The Engineer, asked by the Mayor for a verbal report, told the Council that there was a name he couldn't identify on the protest.

A woman who identified herself as the person whose signature was questioned, said that she had purchased from Shoklee, and was on the protest.

The Mayor said that if there is a majority protest, the proceedings will be thrown out.

The Engineer's reply to the comment was that there is now about 49% on the protest.

Councilman Schneider stated that based on experience, at the next hearing (on the Resolution of Intention) the proceedings would be abandoned. He moved to abandon.

Councilman Kerrigan declared that this is the Resolution of Feasibility hearing - whether or not proceedings were to go under the Debt Limitation Act.

Discussion was held between Councilmen Schneider and Kerrigan on that point.

Councilman Wincote spoke to an unidentified woman. Comment was made by her that they now have all the available protests, and that some persons are not available. She identified them, and why. She declared that the project is too expensive.

Councilman Burgener suggested a continuance for 2 weeks.

The Mayor spoke to Douglas D. Deaper about the procedure.

Mr. Deaper answered that from here it goes into the 1911 procedure.

The Mayor told the Council that it would be well to wait.

Councilman Wincote said that is not feasible.

Councilman Kerrigan felt it would be well to refer the matter to the City Engineer, to poll property owners. He said that it might be well to drop out the double frontage from the improvement.

Hearing
Cory Discussion

7/27/54

Another woman, who later gave her name as Mrs. Clark, referred to a 4 year old petition. She said that the alley is carrying the majority.

RESOLUTION NO. 119312, recorded on Microfilm Roll No. 82, continuing hearing on Resolution of Preliminary Determination No. 118558 for improvement of Godsal Lane, Alley Block 2 Idyllwild, and Pennsylvania Avenue, until the hour of 10:00 o'clock A.M., Tuesday, August 3, 1954 (at which time it is to be continued to August 10, 1954); requesting the City Engineer to make a poll of property owners in the proposed Assessment District, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 118864 of Preliminary Determination for paving and otherwise improving Alley Block 88 Ocean Beach Extension No. 2, and Alley Block 76 Ocean Beach, and Bacon 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 protests were filed.

RESOLUTION NO. 119313, recorded on Microfilm Roll No. 82, determining that proposed improvement of Alley Block 88 Ocean Beach Extension No. 2, Alley Block 76 Ocean Beach, and Bacon Street, under Resolution No. 118864 of Preliminary Determination, is feasible and that lands to be assessed therefor 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 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. 118865 of Preliminary Determination for improvement Montalvo Street, Montalvo Street, Temecula Street, Rialto Street, Alley Block 29 Loma Alta No. 2, West Point Loma Boulevard, and Famosa Boulevard, the Clerk reported that no written protests had been received.

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

Miss Bets E. Reeder protested on Montalvo, leaving West Point Loma unpaved. Willard Olson, of the City Engineer's office, said that a petition has now come in on the other (West Point Loma).

Miss Reeder contended that it should go in as the same job, and said that it would be a waste of money to do it otherwise.

Councilman Kerrigan pointed out that the petition was filed "by the people" - not City initiation. He said that West Point Loma Boulevard people had been encouraged to file, but had not done so; now they have.

Miss Reeder spoke of being penalized, because she uses the "first block".

Councilman Kerrigan spoke to Miss Reeder, not through the Chair.

Councilman Schneider explained the procedure.

Councilman Wincote asked if the 1 block on West Point Loma could not be rushed along, to join this. Then he addressed the City Engineer, along the same line.

The City Engineer replied that the second job would be 6 months behind this one.

Miss Reeder said that she has been there 10 years; she can wait 6 months.

Councilman Wincote spoke to Miss Reeder, not through the Chair.

Councilman Schneider declared that the Council has to follow the law.

Mrs. J. B. McDonald spoke of 3 full blocks on Camulos, with another full block wanted. She said that she is trying to get the whole area paved. She contended that Camulos was not intended to be a street, on account of the way the lots were divided. She said she had not been asked about signing petition; when she signed, she thought it took in the whole area.

Councilman Schneider pointed out, as had been, that the Council did not originate the improvement, and that the law has to be followed.

Mrs. Conger, who did not give her first name or initials, spoke of taking out a petition on Montalvo. She contended that no one on the street would want to be included. She said she thought it would be silly. She asked the Council to go ahead.

The City Engineer stated that there is 1 petition in; 1 being circulated. If it is in time, he indicated that they could be combined. It is a \$78,000. job, he stated.

The Mayor said that it is on only rare occasions that the Council institutes 1911 proceedings.

RESOLUTION NO. 119314, recorded on Microfilm Roll No. 82, overruling and denying verbal protests of Miss Bets E. Reeder, Mrs. J. B. McDonald and Mrs. Conger against proposed improvement of Montalvo Street, Montalvo Street, Temecula Street, Rialto Street, Alley Block 29 Loma Alta No. 2, West Point Loma Boulevard and Famosa Boulevard; overruling and denying all other protests, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119315, recorded on Microfilm Roll No. 82, determining that proposed improvement of Montalvo Street, Montalvo Street, Temecula Street, Rialto Street, Alley Block 29 Loma Alta No. 2, West Point Loma Boulevard, Famosa Boulevard, under Resolution No. 118865 of Preliminary Determination is feasible and that lands to be assessed therefor 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 Burgener, seconded by Councilman Wincote, adopted.

Hearings

119312 - 119315

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 118866 of Preliminary Determination for grading and sidewalk on 49th Street, Elm Street, Fir Street, Tilden Street, 48th Street, Brookline Street, Duval Street and Date, 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. 119316, recorded on Microfilm Roll No. 82, determining that improvement of 49th Street, Elm Street, Fir Street, Tilden Street, 48th Street, Brookline Street, Duval Street and Date Street, under Resolution No. 118866 of Preliminary Determination is feasible and that lands to be assessed therefor 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 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. 2252 made to cover costs and expenses of paving and otherwise improving Florence Street under Resolution of Intention No. 113493, the Clerk reported that no written appeals had been filed.

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

Mrs. Beatrice Butler asked amount of assessment. She said that Freeway is going through. She spoke of contractor having torn down a wall. She identified property as Lot 24 in 3400 block (it is Block 1).

The Mayor said that the Council can approve the assessment, and refer the wall matter to the City Engineer.

Mrs. Butler said that it was torn down all the way around.

The City Engineer said that Wabash is not in this job. He said that he will look at it.

Mrs. Gamboa spoke in behalf of her mother, Mrs. Mosarie L. Milan. She told of having a driveway, which she wants fixed back the way it was.

The City Engineer said that the City doesn't replace driveways.

Mrs. Gamboa said that the "contractor took it".

The City Engineer said that the curb was in.

Mrs. Gamboa said that it is dirt now.

The City Engineer said that he does not understand the situation.

There was discussion between Councilman Godfrey and Mrs. Gamboa.

The Mayor said that the Council can confirm the assessment, and asked if the City Engineer would check.

Councilman Godfrey asked for a report to the Council.

RESOLUTION NO. 119317, recorded on Microfilm Roll No. 82, overruling and denying verbal appeals of Mrs. Beatrice Butler and Mrs. Gamboa in behalf of Mrs. Rosarie L. Milan, from Street Superintendent's Assessment No. 2252 made to cover costs and expenses of work of paving and otherwise improving Florence Street, under Resolution of Intention No. 113493; overruling and denying all other appeals; confirming and approving Assessment No. 2252; authorizing and directing Street Superintendent to attach his warrant thereto and issue 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 Godfrey, adopted.

RESOLUTION NO. 119318, recorded on Microfilm Roll No. 82, referring to City Engineer for investigation and report to the Council within 1 week the verbal complaints of Mrs. Beatrice Butler regarding her wall which had been torn down; and of of Mrs. Gamboa in behalf of her mother, Mrs. Mosarie L. Milan, regarding driveway removal, 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 Street Superintendent's Assessment No. 2253 made to cover costs and expenses of improvement of Alley Block 1 Ocean Front, 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 filed.

RESOLUTION NO. 119319, recorded on Microfilm Roll No. 82, confirming and approving Street Superintendent's Assessment No. 2253 made to cover cost and expenses of paving and otherwise improving Alley Block 1 Ocean Front, under Resolution of Intention No. 114247; authorizing and directing Street Superintendent to attach his warrant thereto and issue 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, the time set for hearing on Ordinance Regulating Signs - hearing having been set in Council Conference - the Mayor suggested that it be continued 1 week. (There was no draft in the hearing file).

Douglas D. Deaper, Deputy City Attorney, asked for a 2 week continuance

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, hearing was continued 2 weeks - to August 10, 1954.

Hearings

Hearing - continued

119316 - 119319

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received July 14, 1954, from 10 bidders, for furnishing Fire Hose, was presented. It recommends award to Industries Supply Company of San Diego, low bidder: 1000 feet of 3/4" 2-braid rubber covered fire hose in 50-foot lengths, coupled with Barway Chrome plated brass couplings at \$34.11 per length, plus tax; 950 feet of 1" 2-braid rubbered fire hose, coupled with Barway chrome plated brass couplings at \$44.09 per length, plus sales tax 2% - 30 days.

RESOLUTION NO. 119320, recorded on Microfilm Roll No. 82, accepting bid of Industries Supply Company of San Diego for furnishing fire hose and couplings; awarding contract, authorizing and instructing City Manager to enter into and execute contract on behalf of City of San Diego, pursuant to specifications on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received July 9, 1954, from 6 bidders, for improvement of portions of 45th Street, was presented. It recommends award to H. C. Dennis, low bidder, in amount of \$5839.03 - 29.7% below estimate.

RESOLUTION NO. 119321, recorded on Microfilm Roll No. 82, accepting bid of H. C. Dennis for improvement of 45th Street - in vicinity of Market Street, described in detail in the Resolution - awarding contract, authorizing and instructing City Manager to enter into and execute contract on behalf of City of San Diego, pursuant to plans and specifications on file in office of 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 sanitary sewers and water main in Rachael Avenue and Morningside Street at Winchester Street, opened July 14, 1954, was presented. It recommends that of the 5 bids received, Schafer & Stowers, low bid of \$2690.00 - 29.2% below the estimate - be accepted.

RESOLUTION NO. 119322, recorded on Microfilm Roll No. 82, accepting bid of Schafer & Stowers for sanitary sewers and water main in Rachael Avenue and Morningside Street at Winchester Street; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego, contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, for furnishing pre-mixed concrete for various departments for period of 1 year beginning July 1, 1954, received from Pre-Mixed Concrete Company, sole bidder, on June 22, 1954, was presented. It states that bidder took exception to specifications and bid could not be accepted. It states that Director of Public Works has revised specifications which should prove acceptable to both bidder and City. Communication recommends rejection of bids, and that Purchasing Agent be authorized to re-advertise for period of 11 months beginning August 1, 1954.

RESOLUTION NO. 119323, recorded on Microfilm Roll No. 82, rejecting bid received June 22, 1954 for furnishing Pre-Mixed and Transit-Mixed Concrete, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119324, recorded on Microfilm Roll No. 82, authorizing and directing Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of Pre-Mixed Concrete for 11 months beginning August 1, in accordance with Document No. 494639, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119325, recorded on Microfilm Roll No. 82, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of 10-unit "T" Type Airplane Hangar at Montgomery Municipal Airport, bearing Document No. 494616; authorizing and directing 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.

Communication from Old San Diego Property Owners' and Business Men's Organization, Old San Diego 10, dated July 15, 1954, signed by A. W. O'Neal, president, 4018 Arista Street, was presented. It states that at meeting held July 11, 1954, a motion was passed by members present to effect that they are not in favor of San Diego Extension plan through Old San Diego to Five Points, but favor original Hancock Street Plan. Communication says that members saw for first time a map drawn by E. L. Freeland which offers an alternate plan including use of Moore Street, which plan is also endorsed by the organization.

Nicholas J. Haerring appeared, and attempted to get the floor.

The Mayor stated to Mr. Haerring that the communication is a new one.

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Communications.

Mr. Haerring told the Council that he has been following the proposal for a year, and can find no one who wants it.

At the request of various Council members, the Organization's letter was read to the Council.

Councilman Burgener said that such a proposal has not come to the Council.

Mr. Haerring said that he hasn't been to any of several meetings (of the Old San Diego people, presumably), where any except San Diego Avenue route was wanted. He declared that no one is in favor of destroying the "Old San Diego Shrines".

Councilman Burgener said that the Council will go into the subject thoroughly. The Mayor spoke of the matter having been discussed by the City Engineer. He said that the Planning Commission and the Council will have hearings.

Mr. Haerring asked that agendas of interesting items be posted outside, for checking up on matters prior to preparation and competition of the regular agenda.

Councilmen Godfrey and Burgener both said that the subject should go to Conference.

Councilman Wincote moved to refer the communication to the City Engineer, for presentation to the Planning Commission.

The Mayor said that it should go to the Planning Commission.

The roll was called, and the motion carried.

Communication from The San Diego Council of Registered Civil Engineers and Licensed Land Surveyors, dated July 23, 1954, signed by E. A. Lawrence, president, was presented. It transmitted copy of Resolution approved July 22, 1954, commending Robert C. Dorland for his able and valuable service rendered to citizens of City of San Diego as Chief Inspector, etc., and expresses hope that the City Manager will appoint a successor as eminently qualified for that position as Mr. Dorland.

The next 2 matters were referred to the City Manager, but action was reconsidered, and they were referred as shown:

Communication from State of California, Department of Education, 1772 Third Avenue, San Diego 1, dated July 21, 1954, signed by Hazel E. Bird, Vocational Rehabilitation Counselor, was presented. It states that it has been brought to the Department's attention that City ordinance concerning parking permit for severely disabled persons is under consideration and may be changed so that there may be adverse effect, was presented.

Communication signed by John D. Turrin, and others, dated July 14, 1954, identified as a group of working, seriously handicapped people whose jobs depend on all day special parking, was presented.

Frank Vingoe, who identified himself as being with the State Rehabilitation, spoke. He said that if it is a police matter, it is O.K.

The Mayor advocated reference to the City Manager.

Councilman Kerrigan stated that the Police Chief contends that the privilege now granted by ordinance is being abused.

Councilman Dail pointed out that it all revolves around the original point if it is for assistance of veterans.

Councilman Schneider stated that it is for all physically handicapped people.

Councilman Dail declared that the regulation was enacted with the intention of assisting people to hold jobs. He said that the item is on the Council Conference docket for action.

Councilman Kerrigan pointed out that it was on the docket for today, and that those interested should talk to the City Manager and the Chief of Police.

Councilman Dail said that it ought to be taken off the Conference agenda.

Councilman Wincote disagreed; said it is proper to leave it on.

Councilman Godfrey pointed out that the Council is going to discuss the subject. He felt that the subjects might be referred to Conference.

On motion of Councilman Godfrey, seconded by Councilman Burgener, action to refer the communications to the City Manager was reconsidered.

Councilman Dail declared that the method is wrong.

RESOLUTION NO. 119326, recorded on Microfilm Roll No. 82, referring to Council Conference communication from State of California, Department of Education, by Hazel E. Bird, Vocational Rehabilitation Counselor, filed as Document No. 494492 and petition of Group of Seriously Handicapped People, filed as Document No. 494593 re special parking permits for disabled persons, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

After Resolution of reference was adopted, Mr. Vingoe asked for notification. The City Manager said that he would provide notification when the matter comes before the Council.

Mr. Vingoe gave his telephone number as BE 3-0151

An unidentified man who gave his number as BE 3-5157, also asked to be notified.

A large group of communications opposing establishment of Section 101.0615 of San Diego Municipal Code by a proposed new ordinance, regulating Living Floor Space

for dwellings, were presented.

RESOLUTION NO. 119327, recorded on Microfilm Roll No. 82, referring to Council Conference communications from residents opposing establishment of regulation on Living Floor Space in Dwellings, filed under Document No. 494594, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119328, recorded on Microfilm Roll No. 82, directing notice of filing of Assessment No. 2266 made to cover costs and expenses of work done on Alley Block 9 Subdivision of Blocks 3, 6, 9, 12 City Heights Annex No. 1, and time and place of hearing, under Resolution of Intention No. 114058, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119329, recorded on Microfilm Roll No. 82, directing notice of filing of Assessment No. 2265 made to cover costs and expenses of work done on Alleys Blocks 4 and 5 Frary Heights, and Thorn Street, and time and place of hearing, under Resolution of Intention No. 113130, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119330, recorded on Microfilm Roll No. 82, directing notice of filing of Assessment No. 2264 made to cover costs and expenses of work done on Alley Block 58 Park Villas, Felton Street, Public Right of Way, and time and place of hearing, under Resolution of Intention No. 113750, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119331, recorded on Microfilm Roll No. 82, directing notice of filing of Assessment No. 2263 made to cover costs and expenses of work done upon Everts Street, and time and place of hearing, under Resolution of Intention No. 115630, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119332, recorded on Microfilm Roll No. 82, directing notice of filing of Assessment No. 2262 made to cover costs and expenses of work done upon Gloria Street, and time and place of hearing, under Resolution of Intention No. 115145, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 119333, recorded on Microfilm Roll No. 82, accepting bid of T. B. Penick & Sons, a co-partnership, for paving and otherwise improving Alley Block I Montecello, under Resolution of Intention No. 118154, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Engineer reported low bid 2.7% below estimate.

RESOLUTION OF AWARD NO. 119334, recorded on Microfilm Roll No. 82, accepting bid of John B. Henry, for paving and otherwise improving Alley Block 46 Ocean Beach, and Sunset Cliffs Boulevard, under Resolution of Intention No. 118155, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Engineer reported low bid 12.9% below estimate.

RESOLUTION OF AWARD NO. 119335, recorded on Microfilm Roll No. 82, accepting bid of H. C. Dennis, for installation of sewers in Ollie Street, Camulos Street, Liberty Street and Venus Street, under Resolution of Intention No. 118156, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Engineer reported low bid 36.9% below estimate.

RESOLUTION OF AWARD NO. 119336, recorded on Microfilm Roll No. 82, accepting bid of San Diego Gas & Electric Company for furnishing electric current for lighting ornamental street lights located in Loma Portal Lighting District No. 1, for period of one year from and including June 28, 1954, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119337, recorded on Microfilm Roll No. 82, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 4 Ocean View, Northwesterly and Southeasterly Alley Block 2 Sunset Grove, Northeasterly and Southwesterly Alley Block 2 Sunset Grove, under Document No. 494153; approving Plat No. 2617 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 plat in office of City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119338, recorded on Microfilm Roll No. 82, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Dudley Street, under Document No. 494155; approving Plat No. 2623 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 plat in office of City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119339, recorded on Microfilm Roll No. 82, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving F Street, under Document No. 494161; approving Plat No. 2608 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 plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119340, recorded on Microfilm Roll No. 82, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Jefferson Street, Moore Street, Conde Street and Harney Street, under Document No. 494157; approving Plat No. 2579 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 plat in office of City Engineer, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 119341, recorded on Microfilm Roll No. 82, for paving and otherwise improving Alley Block 56 Ocean Beach, under Resolution of Intention No. 118554, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 119342, recorded on Microfilm Roll No. 82, for paving and otherwise improving Grand Avenue, under Resolution of Intention No. 118555, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 119343, recorded on Microfilm Roll No. 82, for furnishing electric current for lighting street lamps on mast arms attached to poles located in Mission Beach Lighting District No. 2, together with maintenance, for period of one year beginning August 17, 1954, in accordance with plans and specifications contained in Report and Assessment filed June 1, 1954 in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119344, recorded on Microfilm Roll No. 82, directing Notice Inviting Sealed Proposals for furnishing electric current for lighting ornamental street lights located in Ocean Beach Lighting District No. 1, for period of one year from and including August 14, 1954, to and including August 13, 1955, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119345, recorded on Microfilm Roll No. 82, directing Notice Inviting Sealed Proposals for furnishing electric current for lighting ornamental street lights located in University Avenue Lighting District No. 3, for period of one year from and including August 7, 1954, to and including August 6, 1955, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 119346, recorded on Microfilm Roll No. 82, for paving and otherwise improving Alley Block 15 Fairmount Addition to City Heights, and Alley Block 2 Mountain View, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 119347, recorded on Microfilm Roll No. 82, for paving and otherwise improving Long Branch Avenue and Spray Street, was on motion of

7/27/54

Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 119348, recorded on Microfilm Roll No. 82, for furnishing electric current for lighting ornamental street lights located in El Cajon Boulevard Lighting District Number One, for period of one year from and including December 1, 1954, to and including November 30, 1955, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 119349, recorded on Microfilm Roll No. 82, for furnishing electric current for lighting ornamental street lights located in Montemar Lighting District Number One, for period of one year from and including December 16, 1954, to and including December 15, 1955, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 119350, recorded on Microfilm Roll No. 82, for changing grade of Alley Block 20 Paradise Hills, as shown on Map showing official property line grades to be changed....." signed by the City Engineer, and filed under Document No. 493038, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 119351, recorded on Microfilm Roll No. 82, for closing Walkway, between Lots 9 and 10 Block 41 La Jolla Hermosa Unit No. 2, that it is not deemed necessary that any land be taken therefor, and setting out exterior boundaries of district to be affected, etc., electing to proceed under provisions of "Street Opening Act of 1889", was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119352, recorded on Microfilm Roll No. 82, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current for lighting ornamental street lights located in Logan Avenue Lighting District No. 1, for period of one year from and including November 16, 1954, to and including November 15, 1955, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119353, recorded on Microfilm Roll No. 82, appointing time and place for hearing protests, and directing notice of hearing, for furnishing electric current for lighting ornamental street lights located in Pacific Beach Lighting District No. 1, for period of one year from and including September 1, 1954, to and including August 31, 1955, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119354, recorded on Microfilm Roll No. 82, appointing time and place for hearing protests and directing notice of hearing, for furnishing electric current for lighting ornamental street lights located in Roseville Lighting District No. 1, for period of one year from and including October 15, 1954, to and including October 14, 1955, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

It was at this point that the George L. Cory and Helen C. Cory matter was brought up in connection with construction on portion of Pueblo Lot 1774, and dedication of land for portion of La Jolla Mesa Drive - shown on page 402, where it was numbered under Resolutions Nos. 119310 and 119311 as a matter of expediency.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119355, recorded on Microfilm Roll No. 82, for paving and otherwise improving Alleys Block 4 Ocean View, and Block 2 Sunset Grove, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119356, recorded on Microfilm Roll No. 82, for paving and otherwise improving Dudley Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119357, recorded on Microfilm Roll No. 82, for paving and otherwise improving F Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119358, recorded on Microfilm Roll No. 82, for paving and otherwise improving Jefferson Street, Moore Street, Conde Street and Harney Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119359, recorded on Microfilm Roll No. 82, ascertaining and declaring wage scale for Alley Block 14 F. T. Scripps Addition to La Jolla Park; portion of Alley lying westerly of and contiguous to Block 2 J. T. Corcoran's Subdivision, and Draper Avenue, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119360, recorded on Microfilm Roll No. 82, ascertaining and declaring wage scale for Alleghany Street and Public Right of Way, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119361, recorded on Microfilm Roll No. 82, ascertaining and declaring wage scale for Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Mari-gold Street and Public Right of Way, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119362, recorded on Microfilm Roll No. 82, ascertaining and declaring wage scale for Lester Street, Jellett Street, Chicago Street, Denver Street, Erie Street, Morena Boulevard ~~Boulevard~~, et al., was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119363, recorded on Microfilm Roll No. 82, ascertaining and declaring wage scale for Olvera Avenue and Bonita Drive, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119364, recorded on Microfilm Roll No. 82, approving diagram of property affected or benefited by work of improvement to be done on paving Alleys Block 43 City Heights, described in Resolution of Intention No. 114133, and to be assessed to pay expenses thereof, diagram made by City Engineer; directing Clerk of the City at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119365, recorded on Microfilm Roll No. 82, approving diagram of property affected or benefited by work of improvement to be done on paving 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 of Pacific Beach, described in Resolution of Intention No. 116282, and to be assessed to pay expenses thereof, diagram made by City Engineer; directing Clerk of the City at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119366, recorded on Microfilm Roll No. 82, approving diagram of property affected or benefited by work of improvement to be done on paving Alley (North and South) Block 119 University Heights, described in Resolution of Intention No. 115261, and to be assessed to pay expenses thereof, diagram made by City Engineer; directing Clerk of the City at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119367, recorded on Microfilm Roll No. 82, approving diagram of property affected or benefited by work of improvement to be done on paving Udall Street, described in Resolution of Intention No. 113886, and to be assessed to pay expenses thereof, diagram made by City Engineer; directing Clerk of the City at same time of approval to pay expenses thereof, diagram made by City Engineer; directing Clerk of the City at same time of approval to certify fact and date thereof, and immediately deliver diagram certified to Superintendent of Streets, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119368, recorded on Microfilm Roll No. 82, granting petition for

paving and otherwise improving Alley Block 18 La Mesa Colony; directing 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 costs, damages and expenses of paving and otherwise improving Alley, was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119369, recorded on Microfilm Roll No. 82, granting petition contained in Document No. 491229 for paving and otherwise improving Alley Block 1 Walker's Addition; directing 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 of paving and otherwise improving the Alley, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119370, recorded on Microfilm Roll No. 82, granting petition contained in Document No. 494250 for paving and otherwise improving 46th Street and Thorn Street; directing 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 of improving the streets, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119371, recorded on Microfilm Roll No. 82, granting petition contained in Document No. 408010 for paving and otherwise improving Gillmore Street; directing 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 of improving the street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119372, recorded on Microfilm Roll No. 82, granting petition contained in Document No. 491064 for paving and otherwise improving Gregory Street; directing 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 of improving the street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119373, recorded on Microfilm Roll No. 82, granting petition contained in Document No. 491065 for paving and otherwise improving Hugo Street; directing 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 of improving the street, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119374, recorded on Microfilm Roll No. 82, granting petition contained in Document No. 493802 for installation of sewers to serve property along La Jolla Rancho Road in portion of P.L. 1774; directing 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 of improving the road, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119375, recorded on Microfilm Roll No. 82, granting petition contained in Document No. 490709 for paving and otherwise improving Linwood Street; directing 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 of improving the road, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119376, recorded on Microfilm Roll No. 82, granting petition contained in Document No. 491599 for paving and otherwise improving Macaulay Street; directing 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 of improving the street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119377, recorded on Microfilm Roll No. 82, granting petition

contained in Document No. 492854 for paving and otherwise improving Morrell Street; directing 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 of improving the street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119378, recorded on Microfilm Roll No. 82, granting petition contained in Document No. 494121 for paving and otherwise improving Ozark Street; directing 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 of improving the street, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119379, recorded on Microfilm Roll No. 82, granting permission to Dr. William P. Odom to pave and otherwise improve University Avenue, at Bonillo Drive, by private contract, under specifications etc furnished by City Engineer filed in office of City Clerk under Document No. 493793, on conditions contained in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119380, recorded on Microfilm Roll No. 82, granting George L. Cory permission to install water services and sewer laterals in portion of La Jolla Mesa Drive in Pueblo Lot 1774 by private contract, in accordance with plans, etc., furnished by City Engineer and filed in office of City Clerk under Document No. 494494, on conditions contained in the Resolution, Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119381, recorded on Microfilm Roll No. 82, prohibiting parking of automobiles at all times:

Southerly side of Zola Street, between westerly line of Chatsworth Boulevard and easterly line of Poinsettia Drive; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119382, recorded on Microfilm Roll No. 82, authorizing and empowering City Manager to do all the work in connection with replacement of 900 feet of 28-inch steel pipe with an 8-inch water main on Imperial Avenue, from 49th Street to intersection of Churchward Street and Imperial Avenue, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Resolution states that Water Department, Division of Distribution, has recommended the work, that 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. 119383, recorded on Microfilm Roll No. 82, authorizing and empowering City Manager to do all work in connection with modifying and improving lighting, acoustics and ventilation of Municipal Courtroom, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

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

RESOLUTION NO. 119384, recorded on Microfilm Roll No. 82, authorizing and empowering City Manager to execute, for and on behalf of The City of San Diego, an agreement with Victor W. Brown, extending contract with employment heretofore entered into with Brown for period of one year which shall commence July 1, 1954, at monthly compensation of \$200.00, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The City Manager explained, at the request of members of the Council. He states that Mr. Brown is adviser regarding the City's agricultural leases, and pointed out that report had been given to the Council.

Councilman Godfrey asked for a report on Mr. Brown's activities.

RESOLUTION NO. 119385, recorded on Microfilm Roll No. 82, authorizing and empowering City Manager to execute, for and on behalf of the City, an agreement for employment of services of T. B. Cosgrove, Attorney at Law, by The City of San Diego, during period of 12 months commencing July 1, 1954, and ending June 30, 1955, at and for sum of \$10,000.00, payable in installments of \$2,500 each, first installment to be paid October 1, 1954, second January 1, 1955, third April 1, 1955, and final installment on July 1, 1955, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119386, recorded on Microfilm Roll No. 82, authorizing and

directing City Manager to execute agreement by and between The City of San Diego and County of San Diego for use of jail facilities under terms and conditions set forth in agreement on file in Office of City Clerk under Document No. 494983, was on motion of motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Before passage of the Resolution, the City Manager made a verbal report at request of the Council. He explained that arrangement is to be made with consent of Sheriff or Chief of Police. The City Manager stated that the arrangement had never been used; maybe never will.

RESOLUTION NO. 119387, recorded on Microfilm Roll No. 82, adopting recommendation of City Traffic Engineer, to change 11 "part-night" burning lights on Broadway, between 14th and 16th Streets to "all-night" burning operation, and to incorporate change in San Diego Lighting District No. 4 at beginning of next contract year, recommendation contained in Document No. 494988 on file in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119388, recorded on Microfilm Roll No. 82, authorizing San Diego Gas & Electric Company to install a 6000 lumen overhead street light at each of following locations:

San Antonio at Kellogg;
38th Street at Z Street;
32nd Street at G Street;
37th Street at Z Street;

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

RESOLUTION NO. 119389, recorded on Microfilm Roll No. 82, approving expenditure of \$6,050.00 from funds appropriated by Ordinance No. 5900 (New Series) for purchase of Lots 29 and 30 Block 4 Reed and Hubbell's Addition, as site for proposed fire station at Logan Avenue and Marcy Street, east of 26th Street; authorizing Property Supervisor to issue requisition for said amount for purchase of the property, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119390, recorded on Microfilm Roll No. 82, authorizing and directing City Manager, for and on behalf of the City, to make application to Board of Supervisors of County of San Diego, and to take all necessary steps to acquire from State of California:

Lot 27 City Gardens;
Lot 6 Block 13 Electric Line Addn;
Lot 17 Block 19 Sellar's Addition;
Lots 7 & 8 Block 56 Sellar's Addition;

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

RESOLUTION NO. 119391, recorded on Microfilm Roll No. 82, granting revocable permit to Air Conditioning, Inc., a corporation, 758 Front Street, San Diego 1, to install 1 550-gallon gasoline storage tank underneath sidewalk area, between property line and curb on west side of Front Street, 25 feet north of G Street, on conditions outlined in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119392, recorded on Microfilm Roll No. 82, granting revocable permit to Casa de Manana, M. D. Woodbury, Superintendent, La Jolla, to install and maintain telephone conduit under and across Coast Boulevard South and along the parkway, adjoining permittee's property on Jenner Street, La Jolla, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119393, recorded on Microfilm Roll No. 82, granting permit to George A. Fuller Company, 3100 West 8th Street, Los Angeles 5, to construct temporary driveway, or access road, on westerly side of Florida Drive north of Pershing Drive, in Balboa Park; to be 50 feet in width and located between points approximately 115 feet and 165 feet north of the northerly fence line of San Diego Gas & Electric Company transformer station, to be used during construction to addition to U.S. Naval Hospital, on conditions set out in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote.

Proposed Resolution granting permission to General Petroleum Corporation to construct temporary driveway between existing paving on Morena Boulevard and property

line, between edge of traveled portion of unimproved portion of Jellett Street and property line, adjacent to Lots 1 to 5 Block 24 Morena, Orin Cope, Assistant to City Manager to the Council that it is to be withdrawn.
Councilman Burgener stated that the curb is 3 feet above the street.
By common consent, the proposed Resolution was filed.

RESOLUTION NO. 119394, recorded on Microfilm Roll No. 82, denying claim of C. Norby Andreassen, on file in Office of City Clerk under Document No. 493817, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119395, recorded on Microfilm Roll No. 82, denying claim of Farmers Insurance Company, on file in Office of City Clerk under Document No. 493702, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119396, recorded on Microfilm Roll No. 82, denying claim of Independent Distributors Union of San Diego and Joe Proulx, on file in office of City Clerk under Document No. 493690, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119397, recorded on Microfilm Roll No. 82, denying claim of Robert Saurer, on file in office of City Clerk under Document No. 493816, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119398, recorded on Microfilm Roll No. 82, denying claim of L. K. Wharton, on file in office of City Clerk under Document No. 494142, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

On motion of Councilman Burgener, seconded by Councilman Wincote, the reading of the next ordinance in full prior to final passage was dispensed with by 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. 6204 (New Series), recorded on Microfilm Roll No. 82, amending San Diego Municipal Code by adding Sections 63.12 to and including 63.12.7 establishing regulations for Montgomery Field Municipal Airport, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

On motion of Councilman Wincote, seconded by Councilman Burgener, the reading of the next ordinance in full prior to final passage was dispensed with by 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. 6205 (New Series), naming portion of County Road in Kensington Park 42nd Street, was on motion of Councilman Wincote, 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 Burgener, seconded by Councilman Wincote, 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. 6206 (New Series), recorded on Microfilm Roll No. 82, changing name of portion of Fenelon Street to Plum Street, was on motion of Councilman Burgener, seconded by Councilman Wincote, 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 Burgener, seconded by Councilman Wincote, 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. 6207 (New Series), recorded on Microfilm Roll No. 82, changing name of Polk Street to Polk Avenue, was on motion of Councilman Wincote, 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.

Proposed Res withdrawn
119394 - 119398
6204 N.S. - 6207 N.S.

7/27/54

cilman Kerrigan, 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 Burgener, seconded by Councilman Wincote, 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. 6208 (New Series), recorded on Microfilm Roll No. 82, authorizing City Manager to execute, for and on behalf of the City, amendment to lease agreement between City and Associated Glider Club of Southern California, Ltd., filed in office of City Clerk as Document No. 446956, which amendment to lease agreement excludes from terms of lease 5 Quonset Huts located on portion of property; amendment filed in office of City Clerk as Document No. 494311; was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilman 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, reading 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. 6209 (New Series), recorded on Microfilm Roll No. 82, adding recently annexed territory to The City of San Diego to various Councilmanic Districts, pursuant to provisions of Section 5 Article II of the Charter; shown and delineated on map showing boundary lines of the districts, contained in Document No. 424186 on file in office of City Clerk, and which districts were defined and which map was approved by Ordinance No. 1012 (New Series) adopted October 29, 1936:

Area designated as "Knox Tract" described in Ordinance No. 5942 (New Series) adopted January 21, 1954, added to Councilmanic District No. 5;

Area designated as "Rolando Tract" described in Ordinance No. 6007 (New Series) adopted March 16, 1954, added to Councilmanic District No. 4;

Area designated as "Butterfield Tract" described in Ordinance No. 6066 (New Series) adopted April 20, 1954, added to Councilmanic District No. 4;

Area designated as "Steinbaum Tract" described in Ordinance No. 6125 (New Series) adopted May 25, 1954, added to Councilmanic District No. 4;

Area designated as "La Mesa Colony Tract No. 5", described in Ordinance No. 6150 (New Series) adopted June 10, 1954, added to Councilman District No. 4;

was on motion of Councilman Kerrigan, seconded by Councilman Wincote, 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 Kerrigan, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, reading 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. 6210 (New Series), recorded on Microfilm Roll No. 82, establishing grade of Missouri Street, between easterly line of Noyes Street and westerly line of Olney Street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, 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 Kerrigan, seconded by Councilman Wincote, the next ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, reading 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. 6211 (New Series), recorded on Microfilm Roll No. 82, establishing grade of 67th Street, between southerly line of Brooklyn Avenue and line parallel to and distant 410.00 feet southerly therefrom, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, 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 Kerrigan, seconded by Councilman Dail, the next Ordinance -- dedicating portion of Pueblo Lot 1774 for street purposes, and naming it

6208 N.S. - 6211 N.S.

Buckingham Drive, was introduced, by the following vote: 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 2 matters, not listed on the Council's agenda:

Communication from the Harbor Commission, signed by John Bate, Port Director, dated 26 July 1954, submitting for approval form of lease with San Diego Lumber Company, covering approximately 5 acres between 7th, 8th, Harbor Drive and the Bay, presently occupied by Evenson Brothers, was presented. It states that space is to be used for storing, sorting and selling lumber, and for maintenance of structure now located thereon. Communication states rental has been established at 4¢ per square foot per year, subject to review every 2½ years; lease is for term of 10 years with 2 5-year options to renew. It states that if brought up under unanimous consent today it will save an additional month's rent.

RESOLUTION NO. 119399, recorded on Microfilm Roll No. 82, ratifying, confirming and approving Lease, copy of which is on file in Office of City Clerk as Document No. 495011, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Harbor Commission, signed by John Bate, Port Director, dated 26 July 1954, submitting for approval cancellation and surrender of lease covering premises (as in the San Diego Lumber Company, just above), was presented. It states that area is being surrendered by mutual agreement of Evenson Brothers and Harbor Commission, to be leased to San Diego Lumber Company. Effective date is to coincide with effective date of cancellation in order that rental may be continued without interruption. It asks for bringing it up under unanimous consent today for same reasons as the preceding one.

RESOLUTION NO. 119400, recorded on Microfilm Roll No. 82, ratifying, confirming and approving Cancellation and Surrender of Lease between the City of San Diego as Lessor, and William T. Evenson, Franklin F. Evenson, Justin C. Evenson and Ruth E. Evenson, for Clarence R. Evenson (deceased), as Lessees, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

There being no further business to come before the Council, the meeting was declared adjourned by the Mayor at 11:37 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

7/29/54

REGULAR MEETING

Chamber of the Council, City of San Diego, California,
Thursday, July 29, 1954

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Absent---Councilmen None.
Clerk----Fred W. Sick

The next matter was taken out of order.

Ordinance, which had been before the Council several times previously, and upon which hearings had been held, amending San Diego Municipal Code by adding Section to be known as and numbered 101.0615 Regulating Living Floor Space - Dwellings - was listed on the agenda for dispensing with reading and adoption.

Councilman Burgener said that there were people here on the item - listed far down on the agenda - interested. He pointed out that the Council was not ready to act on the legislation today. He stated that it was on the Conference agenda, but that the Council had been unable to reach it.

Councilman Burgener commented that the item had been continued, to permit Councilman Burgener to check on property in Mission Beach.

Councilman Schneider observed that Tom Fanning, attorney, has an interesting brief on the subject (filed in office of City Clerk July 28, 1954, with copies to individual Councilmen).

Councilman Godfrey said that it (the ordinance) should be back on the docket in 3 weeks.

Councilman Burgener said "at least that - perhaps 4 weeks".

Councilman Wincote declared that 1 week is enough.

Councilman Dail charged that the Council is just stalling the ordinance continuously, and felt that it should not take 2 or 3 weeks.

The Mayor said that the Council should not hold hearings in Conference. He declared that item to be unnecessary.

Councilman Wincote apologized for the conference affair, to which the Mayor referred.

Councilman Dail referred to problems keeping pyramiding.

Councilman Godfrey asked for putting the item back on the agenda 2 weeks from today, and consideration in conference in 1 week.

The Mayor said that it has been kicked around a good bit.

Mr. Heilman said that it was inconvenient; that he has been down about 10 times.

Councilman Wincote said that there is no need for inconveniencing him; hearings have been held; the Council is going into conference. He said that action will be taken, and that interested persons will hear of the action.

On motion of Councilman Godfrey the ordinance was continued 2 weeks - to August 12, 1954 - seconded by Councilman Wincote.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on appeal of Kenneth C. Hazen, et al from decision of Board of Zoning Adjustment in connection with request for permission to divide 2-acre parcel into 2 building sites with single-family residence on each - portion of Lot 4 Cave & McHatton Subdivision - 938 South 61st Street in Zone R-1, finding of facts was read by the Clerk.

Councilman Wincote said that the Council is aware of the situation (it had been before the Council on July 15, when the Mayor was not present). He said that the difficulty is in connection with cost of making survey.

Asked about it, Glenn A. Rick, City Planning Director, told the Council that it is legal to sell property by metes and bounds, but not to put on more than 1 house.

Councilman Wincote said that it would be possible to give a permit on metes and bounds, subject to subdivision being filed.

Mr. Rick said that an agreement regarding future sale of property would not have the value of the paper it would be written on.

Douglas D. Deaper stated that subsequent developer would be in poor position regarding existence of such an agreement.

Mr. reviewed from a map regarding division, and proposed development. He told of the Committee's action, regarding requirement for filing a map. He said that he was trying to help as much as he can, without getting away from filing a record of survey map.

Councilman Dail said that Mr. Allen and Mr. Hazen are willing to pay a reasonable fee. He said that development is coming in the area. Councilman Dail pointed out that when it comes to putting in future improvements, it is going to be expensive. He said that it might be well to look forward to the size of the lots in connection with economic soundness (in the future).

Mr. Hazen said that the property is just under 90 feet on the frontage.

Hearing - unscheduled - on Minimum Floor Area for dwellings
Hearing on appeal of Kenneth C. Hazen, Roy M. Allen

Councilman Wincote discussed with Mr. Rick the size of the property. Mr. Rick explained from the map, and said that owners could get 4 lots. There was continued discussion, not through the chair, over the map, by members of the Council, Mr. Rick and Mr. Hazen. Mr. Hazen talked with several individuals, not through the Chair. Mr. Rick spoke of being willing to exclude items, just so that owners file a Tentative Map.

Councilman Wincote said that it would be an advantage to acquiesce to requirements. He suggested holding the matter, and talking to Councilman Dail who knows about the situation, and to Mr. Rick.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the hearing was continued 1 week - to August 5 - and referred to Councilman Dail.

(Council Secretary was notified 7/29/54 by A.M.W. that item was referred to Mr. Dail, to call to his attention. Papers were not sent, inasmuch as he is familiar with the item).

Communication from San Diego County and Municipal Employees Local Number 127, Hillcrest Station Box 51, San Diego 3, from employees of the Electrical Division of the Public Works Department, was presented. It states that signers are dissatisfied with salary set up in 1954-1955 ordinance, and that private industry electricians have a different wage. It requests a new method of establishing salaries for City employees.

RESOLUTION NO. 119401, recorded on Microfilm Roll No. 83, referring to Council Conference communication from San Diego County and Municipal Employees Local Number 127 - for next Tuesday - was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

The Mayor addressed Admiral Baker and others who were present in connection with the proposed Ordinance having to do with minimum floor area for dwellings. He stated that it had been continued for 2 weeks from this date.

Councilman Godfrey requested unanimous consent to present the next item, not listed on the agenda.

On motion of Councilman Schneider, seconded by Councilman Godfrey, unanimous consent was granted.

Councilman Godfrey told of having a letter from Hillcrest Business Association, signed by Joseph P. McDonough, attorney at law, suite 301 Security Bank Building, 3911 Fifth Avenue, San Diego 3, dated July 29, 1954. Communication is headed Re: Elimination of Parking on University Avenue between First and Fifth Avenues. He referred to having had a conference with James E. Reading, Traffic Engineer, and the Police Chief. He referred to the letter mentioned above (later placed in the Clerk's file) requesting the taking away of the tow away signs, and a 60-day test. He mentioned the item having been brought up Council Conference, and having talked to interested people present. Councilman Godfrey said that it can be back on the docket - it hasn't been on the docket - for Tuesday.

Joseph P. McDonough, signer of the letter, spoke. He stated that it was his understanding that Mr. Reading had considered an alternate suggestion. He declared the tow away area to be out of line, without considering other approaches to the traffic solution. He spoke of people who shop in Hillcrest seeing the signs, then go away. Mr. McDonough told of the police towing away a car while the woman who owned it stood by screaming. He advised the Council that it has been reported a \$500.00 per day drop in business. He told of plans which have apparently not been carried out. He stated that all would be happy to have the tow away signs removed.

Councilman Godfrey agreed that business people have a serious problem. He said that there is the problem, also, of moving traffic. He pointed out that if the Council were to order signs down today, it might be decided on Tuesday that they should stay up. Councilman Godfrey spoke of Mr. Reading having agreed that the City might put hoods on the signs until Tuesday. He declared that it would be impractical to take them down today, then put them up again on Tuesday.

Councilman Wincote said that the signs could be left, and the Chief of Police instructed not to tow away cars.

Council Godfrey stated that the police had done what they were told.

Councilman Wincote said that the woman was put to \$10. or \$15. for what accomplished nothing. He spoke of being given a bill to straighten out the situation. He said that she should not have to hire a cab and follow her car which was being towed away.

Mr. Donough said that the woman (who was never identified) did not even have \$5. to pay for towing away of the Cadillac, and that she was not even permitted to get into the car and get it out of gear, thereby causing damage.

Councilman Wincote said that the signs might be left; it is bad to put them up, erase the wording, then enforce.

Councilman Godfrey said that the solution is not ^{good}, but that it is better than most.

Mr. McDonough spoke to Councilman Godfrey, not through the Chair.

Then, addressing the Council, Mr. McDonough said that the tow away should be the last resort, and advocated the study of signal synchronization. He said that it was his understanding that Mr. Reading was to do that.

See also page 428.

119401

Hearing, unscheduled, re Traffic Signs on Univ. Ave. bet 1st & 6th

Mr. Reading said that the lettering could be covered with paper.

RESOLUTION NO. 119402, recorded on Microfilm Roll No. 83, it was directed that until next Tuesday that the direction in connection with tow away zones on University Avenue between 1st and 5th should be in effect, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Chandler Estates, was presented.

RESOLUTION NO. 119403, recorded on Microfilm Roll No. 83, suspending Sections 102.16-8 and 102.17-c of San Diego Municipal Code in connection with Tentative Map of Chandler Estates, 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 Chandler Estates, a 6-lot subdivision of Lot 23 Soledad Terrace, located on Los Altos Road in northerly portion of Pacific Beach, subject to 7 conditions, was presented. It states that Tentative map, as submitted, indicates 7 lots, but Lot 7 does not comply with zoning requirements and was originally purchased by owner to be included with adjacent parcel. It requests approval of Lots 1 to 6.

RESOLUTION NO. 119404, recorded on Microfilm Roll No. 83, approving Tentative Map of Chandler Estates, a 6-lot subdivision, subject to conditions contained in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Record of Survey Map, of portion of Lot 12 Redlands Tract - suspending portion of San Diego Municipal Code - was presented.

RESOLUTION NO. 119405, recorded on Microfilm Roll No. 83, suspending Sections 102.07-2 and 102.12-3 of San Diego Municipal Code in connection with Tentative Record of Survey Map for division of portion of Lot 12 Redlands Tract, was on motion of Councilman Burgener, seconded by Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, stating that finding has been made on a single parcel of land fronting on existing Berting Street, approximately 300 ft. northerly of El Cajon Boulevard, was presented. It reports that Berting is improved, that finding that parcel contains less than 5 acres, abuts a dedicated street in which street opening or widening is not required by governing body in dividing land into lots or parcels, and that lot design meets approval. It recommends that Council make a similar finding and approving dividing land by means of Record of Survey method.

RESOLUTION NO. 119406, recorded on Microfilm Roll No. 83, approving Tentative Record of Survey Map, submitted in lieu of subdivision map, for division of portion of Lot 12 Redlands Tract, and making findings: 1) Area contains less than 5 acres; 2) abuts upon a dedicated street; 3) No street widenings or openings are required; 4) lot design meets approval of the Council, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from City Engineer, with City Manager's stamp of approval, stating that Resolution No. 111383 granted petition to improve portion of La Jolla Hermosa Avenue, was presented. It recommends that a separate resolution be passed for portion northerly of Mira Monte Plaza, and that Council order district formed for improvement between northeasterly prolongation of southeasterly line of Lot 7 Block 18 La Jolla Hermosa and westerly prolongation of northerly boundary line of La Jolla Hermosa Unit A.

RESOLUTION NO. 119407, recorded on Microfilm Roll No. 83, directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be effected and benefited by and to be assessed to pay costs, damages and expenses of improving La Jolla Hermosa Avenue between northeasterly prolongation of southeasterly line of Lot 7 Block 18 La Jolla Hermosa and westerly prolongation of Lot 7 Block 18 La Jolla Hermosa and westerly prolongation of northerly boundary line of La Jolla Hermosa Unit A, as recommended by City Engineer under Document No. 494984, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Petition from Richard L. Parsons, regarding to $\frac{1}{2}\%$ extra sales tax, assumption of responsibility by each member of the Council not now nearly taken care of by the City Manager and his numerous assistants; comments about the City Attorney's staff and letting the Bus Co. getting their raise and they were still in the black according to their report; the replacing of lights on Broadway; trips to New Orleans, Chicago, Washington, D.C., with representative Bob Wilson and staff there; the matter of sewage outfall, and method; raising of fees in parking meters, was presented.

Mr. Parsons spoke of the numerous unnecessary expenses.

E. W. Blom, Acting City Manager, said that there is a letter in the mail addressed to Mr. Parsons answering the last petition which asked a number of questions. On motion of Councilman Burgener, seconded by Councilman Kerrigan, it was ordered filed.

Communication from Harry Warburton, 4717 Maple Avenue, La Mesa, dated July 23, 1954, as a heavy taxpayer in the State College district, was presented. It refers to need for widening College Avenue and for construction of the Chollas Parkway. On motion of Councilman Wincote, seconded by Councilman Kerrigan, communication was referred to the City Manager.

Communication from State of California, Department of Education, 1772 Third Avenue, San Diego 1, dated July 27, 1954, signed by W. R. Hoyer, Rehabilitation Counselor, was presented. It favors special parking privileges for seriously handicapped people. (Others on the same subject have been received by the Council, and referred to Conference)

RESOLUTION NO. 119408, recorded on Microfilm Roll No. 83, referring to Council Conference communication from Department of Education, State of California, by W. R. Hoyer, Rehabilitation Counselor, re curtailing special parking privileges for seriously handicapped people, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from Walter Wach, 630 East Second Street, National City, dated July 27, 1954, referring to drastic restrictions placed on signs in the proposed SC Zone, and opposing the zone, was presented.

Communication from C. C. Gerhart, 3329 Euclid Ave., San Diego, dated July 27, stating that he is a home owner, and that he is convinced that it would be very detrimental to the welfare and prosperity of the City of San Diego to adopt an ordinance creating an SC zone, was presented.

RESOLUTION NO. 119409, recorded on Microfilm Roll No. 83, referring to Council Conference communications from C. C. Gerhart and Walter Wach opposing establishment of a Suburban Commercial Zone ("SC") in the City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Harbor Commission, signed by John Bate, Port Director, not dated, attaching for approval form of Assignment of Lease of real property for security assigning rights of General Truck and Engine Company lease to Yellow Manufacturing Acceptance Corporation, a subsidiary of General Motors Corporation - for collateral purposes - was presented.

RESOLUTION NO. 119410, recorded on Microfilm Roll No. 83, consenting to assignment for security lease dated 6th day of March, 1952, with General Truck & Engine Company, Inc., a corporation, as Lessee, to Yellow Manufacturing Acceptance Corporation, assignee; that part of consent it be declared that lease is unmodified and is in full force and effect and rental provided has been paid to City of San Diego and City is sole party interested as Lessor; that as part of consent the Harbor Commission will notify Assignee in writing of any default by Lessee and that Assignee shall be afforded opportunity to remedy default in accordance with terms of lease, and Harbor Commission shall also notify Assignee if Lessee fails to exercise any option under lease and Lessee shall be given privilege of exercising option within 60 days after written notice is given, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119411, recorded on Microfilm Roll No. 83, authorizing and empowering City Manager to execute, for and on behalf of the City, a Modification of Lease Agreement between City and De Anza Harbor Inc., assignees of lease agreement between City and Marian Fesler Purdy and Lila C. Witcher filed in office of City Clerk under Document No. 433603, being portions of Pueblo Lots 1798 and 1208 in Mission Bay Park, more particular description of property and terms and conditions to be as set forth in form of Modification of Lease Agreement filed in office of City Clerk under Document No. 495061, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119412, recorded on Microfilm Roll No. 83, authorizing and empowering City Manager to execute, for and on behalf of the City, amendment to lease agreement, which lease agreement is filed in office of City Clerk as Document No. 485809; more particular description of property and terms and conditions to be as set forth in form of amendment to lease agreement filed in office of City Clerk under Document No. 495094, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

(Although Resolution does not so state, it has to do with lease agreement with Louise E. Mitchell, et al., re rents, etc. - Mission Beach Amusement Center).

RESOLUTION NO. 119413, recorded on Microfilm Roll No. 83, authorizing City Manager to employ Al E. Riley, Inc. to replace curb, sidewalk and pavement, shown on Engineer's Drawing No. 10850-L in connection with improvement of Landis Street easterly of

37th Street, and Alley Block 82 City Heights; cost not to exceed \$294.60, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Resolution states that City has entered into contract with Riley for improvement of Landis Street and the Alley under 1911 Street Improvement Act proceeding; drawing No. 10850-L shows work to be done by City forces, and contractor has offered to do work for said sum and City Manager has recommended acceptance of offer.

RESOLUTION NO. 119414, recorded on Microfilm Roll No. 83, approving Change Order No. 21, dated July 13, 1954, heretofore filed with City Clerk as Document No. 494992, issued in connection with contract between City of San Diego and Daley Corporation for construction of Wabash Boulevard, Section "B", contract contained in Document No. 470651 on file in office of City Clerk; changes amounting to increase in contract price of \$1,040.00, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119415, recorded on Microfilm Roll No. 83, authorizing and directing City Manager for and on behalf of the City to make application to Board of Supervisors of County of San Diego, and to take all necessary steps to acquire from State of California portions of Lots 130, 131 and 260 in Assessor's Map No. 10, and to take all necessary steps to acquire from State of California lands described in the Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

(Land referred to in the Assessor's Map No. 10 is in Pueblo Lot 1204).

RESOLUTION NO. 119416, recorded on Microfilm Roll No. 83, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes against portions of Lots 6, 7, 8 Block 4 The Dells Park, together with all penalties and other expenses in connection therewith be cancelled; that all deeds to The State of California for delinquent taxes be cancelled; authorizing Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119417, recorded on Microfilm Roll No. 83, 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 16 Cave and McHatton Subdivision of Lot 14 and portion of Lot 16 Ex-Mission Partition, 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119418, recorded on Microfilm Roll No. 83, 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 13 Cave and McHatton Subdivision of Lot 14 and portion of Lot 16 Ex-Mission Partition, 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119419, recorded on Microfilm Roll No. 83, 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 13 Cave & McHatton Subdivision of Lot 14 and portion of Lot 16 Ex-Mission Partition, 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119420, recorded on Microfilm Roll No. 83, 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 13 Cave and McHatton Subdivision of Lot 14 and portion of Lot 16 Ex-Mission Partition, 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119421, recorded on Microfilm Roll No. 83, 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 13 Cave and McHatton Subdivision of Lot 14 and Portion of Lot 16 Ex-Mission Partition, 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119422, recorded on Microfilm Roll No. 83, 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 13 Cave and McHatton Subdivision of Lot 14 and portion of Lot 16 Ex-Mission Partition, 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119423, recorded on Microfilm Roll No. 83, 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 13 Cave and McHatton Subdivision of Lot 14 and portion of Lot 16 Ex-Mission Partition, 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119424, recorded on Microfilm Roll No. 83, 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 13 Cave and McHatton Subdivision of Lot 14 and portion of Lot 16 Ex-Mission Partition, 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 Property Supervisor to take whatever steps he may deem necessary to secure cancellation of taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from City Manager, transmitting Resolution authorizing Gospel Center Church of God in Christ to erect tent on property adjacent to 3566 Webster Avenue, for revival services, for 15-day period stipulated in Municipal Code, subject to conditions spelled out in the Resolution, was presented.

RESOLUTION NO. 119425, recorded on Microfilm Roll No. 83, granting permission to The Gospel Center Church of God in Christ, 2575 Imperial Avenue, San Diego, to erect, maintain for 15 days commencing August 9, 1954, a tent on property adjacent to 3566 Webster Avenue, to be used for conducting revival services, on conditions set out in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Proposed Resolution, authorizing Paul Beermann, Director of the Water Department, to attend meeting called by the Master appointed by the Supreme Court in the case of Arizona vs. California, et al. to be held in Phoenix, Arizona, August 5, 1954; authorizing necessary expenses, was presented.

Councilman Godfrey asked for what purpose Mr. Beerman was to attend; to testify, or to observe.

Councilman Kerrigan said that the Court has appointed a "Master".

E. W. Blom, Acting City Manager, told the Council that the City Attorney has been invited to attend, and to bring employees necessary. He said that Mr. DuPaul had asked to bring Mr. Beermann. The case is before the United States Supreme Court, according to Mr. Blom.

Councilman Godfrey pointed out that the City is paying T. B. Cosgrove \$10,000. per year. He asked why Mr. Cosgrove should not appear for the City.

The item was held over for discussion in Conference and for action later in this meeting. (See also page 428 of these minutes).

RESOLUTION NO. 119426, recorded on Microfilm Roll No. 83, accepting subordination agreement executed by Katharine R. Judson, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date July 12, 1954, wherein parties subordinate all their right, title and interest in and to portion of Lot 19 Rancho Mission, to right of way

119421 - 119426
Proposed Res re Beermann to
Phoenix re Water case

and easement for street purposes heretofore conveyed; authorizing and directing City Clerk to file deed for record in office of 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. 119427, recorded on Microfilm Roll No. 83, accepting subordination agreement, executed by Jesse R. Shotwell and Bonnie J. Shotwell, beneficiaries, and Land Title Insurance and Trust Co., trustee, bearing date July 20, 1954, wherein parties subordinate all right, title and interest in and to portion of Northwest Quarter of Quarter Section 82 Rancho de la Nacion, to right of way and easement for street 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 the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119428, recorded on Microfilm Roll No. 83, accepting deed of Raymond B. Talbot, as Tax Collector for County of San Diego, bearing date July 15, 1954, conveying in City Heights Lots 42 & 43 Block 143; in La Jolla Heights Und 1/2 Int Lots 37 to 40 incl., Block 26 (Also known as Parcel 2-43-11 Und 1/2 Int); in Montclair Lot 14 Block "V"; in Morena Subdivision Lots 27 & 38 Block 27; authorizing and directing City Clerk to file deed for record in office of 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. 119429, recorded on Microfilm Roll No. 83, accepting deed of Raymond B. Talbot, as Tax Collector for County of San Diego, bearing date July 15, 1954, conveying in Choate's Addition Frac'l Lot 25 Block 124; authorizing and directing City Clerk to file deed for record in office of 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. 119430, recorded on Microfilm Roll No. 83, accepting deed of Raymond B. Talbot, as Tax Collector for County of San Diego, bearing date July 15, 1954, conveying in Choate's Addition:

- All Block 60;
 - Lots 6 to 12 incl., Block 81;
 - Lots 1 to 9 incl., frac'l Lots 10 & 15, & all Lots 16 to 24 incl., Block 82;
 - Lots 11 to 20 incl., Block 85;
 - Lots 1 to 9 incl., & frac'l Lots 10 & 15 Block 87;
 - Lots 6 to 12 incl., Block 88;
 - Frac'l Lots 10 & 15 Block 110;
 - Lots 6 to 12 incl., Block 116;
 - Lot 45 Block 121;
 - Lot 45 Block 128;
 - Lots 1 to 24 incl., Block 133;
 - Lots 1 to 24 incl., Block 136;
 - Lots 1 to 11 incl., (Exc Freeway Ope) Lot 12, & all Lots 20 to 24 incl., Block 137;
 - Lots 1 to 8 incl., & 24 Block 145;
 - Lots 1 to 24 incl., Block 146;
 - Lots 1 to 14 incl., Block 147;
 - Lots 40 & 44 Block 150
- in Coate's Addition Map 167:
Lot 23 Block 126;
- in Choate's Addition Map No. 156:
Lot 7 Block 336;

authorizing and directing City Clerk to file deed for record in office of 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. 119431, recorded on Microfilm Roll No. 83, accepting deed of Frank Turnbull, Carroll R. Hoepfner and Gloria J. Hoepfner, bearing date July 21, 1954, conveying easement and right of way for street purposes in portion of Pueblo Lot 1290; setting aside and dedicating land to public use as and for public street and naming it La Jolla Scenic Drive; authorizing and directing City Clerk to file deed for record in office of 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. 119432, recorded on Microfilm Roll No. 83, accepting deed of Palmer Conner and Helen M. Conner, bearing date July 21, 1954, conveying easement and

right of way for street purposes in portion of Northwest Quarter of Quarter Section 82 Rancho de la Nacion; setting aside and dedicating property to public use as and for public use as and for public street and naming it Roanoke Street; authorizing and directing City Clerk to file deed for record in office of 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. 119433, recorded on Microfilm Roll No. 83, accepting deed of Lynn C. Stark and Helen L. Stark, bearing date July 16, 1954, conveying easement and right of way for street purposes in portion of Northwest Quarter of Quarter Section 82 Rancho de la Nacion; setting aside and dedicating property to public use as and for public street, and naming it Roanoke Street; authorizing and directing City Clerk to file deed for record in office of 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. 119434, recorded on Microfilm Roll No. 83, accepting deed of Lynn C. Stark and Helen L. Stark, bearing date July 16, 1954, conveying easement and right of way for street purposes in portion of Northwest Quarter of Quarter Section 82 Rancho de la Nacion; setting aside and dedicating property to public use as and for public street, and naming it Sea Breeze Drive; authorizing and directing City Clerk to file deed for record in office of 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. 119435, recorded on Microfilm Roll No. 83, accepting deed of Marcelle B. Broksch, bearing date July 17, 1954, conveying Lot 5 Block 18 Campo Del Dios Unit 2; authorizing and directing City Clerk to transmit the deed, together with certified copy of the 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. 119436, recorded on Microfilm Roll No. 83, accepting deed of Mabel Hodgetts, bearing date July 15, 1954, conveying Lot 2 Block 23 and Lot 3 Block 14 Campo Del Dios Unit 2; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119437, recorded on Microfilm Roll No. 83, accepting deed of Flora D. Montague, bearing date July 14, 1954, conveying Lot 8 Block 68 Campo Del Dios Unit 2; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119438, recorded on Microfilm Roll No. 83, accepting deed of Walter L. Clapham and Lois Clapham, bearing date July 15, 1954, conveying Lot 2 Block 37 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119439, recorded on Microfilm Roll No. 83, accepting deed of Emma M. Lamb, bearing date July 19, 1954, conveying Lot 3 Block 47 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119440, recorded on Microfilm Roll No. 83, accepting deed of Hazel M. Pontious, bearing date July 16, 1954, conveying Lot 8 Block 40 Campo Del Dios Unit No. 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119441, recorded on Microfilm Roll No. 83, accepting deed of Willard M. Sinclair and Cecil E. Sinclair, bearing date July 19, 1954, conveying Lot 4 Block 39 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119442, recorded on Microfilm Roll No. 83, accepting deed of Douglas D. Armstrong and Ruth E. Armstrong, bearing date July 16, 1954, conveying Lots 3 and 4 Block 88 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119443, recorded on Microfilm Roll No. 83, accepting deed of Aurie A. Craig, bearing date July 19, 1954, conveying Lot 5 Block 93 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119444, recorded on Microfilm Roll No. 83, accepting deed of Jack L. Harter and Jeanette Harter, bearing date July 17, 1954, conveying Lot 6 Block 87 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to 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. 119445, recorded on Microfilm Roll No. 83, accepting deed of Nicholas C. Hipp and Mae R. Hipp, bearing date July 16, 1954, conveying Lot 4 Block 91 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to 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. 119446, recorded on Microfilm Roll No. 83, accepting deed of Alice Ewing Noyes, bearing date July 15, 1954, conveying Lot 3 Block 82 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The next item listed on the agenda, regulating Living Floor Space for Dwellings was considered out of order at the beginning of the meeting - and continued 2 weeks - to August 12, 1954.

In connection with the next item, there were several items of objections filed, but they were not considered by the Council.

Ordinance providing for a temporary increase of one-half cent in Sales and Use Taxes, and restricting expenditures of proceeds therefrom to public improvements, was presented - the Ordinance was introduced July 22, 1954.

Councilman Wincote, seeing that there were individuals present in connection with the ordinance, pointed out that the hearing had been closed; re-opened; closed again.

Councilman Godfrey wondered if there was any "new information".

Mr. DuPree, U.S. Navy Chief, who had spoken to the Council several times previously, appeared again. He told the Council that he notices that at the Civic Center building there are parking meters (on Pacific Highway and Harbor Drive sides) which could be increased from 5¢ to 10¢, thereby raising considerable additional revenue. He said that paving - presumably in the large lots at the north and south ends of the building - had been paved "by taxpayers' money". He declared that he is going to circulate a petition to do away with all sales taxes.

Mayor Butler asked John Borchers, of the Taxpayers' Association, if the Taxpayers wanted to add anything.

Mr. Borchers stated that there is nothing new; the Association has made its statement. He declared that if the Council puts on the sales tax, there should be a definite time limit included.

The Mayor replied that it is in the ordinance.

Councilman Wincote spoke to George Jessop, not through the Chair.

Mr. Jessop told the Council that through his store - J. Jessop & Sons - he opposed the tax.

Mr. Hargraves said that it is understanding that a service charge for sewer rental would amount to raising \$700,000 - balance of Capital Outlay is \$500,000 - 10¢ on tax rate.

When Nicholas Haerring attempted to speak, the Mayor stated that he had told individuals that they could come down and be heard, not realizing that in his absence

a hearing which had been held was closed.

Mr. Haerring proceeded, and told the Council that he has 10 tenants, half of them on sea - referring to comments having been made by Mr. Dupree in behalf of service personnel. He spoke of paying taxes as landlord. He stated that he is burdened with taxes now. Mr. Haerring pointed out that the small tax paid by the service man is little for the upkeep and furnishing for their pleasure parks, etc. He spoke of need for having a 1-way purpose, regarding balancing of the budget. He said that it is wrong not to consider the landlord; the sales tax is fair.

ORDINANCE NO. 6212 (New Series), recorded on Microfilm Roll No. 83, amending Article 2 of Chapter 3 of San Diego Municipal Code by adding thereto Section 32.01.1 providing for a temporary increase of one-half per cent in Sales and Use Taxes, and restricting expenditures of proceeds to permanent public improvements, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen Schneider. Absent--Councilmen None.

Prior to adoption, reading 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.

(The ordinance provides for the increase in sales tax to one per cent for period of time commencing October 1, 1954, and running to and including September 30, 1955, after which time rates shall revert to those established in said sections; provided, however, that the additional revenue derived from increased rates shall be used only and exclusively for purpose of acquisition, construction and completion of public improvements of a permanent character).

On motion of Councilman Godfrey, seconded by Councilman Burgener, 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. 6213 (New Series), recorded on Microfilm Roll No. 83, incorporating portion of Pueblo Lot 104 into R-1B Zone as defined by Section 101.0403 of The San Diego Municipal Code, and repealing Ordinance No. 5179 (New Series), adopted May 8, 1952 insofar as it conflicts, was on motion of Councilman Godfrey, 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 Kerrigan, seconded by Councilman Schneider, 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. 6214 (New Series), recorded on Microfilm Roll No. 83, amending San Diego Municipal Code by amending Section 22.0502 relating to powers and duties of Purchasing Agent - Payment; Revolving Fund - to take effect and be in force on and after the 29th day of August, 1954, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, 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 Kerrigan, Ordinance amending San Diego Municipal Code by amending Section 101.0507 thereof, relating to zoning - Minor Adjustment of the Zoning Requirements - was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Prior to introduction, Glenn A. Rick, Planning Director, made a verbal explanation of the procedure.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, Ordinance amending San Diego Municipal Code by amending Section 101.0412 thereof, relating to uses within M-1 Zone, was introduced, by the following vote: 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 next ordinance was introduced.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, reading 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 passage a written or printed copy.

ORDINANCE NO. 6215 (New Series), recorded on Microfilm Roll No. 83, appropriating sum of \$6,400.00 from Capital Outlay Fund for improvement of 45th Street, between southerly line of Market Street and line parallel to and distant 23.9 feet southerly from southerly line of Market Street Addition and easterly prolongation of southerly line, was on motion of Councilman Kerrigan, 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.

7/29/54

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

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

ORDINANCE NO. 6216 (New Series), recorded on Microfilm Roll No. 83, appropriating \$3,000.00 from Trunk Line Sewer Fund (Fund 231) for providing funds for construction of Sanitary Sewer Main and water main in Rachael Avenue and Morningside Street at Winchester Street, was on motion of Councilman Kerrigan, 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..

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

RESOLUTION NO. 119447, recorded on Microfilm Roll No. 83, appointing Roy J. Miller as a member of the Board of Administration of the City Employees' Retirement System, to fill unexpired term of Arthur W. Carey, expiration date May 24, 1957, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

On motion of Councilman Dail, seconded by Councilman Wincote, the Council took a recess at 11:00 o'clock A.M. until 11:30 o'clock A.M.

Upon re-assembling, at 11:50 o'clock A.M., the roll call showed the following:

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

Absent---Councilman Kerrigan

Clerk---Fred W. Sick

RESOLUTION NO. 119448, recorded on Microfilm Roll No. 83, consenting to detachment from The City of San Diego of uninhabited territory consisting of uplands, tide and submerged lands, including portion of tide and submerged lands lying within corporate boundaries of The City of San Diego, described in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Resolution states that City of Coronado has initiated proceedings to annex certain portions of Bay of San Diego, that territory is situated within boundaries of The City of San Diego and under Section 35304 of Government Code of State of California consent of legislative body of The City of San Diego to detach must be first obtained.

Next matter was listed on page 423 of these Minutes, and was brought up again, as had been determined previously.

RESOLUTION NO. 119449, recorded on Microfilm Roll No. 83, authorizing Paul Beerman, Director of Water Department of The City of San Diego, to attend meeting called by Master appointed by Supreme Court in case of Arizona vs. California, et al., to be held in Phoenix, Arizona, August 5, 1954; authorizing incurring of all expenses necessary in connection with the trip, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The next matter was shown on page 419 of these Minutes, also.

The Mayor requested, and was granted unimous consent to present the following:

E. W. Blom, Acting City Manager, told the Council - in connection with the University Avenue no parking episode - that the officer had stated that no fine was paid and no towing charge made for towing the woman's automobile. He stated that she taken a cab home to get the cash to pay for the fine and the towing, and upon returning found the car gone.

Aaron Reece, Deputy City Attorney, told the Council that Clarence Winder (the City's rate consultant) will come down to explain to the Council the transit case and the telephone case. He stated that Mr. Winder is on vacation. During a discussion, it was determined that he should appear in Conference at 8:30 on Thursday.

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:55 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

119447-119449

6216 N.S.

Report, verbally, re Univ. Ave. parking prohibition towing
Rate consultant to come to Conf. on Thurs

Mayor of The City of San Diego, California

Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, August 3, 1954

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Absent---Councilmen None
Clerk----Fred W. Sick

The Mayor presented Rev. E. A. Vosseler, pastor of the First Lutheran Church, downtown San Diego. Rev. Vosseler gave the invocation.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Minutes of the Regular Meetings of Tuesday, July 27, 1954, and of Thursday, July 29, 1954, were presented to the Council.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, they 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 receiving bids for paving and otherwise improving Alley Block 95 Ocean Bay Beach, under Resolution of Intention No. 118393, the Clerk reported that 3 bids had been received. They were presented to the Council.

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

Bids were as follows:

H. C. Dennis, an individual, accompanied by bond written by American Surety Company of New York in the sum of \$500.00, given Document No. 495311;

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. 495312;

Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$700.00, given Document No. 495313.

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

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving bids for paving and otherwise improving Alleys Blocks 3 and 4 Ocean Beach, under Resolution of Intention No. 118394, the Clerk reported that 3 bids had been received. They were presented to the Council.

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

Bids were as follows:

H. C. Dennis, an individual, accompanied by bond written by American Surety Company of New York in the sum of \$900.00, given Document No. 495308;

John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$1,000.00, given Document No. 495309;

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. 495310;

On motion of Councilman Schneider, seconded by Councilman Wincote, they 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 Preliminary Determination No. 118558, for paving and otherwise improving Godsall Lane, Alley Block 2 Idyllwild, Pennsylvania Avenue, Councilman Wincote moved to continue the hearing 1 week. Motion was seconded by Councilman Schneider. (It had been agreed at the original hearing that there would be a continuance week-to-week until August 10).

The City Engineer, answering questions from members of the Council, said that he is polling the district regarding property owners' desires, as directed by the Council.

Councilman Godfrey said that he had a call from a woman who told him she can prove that she has a majority protest.

Councilman Wincote pointed out that by previous determination it was not intended to come before the Council until next Tuesday.

The Mayor said that there is no prejudice in holding the proceedings for another week, as agreed.

RESOLUTION NO. 119450, recorded on Microfilm Roll No. 83, continuing hearing on proposed improvement of Godsall Lane, Alley Block 2 Idyllwild, and Pennsylvania Avenue, under Resolution of Preliminary Determination No. 118558, until the hour of 10:00 o'clock A.M., Tuesday, August 10, 1954, 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

Bids
Hearings
119450

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Resolution No. 118981 of Preliminary Determination for grading and sidewalk Redwood Street, Chollas Station Road, Winlow Street, Marvin Street, 55th Street, Hubner Road and 54th 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.

Councilman Schneider asked why the work was not done at the time property was subdivided.

Councilman Kerrigan answered that the improvement was not a requirement at that time.

RESOLUTION NO. 119451, recorded on Microfilm Roll No. 83, determining that proposed improvement of Redwood Street, Chollas Station Road, Winlow Street, Marvin Street, 55th Street, Hubner Road and 54th Street within limits and as described in Resolution of Preliminary Determination No. 118981 is feasible, and that lands to be assessed therefor 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 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. 118982 of Preliminary Determination for paving and otherwise improving Alley Block 3 Ocean Beach, 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. 119452, recorded on Microfilm Roll No. 83, determining that proposed improvement of Alley Block 3 Ocean Beach, within limits and as described in Resolution of Preliminary Determination No. 118982 is feasible, and that lands to be assessed therefor will be able to carry burden of 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 Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 118860 for paving and otherwise improving Byron 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 Kerrigan, seconded by Councilman Wincote, 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 of Intention No. 118861 for paving and otherwise improving Thorn Street and Highland Avenue, the Clerk reported that written protests had been received from Mrs. Anna B. Truitt, Bessie B. Keeney, Mr. & Mrs. E. H. Bryton. They were presented to the Council.

The Engineer reported a 4.8% protest, on the basis of property owners not being able to afford the work, and that it is unnecessary.

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

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

RESOLUTION NO. 119453, recorded on Microfilm Roll No. 83, overruling and denying protests of Mrs. Anna B. Truitt, Bessie B. Keeney, and Mr. and Mrs. E. H. Bryson, against improvement of Thorn Street and Highland Avenue, under Resolution of Intention No. 118861, overruling and denying all other protests, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, 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. 118862 for sewers in Myrtle Avenue and Alley Block 8 Bungalow Park Addition, 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 Wincote, 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 Assessment No. 2254 made to cover cost and expenses of paving and otherwise improving Dixon Place and Warrington Street, under Resolution of Intention No. 114060, the Clerk reported that no written appeals had been received.

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

RESOLUTION NO. 119454, recorded on Microfilm Roll No. 83, confirming and approving Street Superintendent's Assessment No. 2254 made to cover cost and expenses of paving and otherwise improving Dixon Place and Warrington Street; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing Street Superintendent 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 Assessment No. 2255 made to cover costs and expenses of work of paving and otherwise improving 40th Street and Thorn Street, the Clerk reported that written appeal had been received from Samuel Rose. It was presented to the Council.

The City Engineer reported a 2.1% protest based on statement that Mr. Rose did not sign petition, and that it is too high.

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 filed.

RESOLUTION NO. 119455, recorded on Microfilm Roll No. 83, confirming and approving Street Superintendent's Assessment No. 2255 for paving and otherwise improving 40th Street and Thorn Street under Resolution of Intention No. 113752; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law; directing 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 hearing on Assessment No. 2256 made to cover costs and expenses of paving and otherwise improving Alleys Blocks 7 and 2 Alhambra Park, the Clerk reported written appeals from Robert L. Cardenas et al, and from Mr. and Mrs. O. H. Kollman, which were presented to the Council.

The City Engineer reported an 8.4% appeal; said that there are 2 alleys, and appeal is regarding cost. He said that there is difference in excavation, and a "T" Alley.

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

Robert Cardenas said that when the petition had been started he was not interested, but that he finally had said "O.K.". He told the Council that while work was in progress grading had left a hole, which would have been a lake. He stated that he had reported the condition to the City Engineer, but that no one had paid any attention. Then, according to Mr. Cardenas, a thin layer of cement had been placed on the cement. He showed a patch. He said that there are now 2 holes - and he showed a loose patch from the second one, also. He said that paving is cracked, and alley does not drain.

The Mayor pointed out that only basis at this hearing is regarding the assessment, inasmuch as the improvement had been accepted by the City.

The City Engineer said that is subject to this hearing. He stated that it is a flat alley, and that a true grade can't be had. He said that perhaps the areas where complaint is made should be taken out, and asphalt put in.

Mr. Charles Leadbetter told the Council that he can see no way of patching the patching.

Councilman Burgener said that it would have to be worked out.

Councilman Schneider stated that he would rather hold up the proceedings than confirm the assessment.

Mr. Leadbetter stated that it would have to go (the patching) 150 or 200 ft. in length.

To that Mr. Cardenas added "5 feet wide".

Asked for a further report, relative to cost, the City Engineer said that the bid was 13% below estimate. He declared that the cost is not high.

There was discussion between Mr. Leadbetter, Councilman Wincote, and the Mayor over the cost.

The City Engineer reviewed the cost of individual items.

Councilman Schneider moved to continue the hearing a week, and City Engineer make a report.

Councilman Godfrey observed that an inspection must have been made.

The City Engineer said that if there is a question, he will look at it.

RESOLUTION NO. 119456, recorded on Microfilm Roll No. 83, continuing hearing on Street Superintendent's Assessment No. 2256, made to cover costs and expenses of paving and otherwise improving Alleys Blocks 7 and 2 Alhambra Park until 10:00 o'clock A.M., Thursday, August 5, 1954; requesting City Engineer to make report to the Council on the condition of the alleys improved under the Assessment, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2257 made to cover cost and expenses of paving and otherwise improving Alleys Blocks 194, 195, 196, 197, 223, 224, 225 and 226 Pacific Beach, under Resolution of Intention No. 114248, 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 protests were filed.

RESOLUTION NO. 119457, recorded on Microfilm Roll No. 83, confirming and approving Street Superintendent's Assessment No. 2257 for paving and otherwise improving Alleys Blocks 194, 195, 196, 197, 223, 224, 225 and 226 Pacific Beach; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law; directing 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 continued ordinance approving annexation to City of San Diego of portions of Tidelands of San Diego Bay, in County of San Diego, to be known as "San Diego Harbor Tidelands", the Clerk reported that no protests had been received on the new ordinance.

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

The Mayor told of the background.

Shelley J. Higgins, Assistant City Attorney, related the time fixed by law for formal protests. He said that the area is under water, and the only people interested would be the State of California.

Councilman Godfrey moved to introduce the ordinance. The motion was seconded.

Judge Higgins told of having discussed the matter with the State, and pointed out that no protests had resulted.

On motion of Councilman Godfrey, seconded by Councilman Schneider, ordinance approving annexation to City of San Diego of certain portions of Tidelands of San Diego Bay, in County of San Diego, State of California, known and designated as "San Diego Harbor Tidelands", was introduced, by the following vote: Yeas-- Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Freeway Intersection at 47th Street and Federal Boulevard - which had been set in Council Conference - the Mayor invited E. E. Wallace, District Engineer for the State Highway Department, to be heard.

Mr. Wallace told of having presented a Freeway agreement to the east, between Wabash and Euclid. He stated that portion between Euclid and College had been budgeted this year. He said that under consideration is the last portion, but not approval between Campo and La Mesa. He referred to the important unit regarding freeway to the east.

Councilman Dail pointed out that principal objections are by merchants and residents at 47th and Federal regarding no east-bound traffic. He stated that the City Engineer had suggestions. He said that 43rd Street and Chollas View Freeway might be an answer.

Mr. Wallace said that the City Engineer and the Planning Department have made suggestions, and that there will be interchanges and ramp and overhead. He spoke of revised plans. Mr. Wallace told about having made revisions justifiable, and cost available. He declared that the project is important, and is anxious to get early action.

Councilman Kerrigan said that questions have been answered, and he moved "approval".

Patricia Shepard, who identified herself as owner of property at northwest corner of 47th Street and Federal Boulevard. She asked why take care of Home Avenue, and not Federal Boulevard.

Councilman Dail spoke directly to Mr. Wallace. Mr. Wallace answered regarding an on-ramp on Federal Blvd. for a ramp. He said he would prefer freeway re interchange for 47th. He spoke of providing for Home and Chollas. He spoke of breaking connections, perhaps at 43rd. There would be 3; that can't be afforded, he said.

Councilman Dail asked if the City has plans.

The City Engineer told of having been discussing the subject with Mr. Wallace.

The City Manager related having had discussion, between the City Engineer; Glenn Rick, Planning Director; and Mr. Wallace. He said that the City plan for Chollas and 43rd - N-S road tie in together. It was his statement that detailed plans have not yet been worked out, and that it was not possible to give precise recommendation to the State. According to the Manager, Mr. Wallace says that he will work out future connection, to get into Chollas and 43rd in the future. He referred to trying to work it out. It is in the mill, he stated.

Councilman Dail told of going to work out a plan for overpass at 43rd. He pointed to a map regarding proposals. According to him, it would be an excellent compromise. He spoke of need for getting into Federal for east-bound traffic.

Mrs. Shepard said that if opening is not left into Federal Boulevard, little businesses cannot exist. She said that it is all right if Federal Boulevard is left open.

Councilman Dail talked to Mrs. Shepard regarding plans, not completed. There would be a certainty of carrying out the desires, regarding the City Manager's statement, he said.

Leo Demers exhibited a petition of nearly 1500 names regarding Federal Boulevard going east. He filed them. That petition reads: "That your Honorable Body take action and proest as follows to the State Department of Public Works Division of Highways: A proposed Freeway to replace and realign Federal Boulevard will not permit

Hearings

Tidelands Ord. introduced

47th St. & Federal Blvd. alignment hearing.

east bound traffic proceed off the proposed Freeway on the present alignment from a point in the vicinity of Home Avenue. That there is no provision for future traffic entry into the proposed Freeway at a point where the future Chollas Freeway and 43rd Street improvement crosses the proposed Freeway. That there has apparently been no planning for traffic interchange at 47th and the proposed Freeway." Mr. Demers talked about a clover leaf. He said that business men on Broadway did not object to going to Market, but wanted Broadway to Broadway - then down. They don't like it as it is now, he stated. He told of Councilman Kerrigan having attended a meeting of the Chamber of Commerce, and having spoken of leaving as is, but that a clover leaf would be designed. That was 3 years ago, and nothing has been done, according to Mr. Demers. He referred to a dead-end street that tax payers paid for. He spoke of Home Avenue where it goes across a bridge....point to a map....and could hit back into Federal. He then referred to "Wabash deal". He told about not having a street to come into the City on, except a jig saw puzzle. He said that he does not know if there is a design, or if it is in the future.

The Mayor pointed out that this "hearing" has no legal status; the Council just wanted to know about negotiations. He said that Council had given the problem to the Council in conference.

Councilman Dail talked to Mr. Demers regarding provisions now, not to wait for Chollas Freeway.

Councilman Schneider talked to Mr. Wallace regarding the Demers suggestion about the Home Ave. overhead.

The City Manager referred to having to carry traffic beyond; that it would be quite an expenditure. He said that it would be more useful to try to find an answer to the Chollas connection for permanent project.

Councilman Schneider asked if 6 months or 6 years regarding 43rd Street.

The City Manager answered that there is attempt now on Chollas and 43rd to work out as a portion of the project.

* Mrs. A. E. Edmonds spoke of owning property at 47th and Federal. She said that old timers had lived through the Mattoon Act affair. Now it is proposed to damn up up an established road, and that is not right according to her.

The City Manager pointed out to people concerned, that Mr. Wallace has been most cooperative; he has studied and revised. If this can be worked out, it will accomplish all, according to him.

RESOLUTION NO. 119458, recorded on Microfilm Roll No. 83, stating it to be the City policy that it is working to future traffic interchange with proposed Chollas Freeway and Federal Freeway, and is working toward getting in the planning ahead of the Chollas Freeway, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

* A letter written by Arthur E. Edmonds and (Mrs. A. E.) Winifred H. Edmonds, 2208 A Street, San Diego 2, dated August 1, 1954 - (Property owner at Federal and 47th Street)- was handed into the Clerk by Councilman Dail.

Councilman Godfrey asked to have the item listed as No. 33 on the agenda, taken up at this time, out of order. Communication was shown as from Hillcrest Business Association requesting elimination of parking restrictions on University Avenue between 1st and 5th Avenues, which had been before the Council on Thursday, July 29.

The Mayor stated that it had been discussed in meeting, and in conference.

Councilman Godfrey said he wanted to hear from Reading (James E. Reading, Traffic Engineer).

Mr. Reading recommended acceptance of request of Hillcrest merchants for taking down of the "tow away" signs for 60 days, and prohibiting left turns at 5th & 6th. The request is not feasible regarding the turns at the alleys, he said. He declared it to impossible for trucks to make right turns. He spoke for elimination of meters, in connection with intersection turns, and about through traffic. He said that he is going to study timing of signals at 4th Avenue, with more green time on University. By that, he thought it will be possible to gain 1/4 to 1/3 as much as by prohibiting parking.

Councilman Schneider spoke to Mr. Reading about the truck turns.

Mr. Reading agreed that it is a difficult situation, and that he does not want to recommend regarding the trucks only.

* Councilman Godfrey moved that the two away zone on University Avenue be eliminated for 60 days, and that there be a study of other proposals. The motion was seconded by Councilman Burgener.

Joseph D. McDonough, attorney, who had spoken to the Council at the previous hearing on behalf of the Hillcrest Business Mens' Association, asked if at the end of 60 days there may be notification given.

The Mayor told Mr. McDonough that Councilman Godfrey would keep in touch, but that he is welcome to be present in the future, for presentation of views.

Mr. McDonough replied that there are other ways of solving the problem. He told the Council that a speedway is not wanted, and of merchants who would suffer as a result of such action. He complimented the Council upon its patience and help. He declared that it (traffic) is acute for 10 minutes only in the evening.

* Councilman Godfrey added to his motion, which was seconded by Councilman Burgener, that a separate file be kept of all complaints on the subject, and that there be a conference at the end of the 60 days.

Nicholas Haerring spoke regarding his efforts to get people down to discuss things of interest during the year. He stated that they come down only when affected.

The Mayor referred to Mr. Haerring as being a "voice in the wilderness", and to his continued interest.

RESOLUTION NO. 119459, recorded on Microfilm Roll No. 83, directing that the tow away zone on University Avenue in the Hillcrest district be eliminated for 60 days, and that there be a study made of other proposals; setting up a separate file of all complaints on the subject; determining that there shall be a conference at the end of 60 days, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

119458

Hearing re University Ave.
parking elimination bet
1st & 5th Aves.

8/3/54

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, making a long detailed report in connection with bids received for furnishing 70 Trucks and 3 Jeep Automobiles, which resulted in the following awards, was presented:

RESOLUTION NO. 119460, recorded on Microfilm Roll No. 83, accepting bid of Bay Shore Motors, Inc., for furnishing Item 1-A, 15 $\frac{1}{2}$ Ton Pickup Trucks with express bodies @ \$993.74 each; Item 1-B, 3 $\frac{1}{2}$ ton Pickup Trucks with 4-speed transmission @ \$1,031.15 each; Item 1-C, 5 $\frac{1}{2}$ Ton Cabs with Chassis only, equipped with 55 amp. capacity generators @ \$1,000.00 each; Item 1-D, 1 ϕ Ton Chassis and Cab equipped with Powers Series 44-75 or equal special body @ \$1,821.40; Item 2-A, 1 - 3/4 Ton Pickup Truck @ \$1,184.02; Item 2-B, 1 - 3/4 Ton Chassis and Cab only @ \$1,087.26; Item 6-A, 6 - 1 Ton Cabs and Chassis with Powers #44-104 or equal special body @ \$2,030.00 each; Item 6-B, 1 - 1 Ton Cab and Chassis only \$1,324.43; Item 7-A, 1 - 3 Ton Heavy Duty Chassis and Cab @ \$2,396.65; Item 7-B, 1 - 3 Ton Heavy Duty Chassis and Cab with 2-speed rear axle @ \$2,458.22; all terms net plus 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 office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119461, recorded on Microfilm Roll No. 83, accepting bid of Willys Sales Company for furnishing Item 3-1, 1 - Jeep Passenger Vehicle @ \$1,807.35; Item 3-B, 2 - Jeep Pickup Trucks @ \$2,013.83, 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 office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119462, recorded on Microfilm Roll No. 83, accepting bid of City Motors to furnish Item 5-A, 1 - 2 Ton Chassis and Cab only @ \$1,602.64; Item 5-B, 5 - 2 Yd. Water Level Dump Trucks @ \$2,248.46 each; 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 office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119463, recorded on Microfilm Roll No. 83, accepting bid of University Motors, Inc., for furnishing Group IV, 29 - 2 Ton Chassis and Cabs @ \$1,603.28 each, 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 office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 4 Metal Crew Truck Bodies, to be installed on City owned trucks, received from 2 bidders, was presented.

It states that bid of Standard Carriage Works, Inc., failed to meet City specifications and cannot be accepted, and rejection was recommended. It recommends award to Standard Auto Body Company, lowest responsible bidder.

RESOLUTION NO. 119464, recorded on Microfilm Roll No. 83, accepting bid of Standard Auto Body Company for furnishing 4 Metal Crew Truck Bodies at \$2,285.00 each 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 office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for recapping passenger and truck tires for period of 13 months beginning August 1, 1954, received from 13 bidders, was presented. It recommends awards to Goodyear Service Stores, low bidder on passenger car tire retreading; and to Harbor Tire & Supply Company, low bidder on truck tire retreading.

RESOLUTION NO. 119465, recorded on Microfilm Roll No. 83, accepting bid of Goodyear Service Stores for furnishing Passenger Car Tire Retreading at discount of 50% and 10% off Goodyear tire retreading and repair price list effective July 20, 1953, terms 2% 30 days; 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 office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 119466, recorded on Microfilm Roll No. 83, accepting bid of Harbor Tire & Supply Company for furnishing Truck Tire Retreading at discount of 57% off retreading and repair price list dated December 26, 1950; 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 office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing full Maintenance Service on 4 elevators at Central Library Building of San Diego Public Library, for 9 months beginning August 1, 1954, was presented. It states that San Diego Elevator Company was the sole bidder, at \$120.00 per month.

RESOLUTION NO. 119467, recorded on Microfilm Roll No. 83, accepting bid of

5 San Diego Elevator Company for furnishing Elevator Maintenance Service at Central Building of The San Diego Public Library for 9 months, beginning August 1, 1954, expiring April 30, 1954, at \$120.00 per month; 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 office of Purchasing Agent, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Councilman Godfrey was excused

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 20,000 lineal feet 6" diameter Class 150 Asbestos Cement Water Pipe, received July 21, 1954, from 4 bidders, was presented. It states that prices quoted were identical at \$1.42 per lineal foot, identical with bids received during past 10 months. Report says that bidders located within County of San Diego requested 5% preference for local bidder. If granted, would eliminate bid of Johns Mansville Sales Corporation of Los Angeles. Report states that representatives of 3 local companies drew lots to determine 1 to be recommended for award, and Crane Company which regularly stocks substantial quantities in San Diego, was successful. It so recommends award.

RESOLUTION NO. 119468, recorded on Microfilm Roll No. 83, accepting bid of Crane Co. for furnishing 20,000 lineal feet of 6" diameter Class 150 Asbestos Cement Water Pipe at \$1.42 per foot, 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 office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received July 15, 1954, from 2 bidders, for furnishing cement asbestos water pipe, was presented. It recommends award in accordance with following resolutions:

RESOLUTION NO. 119469, recorded on Microfilm Roll No. 83, accepting bid of Crane Co. for furnishing asbestos water pipe: Item 1, 60 pcs. 1/4 lengths (3 ft. 3 in.) 6" pipe at \$5.24 each; Item 2, 60 pcs. 1/2 lengths (6 ft. 6 in.) 6" pipe at \$8.87 each, plus sales; 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 office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119470, recorded on Microfilm Roll No. 83, accepting bid of Webb Brothers for furnishing asbestos cement water pipe, couplings and rings: item 3, 240 - 6" rings at \$0.50 each; Item 4, 120 - 6" couplings at \$1.89 each; Item 5, 100 pcs. 1/4 lengths (3 ft 3 in.) 8" pipe at \$6.51 each; Item 6, 200 - 8" rings at \$0.65 each; and Item 7, 100 - 8" couplings at \$2.56 each, plus 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 office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 19 Heavy Duty Pavement Breakers and 23 Clay Spades for Public Works Department, received July 7, 1954, from 9 bidders, was presented. It recommends award to Thor Power Tool Company of Los Angeles, low bidder, for Pavement Breakers at \$255.30 each, terms net, plus State Sales Tax; and award to Thor Power Tool Company for furnishing Clay Spades at \$158.70 each, was presented. Report refers to request for 5% preference by Hudson Equipment Company, as low bidder. It says that preference was denied.

Councilman Schneider asked that Resolution be corrected regarding the 5%. It was his statement that award would not be to Hudson re its furnishing of inferior product. Informed that Resolution is correct, Councilman Schneider then asked that the agenda be corrected. (The agenda says, in connection with report "It recommends denial of 5% request of Hudson Equipment Company".

RESOLUTION NO. 119471, recorded on Microfilm Roll No. 83, accepting bid of Thor Power Tool Company for furnishing 19 Heavy Duty Pavement Breakers @ \$255.30 each; and 2 Heavy Duty Clay Spades @ \$158.70 each; 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 office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids received May 19, 1954, for furnishing not less than 15 nor more than 32 Mobile Radio Transmitters for Electrical Division, was presented. It reports that award was made to Scotty's Radio Telephone Service, low bidder, at \$325.00 each, plus State Sales Tax, for furnishing 15, remainder to be purchased after July 1, 1954.

RESOLUTION NO. 119472, recorded on Microfilm Roll No. 83; authorizing and directing Purchasing Agent to exercise City of San Diego's option with Scotty's Radio Telephone Service to purchase 17 additional Radio Transmitters at \$325.00 each, plus State Sales Tax, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

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Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting that subsequent to receipt of bids on April 16, 1954, City contracted with Motorola Communications & Electronics, Inc. for furnishing 13 Radio Transmitter-Receiver at \$345.00 each, terms net, plus State Sales Tax; included in contract was option on part of The City to purchase up to 13 additional after July 1, 1954, at same bid price, was presented. It recommends authorizing City's option with Motorola Communications & Electronics, Inc., and purchase 9 additional transmitter receivers at \$345.00 each, f.o.b. San Diego, plus State Sales Tax.

RESOLUTION NO. 119473, recorded on Microfilm Roll No. 83, authorizing and directing Purchasing Agent to exercise City of San Diego's option with Motorola Communications & Electronics, Inc., to purchase 9 additional Transmitter-Receiver at \$345.00 each, f.o.b. San Diego, plus State Sales Tax, was on motion of Councilman Kerrigan, seconded by Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on request for repair parts for Worthington water meters, was presented. It states that parts are obtainable only through Hudson Equipment Company, local agent, and no benefit can be derived from advertising for bids. It recommends that Purchasing Agent be authorized to purchase on open market parts in accordance with list attached thereto, at total of \$2,340.93 including State Sales Tax.

RESOLUTION NO. 119474, recorded on Microfilm Roll No. 83, authorizing and directing Purchasing Agent to purchase in open market Worthington water meter parts in accordance with accompanying list, at total price of \$2,340.93 including State Sales Tax, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Jack Van Cleave, recommending approval of final map of Euclid View Annex, subject to posting adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 119475, recorded on City Manager to execute, for and on behalf of The City of San Diego, contract with Donald F. Morrison and Margaret E. Morrison, husband and wife, for installation and completion of unfinished improvements and setting of monuments required for Euclid View Annex subdivision; directing City Engineer to present ordinance establishing official grades of all streets within the subdivision, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119476, recorded on Microfilm Roll No. 83, adopting Map of Euclid View Annex, being portion of Northwest Quarter of Lot 1 Horton's Purchase in Ex-Mission Lands of San Diego, et al; accepting on behalf of the public Pirotte Drive, portion of Altadena Avenue and unnamed easements for public purposes; declaring them to be portion of street and unnamed easements accepted on behalf of the public; directing City Clerk to endorse on map as and for act of the Council that they are accepted on behalf of the public, directing him to transmit map to Clerk of Board of Supervisors of County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, re 2 Resolutions on Tentative Map re portion of Lot "B" La Mesa Colony, was presented.

The Council adopted recommendation, but action was reconsidered when Chuck Christianson, engineer from the firm of Freeland, Evenson and Peterson appeared. He said that his client had a permit for a new building, but could not build on account of a new policy. He identified the client as N. A. Lytle, owner of the property. He spoke regarding requested widening. Answering Councilman Schneider, he said that would eliminate the permit.

Glenn A. Rick, City Planning Director, said that the street leads into an area which has been subdivided. He pointed out to Mr. Christianson on the map, and to members of the Council.

Councilman Godfrey returned to the meeting.

Orin Cope, Assistant to the City Manager, joined the discussion over a map. Then Mr. Rick continued to speak. All of this took place informally, not through the Chair.

Mr. Christianson said that 1911 Act proceedings, with curb, are already planned.

Councilman Dail was excused.

Discussion, not through the Chair, was entered into by several individuals, and not recorded.

Mr. Christianson said that there ^{were} other streets just as good to reach the property referred to previously.

Mr. Christianson said in a discussion with Councilman Wincote, that would be wrong. He stated that every time a subdivision comes up he gives each full consideration.

Councilman Dail returned.

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Unscheduled hearing re Tentative Map
on portion of Lot "B" La Mesa Colony

Mr. Rick declared that a 50-foot street is not adequate, as proposed by Mr. Christianson.

There was discussion between Councilman Kerrigan and Mr. Christianson re the width.

Harry C. Haelsig, Assistant City Planning Director, spoke to the Council about Dennstedt Point, and spoke about streets which he pointed out.

There was continued discussion over a map, not seen, by several.

By common request, the item was held. It will be found again on page 438 of these Minutes.

Communication from Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, was presented. It recommended suspension of portion of San Diego Municipal Code in connection with Tentative Map of Terry Heights, a 16-lot subdivision located northerly of Lots 1 to 7 Wiemeyer Tract.

RESOLUTION NO. 119477, recorded on Microfilm Roll No. 83, suspending Sections 102.16-8 and 102.17-c of Tentative and Final Maps of Terry Heights, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, was presented. It recommended approval of Tentative Map of Terry Heights, subject to 11 conditions.

RESOLUTION NO. 119478, recorded on Microfilm Roll No. 83, approving Tentative Map of Terry Heights, subject to 11 conditions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by P. Q. Burton, forwarding map showing proposed street name changes on about 22 streets or portions of streets in Rolando annexation area, was presented. It states changes were proposed by Water Department and Planning Department and changes have approval of all City departments concerned, together with Post Office and County Coordinator of Street Addresses. Communication says that notice of proposed changes was published in newspaper of 17th of July and hearing was held 28th of July, 1954. It mentions many reason for proposed reasons, with one written protest received requesting that Madrid Drive in Rolando not be changed to Malcolm Drive, but that City change name of Madrid Street in Point Loma area, and proposal was rejected. In addition to a lengthy report, communication recommended by vote of 4-0 that names of streets or portions be changed as outlined.

RESOLUTION NO. 119479, recorded on Microfilm Roll No. 83, requesting City Attorney to prepare and present the necessary Ordinance to change names of streets in Rolando annexation area, in accordance with recommendation of City Planning Commission, under Document No. 495230, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from Civil Service Commission, signed by William P. Elser, President, reporting on matter brought to its attention by Assistant to City Manager re classification of Automotive Mobile Serviceman with one-step increase, and stating that Commission cannot recommend new class or higher rate of pay for positions attached to mobile lubrication unit, and giving a detailed analysis, was presented.

RESOLUTION NO. 119480, recorded on Microfilm Roll No. 83, referring to Council Conference communication from Civil Service Commission re classification of Automotive Mobile Serviceman, was on motion of Councilman Schneider, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

(Conference is to be with members of the Civil Service Commission).

The next matter listed on the agenda was communication from Hillcrest Business Association re parking restrictions on University Avenue between 1st and 5th Avenues, which was brought up as shown on Page 433 of these Minutes.

Communication from San Diego Sheltered Workshops, Inc., 631 30th Street, dated July 28, 1954, signed by M.A. Myers, Mgr., was presented. It refers to consideration by Police Department concerning taking away special parking privileges for physically handicapped group, and asks for full consideration to need for the special ruling before making any changes.

RESOLUTION NO. 119481, recorded on Microfilm Roll No. 83, referring to Council Conference communication from San Diego Sheltered Workshops, Inc. re special parking privileges for physically handicapped persons, was on motion of Councilman Burgener, seconded by Councilman Schneider, adopted.

Communication from San Diego Municipal Employees' Association, Inc., dated July 26, 1954, signed by Mary E. Harvey, Executive Secretary, was presented. It announces "Local Government On Display" to be co-sponsored with County Employees Association.

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tion, if projects^{meet} with Council approval, October 21 and 22, was presented. Among other things, it states that informal expression of opinions would be appreciated. It expresses hope that one member of the Council will agree to serve on the liaison, to keep Council informed of plans.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, communication was ordered filed, and notification be given that Councilman Schneider had been appointed liaison officer.

(Miss Brennan, of M.E.A. Office, was notified by A.M.W. re appointment of Councilman Schneider, on 8/4/54).

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

Mr. Schneider explained that it has to do with new water pipe on 34th Street.

At the request of members of the Council, City Manager's report dated Aug. 2 1954, was read. Among other things it refers to protest in Blocks 39 and 56 Normal Heights, against assessment of \$2.40 per front foot for new water main to serve their properties. It says that 2" line in alley from which consumers have been getting service, is substandard and has had numerous leaks, and its replacement is essential. According to the report, new pipe on 34th is being installed under water main extension ordinance, and change per lineal foot, less 35¢ per foot for existing main where there is one. It says that expense to City, however, based on average cost of similar installations, is approximately \$6.50 per lineal foot, including labor and material for installing line and transferring service. Report says that basis for protest is that when properties on east side of alley transferred to main on Hawley Boulevard, work was done by City at no expense to property owners. The reason was fact there was main in place on Hawley, and only cost involved was transfer of service, normally absorbed by City. According to communication, transfer of services from alley to street on improved property on 34th Street will be made free of charge, but frontage charge will have to be made in accordance with water main extension ordinance requirements.

Wm. H. Turvey, a complaint signer, and who had been in touch with Councilman Schneider, was heard. He asked why people were not told that it would be "anything like this". He stated that the City Engineer had said that it was taken care of. He pointed out that many can't pay within a year, and they thought there was already a water line.

The City Manager spoke of a problem several months ago when put in under 1911 Act, and that as a result it had cost more.

Councilman Schneider emphasized that the Council has to take the word of the Engineer and experts.

Mr. Turvy said that the item had been under consideration for a long time, and had not been explained to the people.

The City Manager stated that the City has a ^{requiring} reason for before paving is done where there is a water line needed, it has to be installed.

Mr. Turvy repeated that owners had been told that water line had been taken care of.

Councilman Burgener spoke of owners not having saved money.

Mr. Turvy said that owners would not have signed the petition, if they had known about this. (He evidently referred to a petition he had circulated for alley paving).

Councilman Schneider said that there is nothing that the City can do legally. He said that what was done is standard procedure regarding assessment against the property.

Paul Beermann, Director of the Water Department, spoke of owners having 12 months to pay; that if it is over \$180. they have up to 36 months.

Mr. Turvy declared that he was put on the spot, that the Engineer had told him that there would be no charge. He spoke of having moved meters out 15 months.

Councilman Kerrigan spoke to Mr. Turvy, who spoke to him in turn, not through the Chair.

Councilman Schneider declared that property owners are being shown leniency; they are being given credit for old pipe, and new now costs more.

Councilman Wincote pointed out that there was not a "free ride" on other property, in that there was pipe in on Hawley.

Mr. Beermann spoke about a 16" line which had been put in by the City at large, before 1945 - before the current ordinance had been enacted.

Mr. Turvy said that it would be nice if someone would write to the property owners, and explain

The City Manager announced that he would write.

RESOLUTION NO. 119482, recorded on Microfilm Roll No. 83, the City Manager was requested to write a letter of explanation to all signers on the petition, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

See page 437 for the early discussion on the items for Tentative Map of 1-lot subdivision of portion of Lot B La Mesa Colony on west side of 67th Street at Saranac Street.

Harry Haelsig spoke to Councilman Schneider over a topographical map. Councilman Wincote and Mr. Christianson joined. All the discussion was carried on, not through the Chair.

Mr. Christianson said that the property was annexed to the City.

Mr. Haelsig declared that there is no use to have substandard streets; that is poor planning.

Mr. Christianson said (again) that Mr. Lytle has a house planned.

Hearing, unscheduled, re water pipeline to serve Blks 39 & 56 Normal Hts. Lot B La Mesa Colony Tentative Map again.

Mr. Haelsig referred to a 84 foot lot, instead of one of 90 feet. Councilman Burgener maintained that traffic does not warrant additional width (on 67th Street)

Mr. Haelsig, Mr. Lytle and Mr. Christianson all had a discussion between themselves.

RESOLUTION NO. 119483, recorded on Microfilm Roll No. 83, suspending Sections 102.16-8 and 102.17-c of San Diego Municipal Code in connection with Tentative Map for subdivision located in portion of Lot B La Mesa Colony, was adopted, on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen Burgener, Wincote, Schneider. Absent--None.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of portion of Lot "B" La Mesa Colony, was presented. It states that owner originally filed map as tentative Record of Survey, but inasmuch as property does not qualify for Record of Survey according to Section 11535 of Business & Professions Code, Planning Commission, at request of owner, acted upon map as tentative subdivision. It reports that owner had requested he be allowed to reserve only 50 feet along north side of lot for future street, but since it will eventually serve considerable amount of property, the Commission recommended 56 feet. The Commission also recommended additional right of way be acquired for 67th Street, as shown on Tentative Map; otherwise it recommended approval subject to 6 conditions.

RESOLUTION NO. 119484, recorded on Microfilm Roll No. 83, approving Tentative Map of 1-lot subdivision of portion of Lot 8 La Mesa Colony, subject to conditions in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted, ~~adopted~~, by the following vote: Yeas--Councilmen Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen Burgener, Wincote, Schneider. ~~Nays--Councilmen~~ None.
 Absent

The next Resolution was numbered out of order.

RESOLUTION NO. 119485, recorded on Microfilm Roll No. 83, accepting deed of Robert B. Stewart and Cleopatra B. Stewart, bearing date July 23, 1954, conveying Lot 1 Block 78 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119486, recorded on Microfilm Roll No. 83, directing notice of filing Assessment No. 2267 made to cover costs and expenses of work done upon paving and otherwise improving Georgia Street, under Resolution of Intention No. 115144, and of time and place of hearing thereof, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119487, recorded on Microfilm Roll No. 83, directing notice of filing Assessment No. 2268 made to cover costs and expenses of work done upon paving and otherwise improving Opal Street and Dawes Street, under Resolution of Intention No. 112881, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 119488, recorded on Microfilm Roll No. 83, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract for paving and otherwise improving Alleys Block 3 Alhambra Park, under Resolution of Intention No. 118274, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

City Engineer reported in writing low bid .15% above estimate.

RESOLUTION OF AWARD NO. 119489, recorded on Microfilm Roll No. 83, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract for paving and otherwise improving Alleys Block 12 Normal Heights, under Resolution of Intention No. 118275, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

City Engineer reported in writing low bid 1.9% below estimate.

RESOLUTION OF AWARD NO. 119490, recorded on Microfilm Roll No. 83, accepting bid of M. H. Golden Construction Co., a corporation, and awarding contract for paving and otherwise improving 67th Street, Mohawk Street, Bowman Lane, 68th Street, Saranac Street and Public Right of Way, under Resolution of Intention No. 118276, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

City Engineer reported in writing low bid is 20.9% below estimate.

RESOLUTION OF AWARD NO. 119491, recorded on Microfilm Roll No. 83, accepting bid of San Diego Gas & Electric Company, and awarding contract for furnishing electric current for lighting ornamental street lights located in Five Points Lighting District No. 1, for period of one year from and including August 5, 1954, in accordance with "Engineer's Report and Assessment for Five Points Lighting District No. 1" filed May 20, 1954, in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

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RESOLUTION OF AWARD NO. 119492, recorded on Microfilm Roll No. 83, accepting bid of San Diego Gas & Electric Company and awarding contract, for furnishing electric current for lighting ornamental street lights located in San Diego Lighting District No. 4, in accordance with "Engineer's Report and Assessment for San Diego Lighting District No. 4", filed May 20, 1954 in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119493, recorded on Microfilm Roll No. 83, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Alley Block 255 Hoel's Subdivision, under Document No. 494569; approving Plat No. 2615 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 the plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119494, recorded on Microfilm Roll No. 83, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Dwight Street, under Document No. 494565; approving Plat No. 2622 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 the plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119495, recorded on Microfilm Roll No. 83, approving plans, drawings, typical cross-sections, profiles and specifications for installation of sewers in Market Street, Pitta Street, J Street and Public Rights of Way, under Document No. 494567; approving Plat No. 2554 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 the plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119496, recorded on Microfilm Roll No. 83, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Winona Avenue, 50th Street, Oak Crest Drive, et al.; under Document No. 494563; approving Plat No. 2586 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 the plat in office of City Engineer, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119497, recorded on Microfilm Roll No. 83, directing Notice Inviting Sealed Proposals for furnishing electric current for lighting street lamps on mast arms attached to poles located in Mission Beach Lighting District No. 2, together the maintenance of mast arms, wires and lamps, for period of one year from and including August 17, 1954, work to be done strictly in accordance with plans and specifications contained in report of City Engineer filed June 11, 1954 in office of City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 119498, recorded on Microfilm Roll No. 83, for the paving and otherwise improving of Alley Block 14 F. T. Scripps Addition to La Jolla Park; portion of Alley lying westerly of and contiguous to Block 2 J. T. Corcoran's Subdivision, and Draper Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 119499, recorded on Microfilm Roll No. 83, for the paving and otherwise improving of Alleghany Street and Public Right of Way, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 119500, recorded on Microfilm Roll No. 83, for paving and otherwise improving Juniper Street, 39th Street, Pepper Drive, Sycamore Drive, Marigold Street and Public Right of Way, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 119501, recorded on Microfilm Roll No. 83, for paving and otherwise improving Lister Street, Jellett Street, Chicago Street, Denver Street, Erie Street, Morena Boulevard, Milton Street, Illion Street, Frankfort Street, Gardena Avenue, Ashton Street, Galveston Street, Orten Street and Littlefield Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 119502, recorded on Microfilm Roll No. 83,

for paving and otherwise improving Olvera Avenue and Bonita Drive, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119503, recorded on Microfilm Roll No. 83, for paving and otherwise improving Alley Block 255 Hoel's Subdivision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119504, recorded on Microfilm Roll No. 83, for paving and otherwise improving Dwight Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119505, recorded on Microfilm Roll No. 83, for sewers in Market Street, Pitta Street, J Street, and Public Rights of Way, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119506, recorded on Microfilm Roll No. 83, for paving and otherwise improving Winona Avenue, 50th Street, Oak Crest Drive, University Avenue, Public Rights of Way in Lots 4, 5, 6 Block 28 Fairmount Addition to City Heights, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119507, recorded on Microfilm Roll No. 83, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 88 Ocean Beach Extension No. 2, and Alley Block 76 Ocean Beach, and Bacon Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119508, recorded on Microfilm Roll No. 83, ascertaining and declaring wage scale for grading and sidewalking 49th Street, Elm Street, Fir Street, Tilden Street, 48th Street, Brookline Street, Duval Street and Date Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119509, recorded on Microfilm Roll No. 83, ascertaining and declaring wage scale for paving and otherwise improving Mentone Street, Montalvo Street, Temecula Street, et al., was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119510, recorded on Microfilm Roll No. 83, approving diagram of property affected or benefited by work of improvement to be done on paving Alley Block 50 Ocean Beach, under Resolution of Intention No. 116055; directing City Clerk at 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119511, recorded on Microfilm Roll No. 83, approving diagram of property affected or benefited by work of improvement to be done on paving Curtis Street and Poinsettia Drive, under Resolution of Intention No. 113751; directing City Clerk at 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NC. 119512, recorded on Microfilm Roll No. 83, approving diagram of property affected or benefited by work of improvement to be done on paving Rhode Island Street, and Madison Avenue, under Resolution of Intention No. 114361; directing City Clerk at 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119513, recorded on Microfilm Roll No. 83, approving diagram of property affected or benefited by work of improvement to be done on paving Santa Cruz

Avenue, under Resolution of Intention No. 114061, 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 Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119514, recorded on Microfilm Roll No. 83, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Wrelton Drive, under Resolution of Intention No. 115393, and to be assessed to pay expenses thereof, diagram made by City Engineer; directing City Clerk at 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119515, recorded on Microfilm Roll No. 83, approving diagram of property affected or benefited by work of improvement on installing ornamental lighting system in Broadway, under Resolution of Intention No. 117254, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119516, recorded on Microfilm Roll No. 83, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Commercial Street, under Resolution of Intention No. 117357, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119517, recorded on Microfilm Roll No. 83, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installing ornamental lighting system on Diamond Street, and Cass Street, under Resolution of Intention No. 117255, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119518, recorded on Microfilm Roll No. 83, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Jamacha Road, and Flicker Street, under Resolution of Intention, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119519, recorded on Microfilm Roll No. 83, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installing sewer mains and water mains in Maple Street, Laurel Street, 44th Street, et al., under Resolution of Intention No. 117468, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119520, recorded on Microfilm Roll No. 83, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving and otherwise improving Mohawk Street, 71st Street and 72nd Street, under Resolution of Intention No. 117359, and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119521, recorded on Microfilm Roll No. 83, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installing ornamental lighting system in 30th Street, Upas Street, Ray Street and University Avenue, under Resolution of Intention No. 117016 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119522, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 491066 for grading and paving Alley Block 21 Lexington Park; directing 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, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted. It directs consolidation with district ordered under Resolution 115649 for Alley Block 19 Lexington Park, et al.

RESOLUTION NO. 119523, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 493056 for paving and otherwise improving Balboa Avenue; directing

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, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted. It directs City Engineer to consolidate assessment district with districts heretofore ordered by Resolutions Nos. 115647 and 110474.

(DUPLICATE)

RESOLUTION NO. 119523, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 493056 for paving and otherwise improving Balboa Avenue; directing 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, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted. It directs City Engineer to consolidate assessment district heretofore ordered by Resolutions Nos. 115647 and 110474.

RESOLUTION NO. 119524, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 492139 for paving and otherwise improving portion of Alley Block 8 La Jolla Park; directing City Engineer to furnish Council with 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 of improvement, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119525, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 493490 for installation of sidewalks in Alleghany Street; directing 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, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119526, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 490710 for paving and otherwise improving Amalfi Street; directing 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, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119527, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 493055 for paving and otherwise improving Boston Avenue; directing 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, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119528, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 493800 for paving and otherwise improving Del Rey Street; directing 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, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119529, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 490545 for paving and otherwise improving streets in Floral Terrace Subdivision; directing 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, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119530, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 492294 for installation of sanitary sewers to serve Metropolitan Center; directing 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 of installation to serve Metropolitan Center, Lot 5 Alvarado Heights, and Lots 26 and 33 La Mesa Colony, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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RESOLUTION NO. 119531, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 492140 for paving and otherwise improving South Land and Alley Easterly of and Contiguous to Block "A" South La Jolla; directing 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 was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119532, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 492137 for paving and otherwise improving T Street; directing 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, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119533, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 491231 for paving and otherwise improving Valley Avenue; directing 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, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Department, submitting form of Agreement with C. E. Jacobson, Traffic Consultant, covering services to be rendered for fiscal year 1954-1955 - at daily compensation of \$40.00 plus traffic expenses for approximately 25 days during the fiscal year, was presented.

RESOLUTION NO. 119534, recorded on Microfilm Roll No. 83, authorizing and empowering Harbor Commission to employ C. E. Jacobson as Traffic Consultant, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Department, submitting form of License Agreement to Leonard and Laura Rowberry covering portion of building erected by Kona Kai Club on south end of Shelter Island, was presented. Agreement is renewal of one which expired, covering operation of shop for selling beachwear, swimming apparel and sundry recreational items. It states Harbor Commission approved the agreement on basis that it is in conformance with general usage previously established for the premises.

RESOLUTION NO. 119535, recorded on Microfilm Roll No. 83, ratifying, confirming and approving Concession Agreement, copy of which is on file in Office of City Clerk as Document No. 495460 between Kona Kai Club, Licensor, and Leonard S. Rowberry and Laura A. Rowberry, Licensees, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Department, submitting form of Agreement with George F. Nicholson, consulting engineer, covering services to be rendered for fiscal year 1954-1955, was presented. Agreement is identical to one in effect during past fiscal year and sets forth daily compensation of \$50.00, plus traveling expenses, for approximately 50 days during fiscal year.

RESOLUTION NO. 119536, recorded on Microfilm Roll No. 83, authorizing and empowering Harbor Commission to employ George F. Nicholson as Engineer Consultant for fiscal year 1954-55, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Department, signed by John Bate, Port Director, submitting for approval form of lease with Mike J. Weibel covering premises at foot of 28th Street, was presented. Lease includes small area now covered by Tideland Use and Occupancy Permit and also includes water area and float being used by Mr. Weibel's vessels. Lease also renews present lease which expires 31 July 1954. Rental has been established at \$175.00 per month, and \$25.00 per month for each of 2 parcels, including facilities located thereon, for term of 5 years.

RESOLUTION NO. 119537, recorded on Microfilm Roll No. 83, ratifying, confirming and approving lease, copy of which is on file in Office of City Clerk as Document No. 495465, between City of San Diego acting by and through Harbor Commission, as Lessor, and Mike J. Weibel, as Lessee, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Harbor Department, signed by John Bate, Port Director, attaching for approval proposed amendment to United States Government lease covering

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premises on second deck of Broadway Pier, was presented. It adds paragraph to lease providing for cancellation upon 60 days' notice in writing by either party.

RESOLUTION NO. 119538, recorded on Microfilm Roll No. 83, ratifying, confirming and approving Amendment of Tideland Lease, Amendment No. 3, copy of which is on file in Office of City Clerk as Document No. 495466, between The City of San Diego, as Lessor, and United States Navy, as Lessee, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119539, recorded on Microfilm Roll No. 83, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

Both sides of Fay Avenue between Kline Street and Silverado Street; authorizing and directing installation of necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119540, recorded on Microfilm Roll No. 83, establishing parking time limit of 2 hours, between 8:00 a.m. and 6:00 p.m., Sundays and holidays excepted:

West side of Sixth Avenue, between Juniper Street and Kalmia 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119541, recorded on Microfilm Roll No. 83, authorizing City Manager to accept work on behalf of The City of San Diego in Clairemont Unit No. 8 Subdivision, and execute Notice of Completion, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Resolution states City Engineer has certified that public work and improvement required to be done under Agreement Document No. 452875 has been completed to satisfaction and approval of City Engineer.

RESOLUTION NO. 119542, recorded on Microfilm Roll No. 83, authorizing City Manager to accept work on behalf of The City of San Diego in Clairemont Unit No. 10 Subdivision, and execute Notice of Completion, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Resolution states City Engineer has certified that public work and improvement required to be done under Agreement Document No. 459520 has been completed to satisfaction and approval of City Engineer.

RESOLUTION NO. 119543, recorded on Microfilm Roll No. 83, authorizing City Manager to accept work on behalf of The City of San Diego in Clairemont Unit No. 12 Subdivision, and execute Notice of Completion, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Resolution states City Engineer has certified that public work and improvement required to be done under Agreement Document No. 464902 has been completed to satisfaction and approval of City Engineer.

RESOLUTION NO. 119544, recorded on Microfilm Roll No. 83, authorizing City Manager to accept work on behalf of The City of San Diego in Clairemont Unit No. 15 Subdivision, and execute Notice of Completion, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Resolution states City Engineer has certified that public work and improvement required to be done under Agreement Document No. 471851 has been completed to satisfaction and approval of City Engineer.

RESOLUTION NO. 119545, recorded on Microfilm Roll No. 83, authorizing and directing City Manager to execute for and on behalf of The City of San Diego amendment to Contract for disposal of garbage, between City and Daley Corporation, under terms and conditions set forth in form of agreement on file in office of City Clerk under Document No. 495468, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119546, recorded on Microfilm Roll No. 83, authorizing and empowering City Manager to execute, for and on behalf of the City, agreement with Stadium

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Racing Association, Inc., to use Balboa Stadium for term of 5 years for exclusive right to use Balboa Stadium, for 5 years for exclusive right to conduct motor vehicle racing; description of property and terms and conditions set forth in form of agreement filed in office of City Clerk under Document No. 495469, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119547, recorded on Microfilm Roll No. 83, authorizing and directing City Auditor to draw warrant in sum of \$1,025 payable to City of Pasadena, California, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Resolution states that on December 10, 1952, Pacific Telephone and Telegraph Company filed application with Public Utilities Commission of State of California for rate increases; that by Resolution No. 111610 adopted April 16, 1953, Council authorized cooperation with other cities in opposing increases; that increases were opposed by various cities under direction of City of Pasadena and Frank L. Kostlan, City Attorney of Pasadena, that it has been determined share of cost to be borne by The City of San Diego is \$1,025.

RESOLUTION NO. 119548, recorded on Microfilm Roll No. 83, authorizing expenditure of \$418.50 from funds heretofore appropriated by Ordinance No. 5900 (New Series), for purchase of north 80 feet of east half of Lot E Block 14 Central Homestead; authorizing Property Supervisor to issue requisition for the amount, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119549, recorded on Microfilm Roll No. 83, approving request of Chicago Bridge & Iron Company, dated July 21, 1954, contained in Change Order No. 3, for extension of 21 days, to and including August 21, 1954, heretofore filed with City Clerk as Document No. 495276, in which to complete contract for construction of Catalina Street Standpipe (Standpipe and Cathodic Protection), contract contained in Document No. 484529 on file in office of City Clerk, completion time extended to August 21, 1954, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119550, recorded on Microfilm Roll No. 83, approving Change Order No. 3, dated July 6, 1954, filed with City Clerk as Document No. 495278, issued in connection with contract between The City of San Diego and Ets-Hokin & Galvan for installation of traffic signals and safety lighting on Wabash Boulevard, Section "B", contract contained in Document No. 484528; changes amounting to increase in contract price of \$660.01, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119551, recorded on Microfilm Roll No. 83, approving request of Lee J. Morgan, dated July 20, 1954, contained in Change Order No. 2, for extension of 30 days, to and including August 22, 1954, heretofore filed with City Clerk as Document No. 495280, in which to complete contract for construction of Fire Station #26, 2650 54th Street, contract contained in Document No. 485686 on file in office of City Clerk; extending time of completion to August 22, 1954, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119552, recorded on Microfilm Roll No. 83, granting revocable permit to Culligan Soft Water Service of San Diego, 2641 Kettner Boulevard, San Diego, to install 1 550-gallon gasoline storage tank underneath sidewalk area on easterly side of Kettner Boulevard, approximately 175 feet north of Maple Street, on conditions set out in Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119553, recorded on Microfilm Roll No. 83, granting James H. Peak, 3715 Texas Street, San Diego 4, permission to remove 14 feet of curb on northerly side of Ventura Boulevard between Bayside Lane and Mission Boulevard, for installation of driveway adjacent to Lot U Block 97 Mission Beach, subject to conditions contained in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119554, recorded on Microfilm Roll No. 83, granting revocable permit to San Diego Unified School District (George R. Saunders, Construction Engineer), J. P. Behder Construction Company, General Contractor, to install 6" ceramic weld sewer at Ellen Browning Scripps Elementary School, 2225 Torrey Pines Road, across Torrey Pines Road and connecting to Manhole #19 in La Jolla Shores Drive; subject to approval of Chief Plumbing Inspector and City Manager, upon conditions set out in Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

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RESOLUTION NO. 119555, recorded on Microfilm Roll No. 83, denying claim of Henry Linwood Maxwell on file in office of City Clerk under Document No. 481163, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119556, recorded on Microfilm Roll No. 83, denying claim of Robert S. Valderrama and Gloria Portillo on file in office of City Clerk under Document No. 490205, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119557, recorded on Microfilm Roll No. 83, accepting deed of Adolph J. Colunga and Rebecca J. Colunga, bearing date July 28, 1954, conveying easement and right of way for sewer purposes in portion of Lot 30 Block 16 Bungalow Park Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119558, recorded on Microfilm Roll No. 83, accepting Quitclaim Deed, executed on 24th day of July, 1954, by Jack H. Seedorf, Sr., and Martha A. Seedorf, husband and wife, 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 Seedorf Heights Unit No. 2, being subdivision of portion of Lot 21 East Redlands; 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 Godfrey, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, reading of 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. 6217 (New Series), recorded on Microfilm Roll No. 83, dedicating portion of Pueblo Lot 1774 for street purposes, and naming it Buckingham Drive; repealing all ordinances or parts of ordinances in conflict, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, 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 Burgener, seconded by Councilman Godfrey, the next ordinance was introduced.

On motion of Councilman Burgener, seconded by Councilman Godfrey, reading in full prior to 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. 6218 (New Series), recorded on Microfilm Roll No. 83, appropriating \$5,000.00 from Unappropriated Balance Fund, for providing funds to be used by Property Division for acquisition of miscellaneous small parcels of land for City use, was on motion of Councilman Burgener, seconded by Councilman Godfrey, 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 Kerrigan, seconded by Councilman Godfrey, Ordinance dedicating portions of Lot 24 Rancho Mission of San Diego, deeded to County of San Diego for street purposes, and naming same Biona Drive and 42nd Street, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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

RESOLUTION NO. 119559, recorded on Microfilm Roll No. 83, granting special permit to occupants of Units 3 to 8 Linda Vista Subdivision, to occupy residential buildings without immediately making plumbing systems comply with provisions of Plumbing Code; provided that plumbing systems will be made to conform to requirements of Plumbing Code at time units are replaced, remodeled, altered or changed, or when soil, waste or vent lines of the plumbing systems disintegrate or otherwise fail, or for any other reason, replacement is required; and upon conditions set out in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

There being no further business to come before the Council, the Mayor declared the meeting adjourned, at 11:50 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

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REGULAR MEETING

Chamber of the Council of The City of San Diego, Thursday,
August 5, 1954

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

The meeting was called to order by Mayor Butler at 10:07 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued from August 3, 1954, on the Street Superintendent's Assessment No. 2256 made to cover costs and expenses of paving and otherwise improving Alleys Blocks 7 and 2 Alhambra Park, the City Engineer told the Council that he wanted hearing continued one week.

RESOLUTION NO. 119560, recorded on Microfilm Roll No. 83, continuing hearing on Street Superintendent's Assessment No. 2256 made to cover costs and expenses of paving and otherwise improving Alleys Blocks 7 and 2 Alhambra Park, until hour of 10:00 o'clock A.M., Thursday, August 12, 1954, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on appeal of Kenneth C. Hazen, et al, from decision of Board of Zoning Adjustment in attaching conditions to variance for division of 2-acre parcel into 2 building sites, being portion of Lot 4 Cave & McHatton Subdivision, at 938 South 61st Street, Glenn A. Rick, City Planning Director, made a verbal report. He told the Council that it could be denied by the Council, inasmuch as item 6 on the same agenda approves tentative Record of Survey Map (which appellants were trying to avoid filing).

RESOLUTION NO. 119561, recorded on Microfilm Roll No. 83, denying appeal of Kenneth C. Hazen, 146 So. Ozark, San Diego, from decision of Board of Zoning Adjustment by Res. 8298 granting to Roy M. and Donna M. Allen and Kenneth C. and Doris E. Hazen to divide 2-acre parcel into 2 building sites, each having 89.85-foot street frontage, with 1 residence on each, being portion of Lot 4 Cave & McHatton Subdivision at 938 So. 61st Street, Zone R-1, variance to provisions of Ordinance No. 116 N.S., was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Councilman Kerrigan was excused

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance amending San Diego Municipal Code by adding to Chapter K Article I Division 4 Section 101.0409.1, providing for establishment of Suburban Commercial ("S-C") Zone, the Mayor said that the Council had a report today in conference from Orin Cope, Assistant to City Manager, and from Glenn A. Rick, City Planning Director. He said that this hearing would be confined to the amended provisions. (Hearings had been held previously, continued, and committees had met to make compromises and develop conditions for the zoning).

Douglas D. Deaper, Deputy City Attorney spoke about the section on billboards. He recommended striking the portion in (8) - "advertising structure" - because of being ambiguous.

Councilman Wincote asked for deletion of the words "no fabrication" on plumbing shops in Item 22.

Mr. Rick started to speak about item 8.....

Mr. Deaper spoke about the billboard area, with not more than 1 per 50 ft of street frontage.

Councilman Kerrigan returned

Councilman Godfrey wanted to know about interpretation of a billboard.

Mr. Rick said that he does not know that a billboard has an interpretation.

Councilman Godfrey spoke of variances for unusual situations.

Mr. Deaper agreed.

Mr. Rick said that billboard people have no objection regarding the "cut outs".

The Mayor referred to various units being in substantial agreement (with the proposed regulations).

Councilman Wincote referred to a laundry out there - in La Jolla - in an M-1 zone. He mentioned the limit of 5 employees on cleaning and dyeing establishments, in S-C Zone.

Mr. Rick stated that C Zone limits them to 10. He spoke of the many complaints the Planning Department received, when employees get above 10.

Councilmen Wincote pointed out that employees have not been limited on garages.

Mr. Rick agreed that it is not consistent.

Hearings - incl S-C zone
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Mr. Rick spoke of the situation being even more inconsistent.

The Mayor pointed out that he was attempting to hold a hearing on the recommendation of the committee - not on ideas of the Council.

Then, the Mayor invited opposition to the Sign and S-C ordinances, as recommended by the committee.

A. W. Harper, San Diego Neon Sign Co., told the Council that he was speaking for the sign industry. He challenged the Mayor's statement relative to endorsement by San Diego Industries.

There was discussion by several.

The Mayor agreed that he was in error there, and explained about receiving no reply to a telephone call, indicating that as in the case of the Council silence means consent.

Mr. Harper spoke of the time since origination of change, merchants in La Jolla did not favor the regulations. He declared that they are being coerced by the La Jolla Town Council. He contended that there should not be such things in this country. It was his contention that if they were permitted secret ballots, they would vote against the Ordinance regulation. Mr. Harper told the Council that the industry has been having trouble about signs for 4 years. He objected to the enabling legislation.

J. L. McMann, representing the San Diego Sign Guild presented "sheets", as he referred to them, of business men's names in opposition. He filed them with the Clerk who read the heading. All read alike: "We, the undersigned, being property owners, residents and/or voters in the City of San Diego, hereby protest the adoption by you of an Ordinance creating a new zone in the City, commonly called an SC Zone, wherein certain businesses are excluded therefrom (an Ordinance amending the San Diego Municipal Code by adding to Chapter X, Article I, Division 4, Section 101,0409.1, providing for the establishment of a Suburban Commercial Zone). It is our opinion that such amendment is too restrictive in that it prohibits the operation of too many types of businesses within the proposed zone." Asked about the circulation, Mr. McMann said that petition was presented to business men, and referred to signatures by owners. He told of great reaction against the Ordinance. He said that he thought everybody was happy, and that they (presumably the sign people) tried to work under the ordinance. He declared that the measure before the Council puts business men and sign people in a position where they don't know what the situation is. He spoke of it as a great handicap. He asked for it to stay as now operating. In his opinion, "the new ordinance will only tear up things".

The Mayor asked to close the hearings. He spoke about the ordinance as being enabling, and a refinement of the present zoning. He said that if signers of petitions regarding establishment oppose SC, that becomes a safeguard.

In favor of the regulations, the following were heard:

Sibley Sellev, La Jolla Town Council, said that he had brought 5 men in to discuss the proposal with the Council. He asked that the Council hear them, briefly. Mr. Sellev presented each before he spoke, as follows:

Bob Mosher spoke "only as a designer of signs". In his words, the ordinance is realistic. Mr. Mosher told of need for distinguishing between metropolitan areas and suburban areas. He referred to there having been cooperation between all people involved. He expressed surprise at the opposition (which had arisen from Mr. Harper and Mr. McMann, the sign men). He told of having asked if the ordinance were passed it would be something under which there can be action. He contended that he and Cope (O. W. Cope, Assistant to the City Manager, who had conducted the hearings which resulted in the ordinances), say "yes". He declared that people who oppose the ordinance are those who are against zoning. Mr. Mosher said that, as an architect, he can appreciate that there is confusion. This, according to him, is clear. All should have the same thing for the sign men, according to him.

Louis Chappellear, with Western Gas Association, expressed appreciation relative to the work on the regulation. He stated that he concurred in relation to the compromise.

Mr. Sellev said that the Ordinance "speaks for itself".

Councilman Dail spoke of negotiations resulting in this ordinance as being a good example of cooperation that the Council would like to get. It was an excellent way to get it done, according to him. Mr. Dail said that the Council should introduce the Ordinance. He moved to introduce the ordinance, which motion was seconded.

On motion of Councilman Burgener, seconded by Councilman Godfrey, the hearing was closed.

Motion was made again by Councilman Dail, seconded by Councilman Burgener, to introduce the ordinance.

Before the roll was called, the following took place:

Councilman Burgener stated that basically this is a good ordinance. He asked if there are any retroactive features.

The Mayor's reply was that if there are any non-confirming uses, they will continue to operate, despite the new ordinance.

Councilman Kerrigan pointed out that properties are subject to variance; it can be good, or it can be abused.

Councilman Wincote declared that there are only 2 businesses which are limited. He contended that there are several which are as objectionable as those where limitation is imposed. He related them, and refers to (32)- changed in the ordinance to (31) about any similar enterprises or business in the opinion of City Planning Commission and City Council as being not more obnoxious or detrimental to welfare of particular community than uses in the section enumerated.

The Mayor asked if there was any objection to a change.

Mr. Sellev felt it would be all right to limit employees to 10.

Councilman Wincote moved to cut out (9) and (17) - the limit of 5 employees for cleaning and dyeing works and for laundries. He said that they are covered in the C Zone.

It was the Mayor's contention that if it is intended to have 10, the Council has to "spell in 10" in the Ordinance.

Glenn A. Rick, speaking about the comment of Councilman Wincote, said that unless the ordinance specifies, there is an "unlimitation".

On motion of Councilman Wincote, seconded by Councilman Godfrey, a motion was carried making a change to 10 in the 2 instances.

Councilman Godfrey asked for renumbering.

The Mayor said that will be done; "32" will be changed to "31".

Question was called for on motion to adopt the Ordinance, with amendments.

To be sure of what the Council had done, Douglas D. Deaper reviewed the amendments.

The roll was called, resulting in introduction of

Ordinance amending The San Diego Municipal Code by adding to Chapter X Article I Division 4 Section 101.0409.1 providing for establishment of a Suburban Commercial Zone. All members of the Council present voted for introduction (Schneider was absent).

*

asked

The Mayor was by Councilman Godfrey to thank the committee by letter.

Councilman Burgener declared that Mr. Cope did an outstanding job.

Mr. Sellen expressed thanks of the committee for Mr. Cope's work, patience, and understanding. The Mayor said activity has been duly noted by the Council.

Mr. Harper agreed regarding Mr. Cope. He asked if ordinance would not be retroactive.

The Mayor said, again, that if there were prior non-conforming uses, they would be declared so; that they cannot be telescoped down to S-C is clear.

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On motion of Councilman Kerrigan, seconded by Councilman Burgener, ordinance amending San Diego Municipal Code by amending Sections 95.0101 and 95.0106 thereof, pertaining to regulation of signs in certain zones, was introduced. All members of the Council present voted for introduction (Schneider was absent).

*

Mr. Harper and Mr. McMann continued to speak at great length to individual Councilmen, not through the Chair. There was no record made, inasmuch as hearing had been closed. The Mayor finally rapped for order, and ordered continuance with the agenda.

The next matter had previously been set for this time, at the request of Percy H. Steele, Jr., Executive Director, The Urban League of San Diego, Suite 207-208 333 Plaza "Building", San Diego 1.

Mr. Steel said that he wanted to give a progress report, not ask for anything. He informed the Council that the Urban League has been accepted as an agency of the Community Chest. He spoke of having a progress report, and offered assistance to the Mayor with his housing committee. He filed reports.

Councilman Wincote stated that Mr. Steele is appreciated in San Diego.

Mr. Steel told the Council that the National League had brought him out here from New Jersey. He added that he had resigned in New Jersey, and has sent for his family inasmuch as he wants to make his home in San Diego.

The Mayor offered congratulations to Mr. Steel, and to the board, on their program.

Mr. Steel pointed out that San Diego was the first City in the country to contribute to an Urban League. He told of going to a convention soon, and would mention that.

*

RESOLUTION NO. 119562, recorded on Microfilm Roll No. 83, advising Percy H. Steele, Jr., Executive Director of The Urban League of San Diego, that the appropriation made to the League was a good investment.

*

The communication was ordered filed.

Communication from Nick Piscopo, 3344 Nile Street, San Diego 4, dated July 30, 1954, requesting permission to continue plant nursery at that address - Council Resolution No. 107435.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, it was referred to the Planning Department.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending that Council concur in lengthy findings listed, and approving dividing portion of Lot 4 Cave & McHatton Subdivision into 2 lots fronting on 61st Street, approximately 500 feet north of Division Street in Encanto area, was presented. It refers to being under Section 11575 of Business & Professions Code of the State of California. (This refers to the continued hearing listed at the beginning of the meeting, as appeal of Kenneth C. Hazen, et al., which was denied because of this action).

RESOLUTION NO. 119563, recorded on Microfilm Roll No. 83, approving Tentative Record of Survey Map, submitted in lieu of subdivision map, for 2-lot subdivision of parcel of land in portion of Lot 4 Cave & McHatton Subdivision, and making the following findings, subject to Record of Survey being limited to the east 198 feet of Lot 4 shown on plat on file in office of City Clerk:

1. The parcel contains less than 5 acres;

2. Lots abut upon a dedicated street;
3. No openings or street widenings are required in the dividing of the land;
4. Lot design meets approval of the Council;

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

Communication from Planning Commission, signed by Harry C. Haelsig, stating that Final Map of Hidden Valley Estates is in essential compliance with Tentative Map approved by Resolution 118773, and may be approved.

RESOLUTION NO. 119564, recorded on Microfilm Roll No. 83, adopting Map of Hidden Valley Estates, being subdivision of portion of Pueblo Lot 1288; accepting easements shown for public purposes, declaring them to be to public use; authorizing and directing Clerk of the City to endorse upon the map, as and for act of the Council, that they are accepted on behalf of the public; directing City Clerk to transmit map to Board of Supervisors of County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on letter from Brooks Cabtree, attorney representing Sparkletts Drinking Water Corporation, which asks for finding that use of portion of Lot 47 Rancho Mission, at Camino del Rio and Fairmount Avenue, for construction and operation of bottled water distribution center is similar to and not more obnoxious or detrimental to welfare of particular community than uses permitted in C Zone. Letter from Corporation, according to report, points out that it has acquired triangular portion of what was Helms property, immediately adjacent to and southwesterly from existing Helms Bakery building, etc. It recommends that finding be made.

RESOLUTION NO. 119565, recorded on Microfilm Roll No. 83, making finding that proposed construction and operation of bottled water distribution center for Sparkletts Drinking Water Corporation, on portion of Lot 47 Rancho Mission, is not more obnoxious or detrimental to welfare of the particular community than uses permitted in C Zone, on provisions set out in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by P. Q. Burton, re street dedication in Lot B La Mesa Colony, adjacent to 67th Street, was presented. It states that petition proposes that City accept 50x80-foot strip, together with corner cut-offs along 67th Street at Saranac and above, considered July 28, 1954, together with Tentative Map of proposed Record of Survey of property abutting 67th Street and proposed dedications. It says that when owner agreed that Record of Survey map should not be filed and that he would file subdivision map on the property in which street dedications would be made, Commission recommended unanimously that proposed street dedications be denied because they would be taken care of in the subdivision map.

RESOLUTION NO. 119566, recorded on Microfilm Roll No. 83, denying petition requesting City to accept 50x80-foot strip of land for street purposes, together with corner cut-offs along 67th Street at Saranac and in Lot B La Mesa Colony, as recommended by Planning Commission in Document No. 495390, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Copy of communication, and various other papers, from Congressman Sam Yorty, addressed to President Dwight D. Eisenhower, and to various individuals, relative to use of water from Colorado River; defeat of the Fryingpan-Arkansas Project bill, etc., was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, all the items were ordered filed.

(Councilman Kerrigan requested A.M.W. for copy - but inasmuch as it was too voluminous to copy, it was all sent to Council Secy. for his perusal, and return).

Communications from John Turrin, 859 - 40th Street, San Diego, and from Mrs. E. O. Munsey, 355 21st Street, favoring special parking privileges for seriously handicapped persons, were presented.

RESOLUTION NO. 119567, recorded on Microfilm Roll No. 83, referring to Council Conference communications from E. O. Munsey and John Turrin, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from Alan E. Price, Chairman, S.D. Motel Assoc., 394 National Avenue, Chula Vista, dated July 31, 1954, was presented. It requests that all public funds that have been designated for the Visitors' Bureau be released to the new organization. (In conference it had been determined, together with members of the Board of Supervisors of San Diego County, to do as suggested).

On motion of Councilman Godfrey, seconded by Councilman Burgener, it was ordered filed.

Communication, being copy of one from 1954 San Diego County Grand Jury, dated July 29, 1954, addressed to Mr. Edwin E. Pumala, Director, San Diego City-County Camp Commission, was presented. Among other things, it states that testimony offered did not produce evidence that would warrant grand jury returning criminal indictment but did disclose many indications of unbusinesslike methods of accounting and management. It says that some of the details in themselves were of no major significance but, taken as a whole, revealed a condition that requires immediate correction. The report goes into detail, but concludes "The grand jury wishes to emphasize that the above criticisms are directed solely toward the methods of handling reports and accounts and not toward the instructional features of Camp Cuyamaca, which this body does not feel competent to judge."

RESOLUTION NO. 119568, recorded on Microfilm Roll No. 83, referring communication from 1954 San Diego County Grand Jury, by H. K. Raymenton, Foreman, on handling reports and accounts of San Diego City-County Camp Commission, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from San Diego Downtown Association, Room 502 Fifth Avenue Building, 521 "B" Street, signed typed signature of Joseph Jessop, Chairman, was presented. Communication dated July 30, 1954, expresses appreciation for improvements made in stores and building signs to conform with existing City ordinances in Downtown San Diego.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, it was ordered filed.

RESOLUTION NO. 119569, recorded on Microfilm Roll No. 83, directing City Attorney to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes of record against Lots 1, 2, 3, 4, 9, 10, 11, 12 Block 15 Sellar's Addition, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to State for delinquent taxes be cancelled; authorizing and directing City Attorney to take whatever steps he may deem necessary otherwise to secure cancellation of taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119570, recorded on Microfilm Roll No. 83, stating that in matter of application to Public Utilities Commission of State of California by San Diego Transit System, entitled, "Application of the San Diego Transit System, a corporation, for certificate of public convenience and necessity to extend its Route 5 east on Clairemont Mesa Boulevard from the intersection of Clairemont Drive and Clairemont Mesa Boulevard to Clairemont Mesa Boulevard and Genesee Avenue; also, to reroute its Route 5 between the intersections of 45th Street and Market Street and 47th Street and Hilltop Drive", The City of San Diego raises no objection, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolution authorizes and directs City Clerk to forthwith transmit to Secretary of the Public Utilities Commission a certified copy of the Resolution.

* RESOLUTION NO. 119571, recorded on Microfilm Roll No. 83, granting to Ocean Beach Chamber of Commerce permission to install and maintain banners of light canvas with air holes at intersection of Voltaire Street and Sunset Cliffs Boulevard and at intersection of Newport Avenue and Sunset Cliffs Boulevard, for the Fifth Annual Daz-O-Fun Carnival, to be held in Ocean Beach August 13, 14, 15, 1954; banners may be installed July 28, 1954, and shall be removed August 16, 1954; to be installed and maintained in accordance with rules, regulations and ordinances of The City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

* In connection with the next Resolution, Councilman Burgener asked if it waives fees.

The City Manager said that it waives "clean out fee". He agreed it is not consistent; was not done in Linda Vista.

Councilman Kerrigan said that it is complicated to post a bond.

Douglas D. Deaper, Deputy City Attorney, stated that a cash bond may be used.

Councilman Kerrigan declared that there should be a standard procedure used regarding waiving of bond.

RESOLUTION NO. 119572, recorded on Microfilm Roll No. 83, granting permission to Ocean Beach Chamber of Commerce, a non-profit organization, to conduct its Fifth Annual Carnival and Bazaar on City-owned parking lot at foot of Newport Avenue, in Ocean Beach, August 13, 14, 15, 1954, without payment of license fee, as provided by Section 31.0320.4 of San Diego Municipal Code; provided, however, that permission granted shall be subject to approval of Fire and Building Inspection Departments of the City, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted. Resolution also waives \$500 deposit for cleanup, under Section 91.14 of the Municipal Code.

Communication
119568 - 119572

RESOLUTION NO. 119573, recorded on Microfilm Roll No. 83, granting to Walter W. Nelson and Betty Nelson permission to connect plumbing of new addition being constructed at 5661 Riley Street, San Diego, to existing soil line at Lot C Block 7 Bayview 1/4-Acre; subject to approval of Chief Plumbing Inspector and City Manager, upon conditions set out in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119574, recorded on Microfilm Roll No. 83, granting California Society for Welfare of Epileptics, San Diego County chapter, permission to conduct fresh flower sale on streets of City of San Diego Monday, August 9, 1954, for purpose of raising funds with which to establish medical and rehabilitation center and administrative office to aid epileptics, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119575, recorded on Microfilm Roll No. 83, authorizing City Manager to employ M. H. Golden Construction Company to remove 49.5 lineal feet of curb and 86.5 square feet of 4" A.C. paving, and construct 66.6 lineal feet of Type G curb and 720.9 square feet of 4" A.C. paving, shown on Engineer's Drawing 11000-L, in connection with improvement of portions of Jamacha Road and Flicker Street; cost of work not to exceed \$295.64, payable from Ordinance No. 5341 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolution states that City has entered into contract with M. H. Golden Construction Company for improvement of portions of Jamacha Road and Flicker Street, under 1911 Street Improvement Act proceedings, that Drawing shows work to be done by City forces, and that contractor has offered to do work for sum stated and City Manager has recommended acceptance.

RESOLUTION NO. 119576, recorded on Microfilm Roll No. 83, authorizing and empowering City Manager to execute for and on behalf of The City of San Diego, Agreement between the City and San Diego & Arizona Eastern Railway Company, a corporation, wherein and whereby Railroad grants to City permission to construct, reconstruct, maintain and operate 51" Spec. 4000-D concrete pipe storm drain for conveying water beneath property of Railroad, in location shown in red on print attached to agreement and made part thereof, described as: from point in Railroad's northeasterly right of way line to a point in the southwest-erly right of way line and crossing not less than 3 feet below bottom of ties in Railroad's main line track at Engineer Station 62+61, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119577, recorded on Microfilm Roll No. 83, authorizing and directing City Manager for and on behalf of The City of San Diego to execute Freeway Agree-ment, dated 3rd day of August, 1954, by and between State of California, acting by and through Department of Public Works, Division of Highways, and The City of San Diego, numbered Document No. 495535 in filed of Clerk of City of San Diego, pertaining to streets about 0.1 miles west of Home Avenue and East City Limits of San Diego, as appears on Div-ision of Highways Maps Nos. "District XI-SD-200-SD" attached to agreement and marked Exhibits "A", "B" and "C", was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119578, recorded on Microfilm Roll No. 83, authorizing and directing Purchasing Agent to publish in accordance with law notice to contractors call-ing for bids for construction of storm drain in Olney Street and in Grand Avenue, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Resolution approves plans and specifications for furnishing labor, material, tools, equipment, transportation and other expense necessary or incidental for construc-tion, filed in office of City Clerk under Document No. 495381.

RESOLUTION NO. 119579, recorded on Microfilm Roll No. 83, authorizing City Attorney to settle claim of A.W.G. Treais and Mary I. Treais on file in Office of City Clerk under Document No. 488600, claiming \$14,415.77 for \$11,464.74; directing City Auditor and Comptroller to draw warrant in favor of the claimants and Atherton & Atherton, their attorneys, in sum of \$11,464.74 in full settlement of the claim, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119580, recorded on Microfilm Roll No. 83, accepting subord-ination agreement, executed by Caroline W. Shell, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date July 26, 1954, wherein parties subordinate all their right, title and interest in and to portion of SW 1/4 of NE 1/4 of NE 1/4 Section 33, T16S, R2W SBBM, Rancho Mission of San Diego, to right of way and easement for street purposes 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 the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119581, recorded on Microfilm Roll No. 83, accepting Deed of Everett L. Atwood and Julieta S. Atwood, bearing date July 31, 1954, conveying Lot 5 Block 32 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119582, recorded on Microfilm Roll No. 83, accepting Deed of L. E. Brunson, bearing date July 20, 1954, conveying Lot 1 Block 5 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit the 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 Kerrigan, adopted.

RESOLUTION NO. 119583, recorded on Microfilm Roll No. 83, accepting Deed of Robert G. Feters, bearing date July 10, 1954, conveying Lot 2 Block 30 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119584, recorded on Microfilm Roll No. 83, accepting Deed of Ben C. Quon, bearing date July 22, 1954, conveying Lot 20 Block 9 Campo Del Dios Unit 1; 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 Kerrigan, adopted.

RESOLUTION NO. 119585, recorded on Microfilm Roll No. 83, accepting Deed of Roy R. Reed and Margaret W. Reed, bearing date July 24, 1954, conveying Lot 2 Block 71 Campo Del Dios Unit 2; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to 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. 119586, recorded on Microfilm Roll No. 83, accepting Deed of Mildred R. Bruno, bearing date July 22, 1954, conveying Lot 18 Block 78 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119587, recorded on Microfilm Roll No. 83, accepting Deed of Charmian Denbeaux, bearing date July 22, 1954, conveying Lot 10 Block 53 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119588, recorded on Microfilm Roll No. 83, accepting Deed of Helen R. Dailey, bearing date July 23, 1954, conveying Lot 5 Block 39 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119589, recorded on Microfilm Roll No. 83, accepting Deed of Josephine G. Seaman, bearing date July 22, 1954, conveying Lots 9, 10, 11, 12 Block 82 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119590, recorded on Microfilm Roll No. 83, accepting Deed of Mollie Ames, bearing date July 27, 1954, conveying Lot 5 Block 97 Campo Del Dios Unit

4; authorizing and directing City Clerk to transmit deed, together with certified copy of the resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119591, recorded on Microfilm Roll No. 83, accepting deed of Robert W. Fairburn and Grace Fairburn, bearing date July 23, 1954, conveying Lot 7 Block 93 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for Recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119592, recorded on Microfilm Roll No. 83, accepting deed of Richard P. Getz and Charlotte H. Getz, bearing date July 28, 1954, conveying Northeast-erly 1/2 Lot 13 Block 87 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119593, recorded on Microfilm Roll No. 83, accepting deed of Edward J. Grenfell and Marie E. Grenfell, bearing date July 28, 1954, conveying Lot 16 Block 93 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119594, recorded on Microfilm Roll No. 83, accepting deed of Karl Herryman and Mary S. Herryman, bearing date July 28, 1954, conveying Lot 19 Block 87 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119595, recorded on Microfilm Roll No. 83, accepting deed of George E. Reed and Emily C. Reed, bearing date July 23, 1954, conveying Lot 21 Block 90 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119596, recorded on Microfilm Roll No. 83, accepting deed of E. H. Johnson and Ethel Roxy Johnson, bearing date July 27, 1954, conveying South 1/2 of Lot 27 Block 106 Campo Del Dios Unit 5; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119597, recorded on Microfilm Roll No. 83, accepting deed of Orrel L. Merrihew, bearing date July 21, 1954, conveying Lot 2 Block 111 Campo Del Dios Unit 6; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119598, recorded on Microfilm Roll No. 83, accepting deed of Morrison V. Fortson, bearing date July 16, 1954, conveying portion of Lots 21, 22, 23, 24 Block 21 Western Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119599, recorded on Microfilm Roll No. 83, accepting deed of Henry I. Killam and Nellie I. Killam, bearing date July 21, 1954, conveying easement and right of way for street purposes in portion of SW 1/4 of NE 1/4 of NE 1/4 Section 33 T16S, R2W SBEM, Rancho Mission of San Diego; setting aside and dedicating land to public use as and for public street, and naming same Altadena Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, adopted.

8/5/54

RESOLUTION NO. 119600, recorded on Microfilm Roll No. 83, accepting Deed of Charles R. Turner and Verna H. Turner, bearing date July 22, 1954, conveying portion of West half of Northeast 1/4 Section 33 T16S, R2W SBEM, Rancho Mission; setting aside and dedicating land as and for public street and naming same Altadena Street; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119601, recorded on Microfilm Roll No. 83, accepting Deed of Westlands Investments, Inc., bearing date July 21, 1954, conveying easement and right of way for street purposes in portion of Northwest Quarter of Quarter Section 82 Rancho de la Nacion; setting aside and dedicating land to public use as and for public street and naming same Calle Gaviota; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119602, recorded on Microfilm Roll No. 83, accepting Deed of Olive F. Davison, bearing date June 24, 1954, conveying portion of Lots 1 and 2 Block 3 Haffenden's Sunnydale; setting aside and dedicating to public use as and for public street and naming same Wabash Boulevard; authorizing and directing City Clerk to transmit deed together with certified copy of the Resolution to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119603, recorded on Microfilm Roll No. 83, accepting deed of R. M. Lieberman and Pearl E. Lieberman, bearing date June 21, 1954, conveying easement and right of way for storm drain purposes in portion of Lot 1 Griffith Terrace; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

The next item was numbered out of order, by request, although not presented until later in the meeting.

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

On motion of Councilman Dail, seconded by Councilman Godfrey, ordinance was introduced.

On motion of Councilman Dail, seconded by Councilman Godfrey, reading was dispensed with, by 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. 6219 (New Series), recorded on Microfilm Roll No. 83, appropriating \$2,000.00 from Unappropriated Balance Fund, for payment of street light assessments and other utility charges against City-owned property, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Wincote, seconded by Councilman Burgener, reading of the next ordinance was dispensed with, by 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. 6220 (New Series), recorded on Microfilm Roll No. 83, amending San Diego Municipal Code by amending Section 101.0507 thereof, relating to Zoning - Minor Adjustment of the Zoning Requirements - was on motion of Councilman Wincote, seconded by Councilman Burgener, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, reading of the next ordinance was dispensed with, by 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. 6221 (New Series), recorded on Microfilm Roll No. 83, amending Section 101.0412 thereof, relating to uses within M-1 Zone, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

119600 - 119603
6219 N.S. (under U.C. - 6221 N.S.)

On motion of Councilman Kerrigan, seconded by Councilman Dail, Ordinance zoning portion of Lot 40 La Mesa Colony, into R-2 Zone, as defined by Section 101.0406 of San Diego Municipal Code, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Kerrigan, seconded by Councilman Dail, Ordinance incorporating Lot 1 Fairmount Gardens into R-4 Zone, as defined by Section 101.0408 of San Diego Municipal Code and repealing Ordinance No. 35 (New Series) adopted September 12, 1932, insofar as it conflicts, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

Motion was made and seconded to introduce the next ordinance.

The City Manager advised holding it, so motion and second were withdrawn. He explained that an item included for swinging doors was originally for "beer joints".

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the ordinance was continued. When the Clerk asked to what date, it was determined to be one week (to Aug. 12, 1954).

The proposed Ordinance reads "An Ordinance Amending The San Diego Municipal Code by Adding thereto five new sections numbered 91.02.1, 91.02.2, 91.02.3, 91.02.4 and 91.02.5, amending The Uniform Building Code".

Mayor

The City Manager requested, and was granted, unanimous consent to present the next item, not listed on the agenda:

Communication from Beck & Klitgaard, attorneys at law, 418 Land Title Building, dated August 4, 1954, signed by R. J. Klitgaard, was presented. It refers to being attorneys for Mario Fornaca and Maria Fornaca, owners of Lots 1 to 5 inclusive in Victory Mahor. Communication requests abandonment of existing easement, for which the Fornacas are willing to grant a substitute easement.

The City Manager requested, and was granted unanimous consent to present the next item not listed on the agenda:

Communication from Planning Commission, signed by Harry C. Haelsig, reporting on Tentative Record of Survey Map for one-lot division of portion of Pueblo Lot 1290 by means of Record of Survey - located on ridge between Pacific Highway and Torrey Pines Road, fronting on portion of dedicated street known as La Jolla Scenic Drive, which is a continuation of proposed Major Street on ridge southerly of Camp Callan area, was presented. It states a half width portion of proposed Major Street has been deeded adjacent to the property. Communication submits Resolution for Council adoption, making finding similar to that of the Commission.

RESOLUTION NO. 119604, recorded on Microfilm Roll No. 83, making the following finding: That Tentative Record of Survey Map, submitted in lieu of subdivision map, for 1-lot subdivision of parcel of land in portion of Pueblo Lot 1290 is approved, following findings having been made: 1) The parcel contains less than 4 acres; 2) The lot abuts upon a dedicated street; 3) No openings or street widenings are required in the dividing of the land; 4) The lot design meets approval of the Council, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

The City Manager requested, and was granted unanimous consent to present the next item not listed on the agenda:

RESOLUTION NO. 119605, recorded on Microfilm Roll No. 83, authorizing Eddie Simon, Radio Engineer, Electrical Division of Department of Public Works, to attend annual conference of Associated Police Communication Officers, to be held in Pittsburgh, Pennsylvania, August 10, 11, 12, 13, 1954; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Prior to adoption of the Resolution, the City Manager stated that the City usually does not authorize out of State trips. He spoke of their having been denied for 5 years. The Manager then related that this item had been approved in the budget, and that there had been implied approval. He said that the trip would not be essential, although it would be helpful.

Councilman Godfrey said that the City has to measure regarding benefit received.

The City Manager said that there was a slip up, and the item did not get on the docket.

Ordinance No. 6219 (New Series) was brought up by the City Manager under Unanimous consent. It was numbered, out of order, and is found on Page 456.

119604 - 119605
Communications
Zoning Ords introduced

8/5/54
8/10/54

The next 2 items were returned by the Council Secretary - from Council Conference - and were filed:

Petition of employees of Electrical Division of Public Works Department for increase in salary.

Communication from California State Department of Education favoring special parking privileges for seriously handicapped persons.

There being no further business to come before the Council, the meeting was declared adjourned by the Mayor and 11:07 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By August M. Hadstrom
Deputy

John J. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, August
10, 1954

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

The Mayor called the meeting to order at 10:05 o'clock A.M. He presented Rabbi Baruch Stern, of Beth Jacob Congregation.
Rabbi Stern gave the invocation.

Councilman Godfrey entered

Mayor Butler presented service awards, to the following City employees, honoring their long-time service:

Miss Margaret Rankin, Senior Librarian, Public Library - 35 years;
C. J. Jerabeck, Nursery Foreman, Park Division of Park & Recreation
Dept. - 35 years;
Evan L. Burk, Senior Accountant Clerk, Auditing Division of Dept.
of Finance - 30 years;

Councilman Dail was excused

Mrs. Edith Clark, Intermediate Typist Clerk, Public Library - 25 years;
Mrs. Myrtle Havaland, Senior Account Clerk, Public Library - 25 years;
William Cohen, Battalion Chief, Fire Dept. - 25 years.
The Mayor announced that Robert B. Beckett, Capt., Police Dept. was to have received a 25 year pin, but inasmuch as he was not present, the Mayor would see that Capt. Beckett receives it.

The Minutes of the Regular Meetings of Tuesday, August 3, 1954, and of Thursday, August 5, 1954, were presented 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 improvement of 47th Street and Hilltop Drive, adjacent to Gompers Junior High School - Specification No. 422 - the Clerk reported that 8 bids had been received. They were presented to the Council. On motion made and seconded, they were publicly opened and declared.

Conf. items filed
Invocation
Service awards
Minutes approved
Bids

Bids were as follows:

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$3,000.00, given Document No. 495682;
M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, given Document No. 495683;

Mayor Butler left the meeting, and Vice Mayor Wincote took the Chair.

R. E. Hazard Contracting Company, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, given Document No. 495684;
F. M. Bratcher, accompanied by bond written by The Travelers Indemnity Company in the sum of 10% of amount bid, given Document No. 495685;
H. C. Dennis, accompanied by bond written by American Surety Company in the sum of 10% of the aggregate sum of the Bid, given Document No. 495686;
Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$2600.00, given Document No. 495687;
Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of 10% of the aggregate sum of the bid, given Document No. 495668;

Councilman Dail returned

Sim J. Harris Company, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, given Document No. 495689.
On motion of Councilman Burgener, seconded by Councilman Dail, bids were referred to the City Manager and to the City Attorney for report and recommendation.

Councilman Godfrey was excused

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for paving and otherwise improving Alley Block 102 Central Park, under Resolution of Intention No. 118484, the Clerk reported that 4 bids had been received. They were presented to the Council. On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

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. 495690;
H. C. Dennis, accompanied by bond written by American Surety Company of New York in the sum of \$600.00, given Document No. 495691;
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. 495692;
Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$700.00, given Document No. 495693;

Councilman Godfrey returned

On motion of Councilman Burgener, seconded by Councilman Dail, 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 the receiving of bids for paving and otherwise improving Alley Block 78 Point Loma Heights, under Resolution of Intention No. 118485, the Clerk reported that 4 bids had been received. They were presented to the Council. On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

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, given Document No. 495694;

Mayor Butler returned

H. C. Dennis, an individual, accompanied by bond written by American Surety Company of New York in the sum of \$600.00, given Document No. 495695;
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. 495696;
Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$700.00, given Document No. 495697.
On motion of Councilman Kerrigan, seconded by Councilman Wincote, bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for paving and otherwise improving Clove Street, Plum Street, Oliphant Street and Newell Street, under Resolution of Intention No. 118395, the Clerk reported that 7 bids had been received. They were presented to the Council. On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$3,000.00, given Document No. 495698;
R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$3,000.00, given Document No. 495699;

Bids

H. C. Dennis, accompanied by bond written by American Surety Company of New York in the sum of \$3,200.00, given Document No. 495700;

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$3,000.00, given Document No. 495701;

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$3050.00, given Document No. 495702;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$2,200.00, given Document No. 495703;

C. W. McGrath, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$3,500.00, given Document No. 495704.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving 53rd Street, Santa Margarita Street and San Jacinto Drive, under Resolution of Intention No. 118486, the Clerk reported that 6 bids had been received. They were presented to the Council. On motion made and seconded, they were publicly opened and declared.

Bids were as follows:

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$3,000.00, given Document No. 495705;

R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$3,000.00, given Document No. 495706;

H. C. Dennis, accompanied by bond written by American Surety Company of New York in the sum of \$3,500.00, given Document No. 495707;

Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$3,000.00, given Document No. 495708;

Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$3,340.00, given Document No. 495709;

M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$2,600.00, given Document No. 495710.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, they 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 furnishing electric current for lighting ornamental street lights located in University Avenue Lighting District No. 1, for period of one year from and including August 7, 1954, the Clerk reported that 1 bid had been received. It was presented to the Council. On motion made and seconded, it was publicly opened and declared.

Bid was as follows:

San Diego Gas & Electric Company, accompanied by certified check in sum of \$208.44 written by San Diego Trust and Savings Bank.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, it was referred to City Manager and City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued on Resolution No. 118558 of Preliminary Determination, the City Engineer made a report of the result of a poll. As a result, the following action was taken.

On motion of Councilman Wincote, seconded by Councilman Burgener, proceedings were abandoned.

A woman came forward, indicating she wanted to be heard. Without giving her name, she stated that she had signed the protest, but had not received the card from City Engineer. Many women, indicating that they were against the project also, came forward. They did not speak.

The question was called for again, and a new motion was made.

RESOLUTION NO. 119606, recorded on Microfilm Roll No. 83, sustaining the several protests against Resolution of Preliminary Determination No. 118558, for paving and otherwise improving of Godsall Lane, Alley Block 2 Idyllwild, and Pennsylvania Avenue; abandoning proceedings, 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 Resolution No. 119099 of Preliminary Determination for paving and otherwise improving Franklin Avenue and 49th 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, and no written protests were presented.

RESOLUTION NO. 119607, recorded on Microfilm Roll No. 83, determining that improvement of Franklin Avenue and 49th Street within limits and as particularly described in Resolution No. 119099 of Preliminary Determination is feasible, and that lands to be assessed therefor 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 Kerrigan, seconded by Councilman Burgener, adopted.

Bids

Hearings

119606 - 119607

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 119100 of Preliminary Determination, 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. 119608, recorded on Microfilm Roll No. 83, determining that improvement of Kendall Street, under Resolution No. 119100 of Preliminary Determination is feasible and that lands to be assessed therefor 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 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. 119101 of Preliminary Determination, the Clerk reported that no written protests had been received, for paving and otherwise improving 29th Street.

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. 119609, recorded on Microfilm Roll No. 83, determining that improvement of 29th Street is feasible and that lands to be assessed thereof 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 Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 118976 for paving and otherwise improving Alley Block 16 Bird Rock City by the Sea, and Easterly and Westerly Alley lying northerly of and contiguous to Block 2 Bird Rock Addition, 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 Wincote, seconded by Councilman Burgener, proceedings were referred to City Attorney for preparation and presentation of next step (Resolution Ordering Work).

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 118977 for paving and otherwise improving Alley Block 83 Point Loma Heights, the Clerk reported that no written protests had been received.

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

Kenneth Gustafson - Lot 7 - said that the "letter does not reflect the current market price". (It was assumed that he referred to the printed Notice of Passage of Resolution of Intention).

The Mayor stated that estimates are based on experience. He informed Mr. Gustafson that, if preferred, the project can be done on a cash basis, and not through a 1911 Act Improvement Proceeding.

Asked about the matter, the City Engineer replied that the engineering has been done, and that it is ready for bid as the next step.

Mr. Gustafson went up to look at the plans, with the City Engineer.

By common consent, the hearing was held up temporarily, while the Engineer was going over plans with Mr. Gustafson. It will be found, again, on 462 of these Minutes.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 118978 for paving and otherwise improving Alley Block 44 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 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 Kerrigan, 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 of Intention No. 118979 for paving and otherwise improving Jewell Street, the Clerk reported that written protest had been received from John W. & Sarah E. Eastin. It was presented to the Council.

The City Engineer was busy, talking to a man on the preceding project, so

8/10/54

Willard Olson from the Engineer's office, answered in his stead. Mr. Olson referred to the notice which had been posted. He said that paragraph 3 referred to in the protest has to do with modified plan, rather than to description as stated in the letter.

Mr. Eastin came to the microphone. Since he had not heard the comments made by Mr. Olson, he repeated them.

Mr. Eastin said that intersection of Hornblend is now paved.

The Mayor said that it is not to be paved.

Mr. Eastin stated that he had received different information from that given by the Engineer. He charged that the Engineer's office "is snotty; he gets the run around". Mr. Eastin referred to the notices and to the plans. He said that the Engineer has to check, and asked what kind of an outfit this is. He told the Council that "they are burned up". He then referred to what was done on Thomas.

Mr. Godfrey talked to Mr. Eastin about soil tests, and improvements called for. He stated that what is put in is the right kind.

Mr. Eastin spoke about setting up assessment; \$425.00 for 25 feet; on other side \$360.00; across street \$323.00 (apparently referring to another job, inasmuch as there has been no assessment levied on this one). He charged he was soaked \$600+ on Thomas for 37.5 ft. frontage. He said that he is trying to find out what he will have to pay on top of that.

Councilman Wincote stated that what had been said about the intersection is incorrect.

The City Engineer said that it will be around \$90.00 for Mr. Eastin.

Mr. Eastin replied that he was "not in a position to pay nothing". He said that he can't sell the place; can't get the money; has Social Security only.

Councilman Burgener told Mr. Eastin that it is the majority choice that the work be done.

Mr. Eastin referred to paying his own payment on Thomas. He asked "how come"?

Councilman Godfrey spoke to Mr. Eastin.

Councilman Dail was excused

Councilman Godfrey continued, and explained about the assessment district.

Mr. Eastin said that portion is paid by the City, and that it pays nothing. (He referred to the alley, owned by the City).

Councilman Wincote spoke to Mr. Eastin.

Mr. Eastin referred to something that doesn't jibe. He continued discussion with individual members of the Council.

Councilman Dail returned

The City Manager said that alley is same as street.

Councilman Godfrey said that the City doesn't pay for the alley improvement; property owners do.

The Mayor referred to there being a lot of questions which need to be answered. He said that the Council should go on with the others. He explained this assessment.

Councilman Burgener spoke to Mr. Eastin. He said that there is no choice who pays for residential street. He stated that if a majority wants the improvement, the Council has no choice. He pointed out that it is the neighborhood, not the Council, which wants the improvement; the Council did not initiate proceedings.

RESOLUTION NO. 119610, recorded on Microfilm Roll No. 83, overruling and denying protest of John W. and Sarah E. Eastin against improvement of Jewell Street under Resolution of Intention No. 118979 adopted July 6, 1954; 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 Wincote, proceedings were referred to the City Attorney for preparation and presentation of Resolution Ordering Work.

The Council returned to the hearing on Resolution of Intention No. 118977 for improving Alley Block 83 Point Loma Heights, which had been held temporarily.

Mr. Gustafson spoke again. He insisted that the estimate is too low, and that it should be refigured. He protested the excavation.

The City Engineer told the Council that the estimate on the Gustafson property is about \$225.00.

The Mayor stated that the Council has to take the Engineer's judgment.

Councilman Wincote stated, for the benefit of Mr. Gustafson, that if the bid is 10% over the estimate, the Council will go into that further. He pointed out that bids have been below the estimate for weeks.

Councilman Burgener stated that the Council will throw out bids if 10% high.

Councilman Godfrey asked for an estimate.

Mr. Gustafson replied \$300.00.

Councilman Godfrey informed Mr. Gustafson that the City Engineer has a breakdown.

Councilman Wincote said, again, that for 6 months bids have been below the estimate.

Mr. Gustafson then said that there is the matter of a drain.

Councilman Wincote discussed that with Mr. Gustafson.

James G. Duvall told the Council that owners have been trying to get the alley paved for years.

Mr. Gustafson asked if veterans are notified.

Hearings
119610

Councilman Dail answered that the City follows the State law on improvements in every detail.

Councilman Burgener declared that the Council has to respond to the wishes of a majority. (Mr. Gustafson was the only protestant).

Mr. Gustafson requested a re-estimate.

RESOLUTION NO. 119611, recorded on Microfilm Roll No. 83, overruling protest of Kenneth E. Gustafson against proposed improvement of Alley Block 83 Point Loma Heights, under Resolution of Intention No. 118977, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, 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. 118980 for sewer mains in Blocks 111, 121, 122, 138, 139, 140, 143, 144, 145 City Heights, Thorn Street, Redwood Street, Quince Street, unnamed 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.

No one appeared, and no written protests were presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, 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 Assessment No. 2260 made to cover costs and expenses of paving and otherwise improving Alley Block 37 Ocean Beach, Santa Cruz Avenue, and Public Right of Way, under Resolution of Intention No. 113749, the Clerk reported that written appeal had been received from Ernest Karl Pieper and Lucille E. Pieper. It was presented to the Council.

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

Prior to anyone speaking, the City Engineer told of the appeal as being 3% regarding area assessment.

Mrs. Violet Wagstaff told the Council that she was protesting about a catch basin. She told of water which goes down into it when cars are washed, and that it stands there.

The City Engineer replied that the Alley has a dip, and that it takes water out into Santa Cruz. He said that there is not enough depth to take care of the water, and there is not enough clearance for installation of a pipe. He said that the water is supposed to run away.

Mrs. Wagstaff replied that the water does not run away, that the condition is not healthy, and as a result people get hurt.

The City Engineer stated that work was done according to plans and specifications. He said that he can look into the situation regarding there being any obstructions.

Other women, who did not identify themselves, arose, apparently on the same problem.

RESOLUTION NO. 119612, recorded on Microfilm Roll No. 83, overruling and denying appeal of Ernest Karl Pieper and Lucille E. Pieper, and appeal of Mrs. Violet Wagstaff against Street Superintendent's Assessment No. 2260 made to cover costs and expenses of paving and otherwise improving Alley Block 37 Ocean Beach, Santa Cruz Avenue and Public Right of Way; overruling and denying all other appeals; confirming and approving Street Superintendent's Assessment No. 2260; authorizing and directing Street Superintendent to attach his warrant and issue same in manner and form provided by law; directing Street Superintendent to record in his office the warrant, diagram and assessment, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119613, recorded on Microfilm Roll No. 83, referring to City Manager for investigation and report the matter of catch basin installation and drainage in Alley Block 37 Ocean Beach, Santa Cruz Avenue and Public Right of Way in connection with Street Superintendent's Assessment No. 2260, 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 Assessment No. 2261 for paving and otherwise improving Mason Street, the Clerk reported that no 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. 119614, recorded on Microfilm Roll No. 83, confirming and approving Street Superintendent's Assessment No. 2261 made to cover cost and expenses of paving and otherwise improving Mason Street, under Resolution of Intention No. 115263; directing Street Superintendent to record in his office the warrant, diagram and assessment, 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 Assessment No. 2259 made to cover costs and expenses of paving and otherwise improving Santa Isabel Drive and Olvera Avenue, under Resolution of Intention No. 115897, 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. 119615, recorded on Microfilm Roll No. 83, confirming and approving Street Superintendent's Assessment No. 2259 made to cover costs and expenses of paving and otherwise improving Santa Isabel Drive and Olvera Avenue, under Resolution of Intention No. 115897; authorizing and directing Street Superintendent's Assessment No. 2259; directing Street Superintendent to attach his warrant thereto and issue same in manner provided by law, directing to record in his office the warrant, diagram and assessment, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Assessment No. 2258, for paving and otherwise Thomas Avenue, Public Rights of Way and Alley Block 274 Pacific Beach, under Resolution of Intention No. 113266, the Clerk reported that written appeals had been received from Richard Catalano and from Amy L. Trueblood and Lena G. Hyatt (Trueblood and Hyatt appeal is regarding division of property). They were presented to the Council.

The City Engineer reported a 5% appeal, regarding cut, not sharing cost, and not requesting water lateral furnished. He said that a lateral was put in on 2 vacant lots.

Mr. Catalona protested regarding added cost on account of the cut. He spoke of having been told that property owners would share equally; it is not equal; assessment is \$714. for 50 feet. He said that storm drain was put in, and there is no reason to pay. He contended that others are assessed less. Mr. Catalona charged that other people in the area are charged less.

The City Engineer said that excavations are taken as a block situation. It can vary, he said.

The Mayor said that it is equal among people in the block, but not on all (in the district).

The City Engineer spoke of sharing intersection cost. He told of there having been a property split, and hearing should be continued to Thursday (of this week).

Mr. Catalona told of paying for new water main and meter. He stated that he has a garden and trees on the 2 lots, and does not need the extra water service. He stated that he can use the extra \$60.00; and added that it is "not fair".

The Mayor said that Mr. Catalona can sell off those other 2 lots, and that if he sells, the street will have to be torn up.

Councilman Burgener referred to Mr. Catalona having protested earlier, and that he was in the minority. He said that he had been assured that the assessment would be spread fairly.

Mr. Catalona referred to having checked assessments and having found that his is more than \$60. extra for the intersection, according to the Superintendent of Streets. He declared the cost to be high.

The City Engineer said that it was \$2425.00 for the intersection.

Mr. Catalona said that it quite a cost. He asked with what it was paved.

Councilman Wincote explained to Mr. Catalona regarding the assessment.

Mr. Catalona said that the street had been cut down for people in the other block (across the street), on account of their buildings having been put in low.

Councilman Wincote tried to explain regarding a 1924 grade establishment, and the 1941 re-establishment. He pointed out that the Engineer was going according to the established grade.

Mr. Catalona insisted that he saw no notice regarding the cut. He said that he is not complaining about that, but the cost.

Mr. Skinner, who did not give his first name or initials, told the Council that he is next door (apparently to Mr. Catalona), and his assessment is the same. He said he had been led to believe regarding the 6½' cut that it would help others, whereas he not has to have a 6' wall. He said that the people on the hill have to pay for people who live in a mud hole. Mr. Skinner said that they now have no standing water. He contended that assessment should be revised.

An unidentified man said that he does not/to be penalized.

Mr. Skinner continued to speak regarding various costs.

Another unidentified man told the Council, simply, that he represented Mrs. Saunders.

The City Engineer went over a map in conference with 5 individuals. He explained to them, and to individual Councilmen about the assessment. Discussion was not recorded, inasmuch as it was not through the chair, and little of it was heard.

RESOLUTION NO. 119616, recorded on Microfilm Roll No. 83, sustaining appeal of Amy L. Trueblood and Lena G. Hyatt from Street Superintendent's Assessment No. 2258 made to cover expenses of paving and otherwise improving Thomas Avenue, Public Rights of Way and Alley Block 274 Pacific Beach, under Resolution of Intention No. 113266; directing Street Superintendent to modify and correct Assessments Nos. 104 and 105; continuing hearing on Assessment No. 2258 until the hour of 10:00 o'clock A.M., Thursday, August 12, 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 set for hearing on amending Chapter IX of The San Diego Municipal Code re Marquees, Signs on Marquees, and Signs, the Clerk reported that no protests had been received.

The Mayor inquired if any interested affected individuals were present to be heard.

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

On motion of Councilman Kerrigan, seconded by Councilman Dail, Ordinance amending Chapter IX of The San Diego Municipal Code by adding thereto Sections 91.25 and 91.25.1 and amending Sections 95.0102, 95.0104, 95.0107, 95.0108, 95.0122, 95.0130 and 95.0132 and repealing Section 95.0131 regulating Marquees, Signs on Marquees, and Signs, was introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

Hearing

119615 - 119616

Ord. introduced.

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

G. S. Warren spoke in connection with a communication from Mission Bay Yacht Club, dated August 9, 1954, signed by him as Committee Chairman. He stated that he represented a group of Mission Bay area 1,000 property owners. He told of need for additional patrolling in the area. He said that "life guards should be added to by 2", on account of the boat speed operations. He told of people swimming across the bay and jumping off the bridge, and about danger involved.

Councilman Burgener moved to refer the matter to Council Conference, and to the City Manager.

Councilman Dail moved to refer to City Manager, with power to act.

The City Manager told the Council that he is familiar with the matter.

The Mayor recognized Mr. Glazebrook, and asked if he would like to be heard. He told the Council that residents are fortunate to have nice water in front of the Mission Bay Yacht Club. It was his comment that everybody has respect/boats which are patrolling the area.

The Mayor told of his having assisted in dedication of an enlarged Coast Guard Station. He stated that they might be called in on a busy week end.

The City Manager told the Council that he is looking into that, but they can't enforce local regulations.

Councilman Kerrigan seconded the motion of Councilman Dail - thereby referring the item to the City Manager with power to act.

The Mayor thanked the 2 speakers for their interest.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 9 105 cu. ft. capacity Air Compressors, and 85 cu. ft. Air Compressor for Public Works Department, received July 28, 1954, from 5 bidders, was presented. It recommends 2 awards: to Standard Iron Supply, low bidder, and Crook Company of Los Angeles, low bidder, in accordance with report.

RESOLUTION NO. 119617, recorded on Microfilm Roll No. 83, accepting bid of Standard Iron Supply for furnishing Item 1-A, 4 - Skid Mounted 105 cu. ft. Air Compressors @ \$2,310.00 each; Item 1-B, 5 - Portable 105 cu. ft. Air Compressors @ \$2,520.00 each, all f.o.b. Holyoke, Massachusetts with full freight allowed to 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 contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119618, recorded on Microfilm Roll No. 83, accepting bid of Crook Company for furnishing Item 2-A 1 - 85 cu. ft. Skid Mounted Air Compressor @ \$1,739.00 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 contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for 1 4-wheel drive wheel type Tractor for beach cleaning received July 23, 1954, was presented. It states that 1 other company manufactures a tractor of the type but of larger size and power, which sells for several thousand dollars more than the Harris tractor bid on by Crook Company. Report says that the tractor (demonstrator) offered by Crook Co. has been found to be in excellent condition and satisfactory for use by the City.

RESOLUTION NO. 119619, recorded on Microfilm Roll No. 83, accepting bid of Crook Company for furnishing 1 Harris Model F-8-A Tractor (demonstrator) @ \$4,686.00, 1 Arrow Model HA-4 Hydraulic Angle Dozer @ \$2,209.00 plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 1 Hydraulically Operated Rebanding Cotton Press for installation in cotton warehouse being constructed on "B" Street Pier received July 28, 1954, was presented. It recommends acceptance of sole bid of Long Reach Machine Works Division of Anderson, Clayton & Company, Houston, Texas. The report goes into detail on the machine recommended for purchase, and attached photograph.

RESOLUTION NO. 119620, recorded on Microfilm Roll No. 83, accepting bid of Long Reach Machine Works, Division of Anderson, Clayton & Co. for furnishing 1 Hydraulically Operated Rebanding Cotton Press at price of \$8,729.60 f.o.b. Harbor Shops, San Diego; awarding contract, authorizing and instructing majority of members of Harbor Commission to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for removal of portion of Otay First Main Pipeline between Detroit Avenue and Scimitar Drive, received July 30, 1954, from 12 bidders, was presented. It recommends acceptance of low bid of William H. Clint, at \$7,548.80. Report states that

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Director of Water Department states that preliminary estimate of cost of work was \$5,000.00, but was in error on the low side, and believes that 12 bids were received ranging from \$7,548.80 to \$16,715.20 assures lowest possible price.

RESOLUTION NO. 119620, recorded on Microfilm Roll No. 83, accepting bid of William H. Clint for Removal of Portion of Otay First Main Pipeline between Detroit Avenue and Scimitar Drive; awarding contract; authorizing and instructing City Manager to execute contract on behalf of The City of San Diego pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent reporting on bids for construction of Warehouse "A" at 10th Street Industrial Area, received July 28, 1954, from 6 bidders, was presented. It recommends award to Trepte Company, Inc., low bidder in amount of \$154,000.00 - estimate was \$160,000.00.

RESOLUTION NO. 119622, recorded on Microfilm Roll No. 83, accepting bid of Trepte Construction Company, Inc. for construction of Warehouse "A" at 10th Street Pier; awarding contract, authorizing and instructing majority of members of Harbor Commission to enter into and execute same pursuant to plans and specifications on file in Office of City Clerk, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Purchasing Agent reporting on bids (quotations) for furnishing 1000 feet 4" Single Hub Medium Soil Pipe; 1000 feet 4" Double Hub Medium Soil Pipe; 100 - 4" 1/8 Soil Bonds; and 100 - 4" 1/16 Soil Bends from 3 bidders, was presented. It recommends award to Western Metal Supply Company, low bidder, at total of \$1,710.20, terms, 2% 30 days, plus State Sales Tax.

RESOLUTION NO. 119623, recorded on Microfilm Roll No. 83, accepting bid of Western Metal Supply Company for furnishing Pipe, Bends; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

In connection with the next item, the City Manager made a verbal report, in answer to a question put by Councilman Godfrey. The Mager told about (b) in connection with present Packard and Buick, each of which has over 100,000 miles. The report recommends awards to low bidders: Bay Shore Motors, Item I 16 Four-Door Sedans for Public Works @ \$1,133.13 each plus State Sales Tax; Item III-A - 31 Sedans for Police Department - to be Ford police interceptor sedans @ \$1,414.33 each, or total of \$43,844.23, plus State Sales Tax; Item IV - 1 Four-Door Sedan for Fire Department at \$1,158.13; Trade-in allowance on Police Sedans; 25 - 1951 Model and 6 - 1952 Model at total price of \$13,675.00, or an average of \$441.00 per car. It says Bay Shore Motors was also low bidder on Item III calling for 31, 6 cylinder Ford Sedans at \$1,213.33 each, but the interceptor model offered under Item III-A is equipped with motor equal in size to that of the Mercury car, and is considered far more desirable for police car. It, therefore, recommends acceptance of alternate III-A bid. Report lists extras per car considered necessary and to be added to bid price: Heavy duty front and rear springs @ \$6.22 per car; Heavy Duty front and rear shock absorbers @ \$4.50 per car; Heavy Duty front seat assembly @ \$9.00 per car; and Heavy Duty front floor mat @ \$2.44 per car; making total of \$22.16 for extras per car. Balboa Oldsmobile, Item II - 2 High Speed Sedans for Police Department - Oldsmobile "88" 2-Door @ \$2,050.87 or total of \$4,101.74 plus State Sales Tax. Trade-in: 1 - 1951 Buick Sedan \$851.00; and 1 - 1953 Packard 2-Door Sedan \$1,011.00. Item V - 1 Four-Door Sedan for Fire Department @ \$1,494.34. Item VI - 2 4-Door Station Wagons for Fire Department @ \$1,772.73 each. Prices quoted by City Motors of National City on Items IV, V and VI subject to 3% State Sales Tax. It says that prices quoted on all of above cars represent savings to The City in excess of 15% compared with prices received for similar cars approximately 1 year ago.

RESOLUTION NO. 119624, recorded on Microfilm Roll No. 83, accepting bid of City Motors for furnishing Item V, 1 4-Door Sedan @ \$1,494.34; Item VI, 2 4-Door Station Wagons @ \$1,772.73 each, all plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119625, recorded on Microfilm Roll No. 83, accepting bid of Balboa Oldsmobile to furnish Item II, 2 Oldsmobile "88" 2-Door High Speed Sedans @ \$2,050.87 each, plus State Sales Tax, less trade-in of 1 1951 Buick Sedan \$851.00; and 1 1953 Packard \$1,011.00; awarding contract to Balboa Oldsmobile, authorizing and instructing City Manager to enter into and execute on behalf of The City of San Diego contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 119626, recorded on Microfilm Roll No. 83, accepting bid of Bay Shore Motors for furnishing Item IV - 1 4-door Sedan for \$1,158.13, plus tax; Item I - 16 4-door Sedans @ \$1,133.13 each; Item III-A - 31 Ford police interceptor Sedans @ \$1,414.33 each; all plus State Sales Tax, less trade-in allowance on 31 Police Sedans at total price of \$13,675.00; plus extras (Heavy duty front and rear shock absorbers; heavy duty front and rear springs; heavy duty front seat assembly; and heavy duty front floor mat) totaling \$22.16 per car for 31 sedans plus State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

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Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 1 Dual Drive Street Sweeper for Public Works Department received July 29, 1954, from 3 bidders, was presented. It recommends award to Brown Bevis Industrial Equipment Company of Los Angeles, low bidder, for 1 Wayne Dual Drive Sweeper @ \$10,330.00 plus State Sales Tax, less trade-in allowance of \$1,440.00 on 1 Model 1948 FC 353 Cab and Chassis, or total net cost of \$9,199.90 including Tax. It reports in detail on low net bid by Southern Equipment & Supply Company which requested 5% preference as local bidder, which if allowed would make the low bidder. Report states that it does not meet specifications, being 4-wheel sweeper instead of 3-wheel type, both motor and hopper capacities are smaller than required by City specifications. It recommends that 5% preference be rejected.

RESOLUTION NO. 119627, recorded on Microfilm Roll No. 83, accepting bid of Brown Bevis Industrial Equipment Company for furnishing 1 Wayne Dual Drive Sweeper, less trade-in allowance on 1; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

After the preceding item, the Council referred back to the Tractor item., at the request of Councilman Godfrey.

The City Manager spoke to Councilman Godfrey regarding the tractor being for beach cleaning. That information was contained in the report from the Purchasing Agent.

Communication from the Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for construction of storm drain at southerly termination of Cable Street, from 2 bidders. It recommends award to Pace Construction Company, low bidder, in amount of \$2,454.85 - 0.2% above estimate.

RESOLUTION NO. 119628, recorded on Microfilm Roll No. 83, accepting bid of Pace Construction Company for construction of storm drain at southerly termination of Cable Street; awarding contract; authorizing and instructing City Manager to enter into and execute on behalf of The City a contract pursuant to plans and specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing 1 Vertical Turbine Pump for Lower Otay Pump House, received August 2, 1954, from 4 bidders, was presented. It recommends award to Southern Machinery Company, low bidder, at \$1660.30 plus sales tax.

RESOLUTION NO. 119629, recorded on Microfilm Roll No. 83, accepting bid of Southern Machinery Company for furnishing 1 Vertical Turbine Pump; 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 office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

In connection with the next item, Councilman Godfrey asked for an explanation.

The City Manager explained that "wear tests" for 6 months had been conducted. He said that product of the low bidder did not hold up. Asked which bid was recommended, the City Manager replied the intermediate bid.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, reporting on bids for furnishing City's requirements of White Traffic Paint for period of 6 months, received December 30, 1953, from 4 bidders, was presented. It gives a detailed report, along the lines mentioned by the City Manager, and recommends award to J. E. Bauer Company for furnishing approximately 2,500 gallons at \$2.15 per gallon.

RESOLUTION NO. 119630, recorded on Microfilm Roll No. 83, accepting bid of J. E. Bauer Co. for furnishing requirements of White Traffic Paint; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City a contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, recommending authorization to purchase 1 Model 1033 Electro-Matic Dispatcher at \$1,405.90 f.o.b. point of shipment with full transportation allowed to San Diego, was presented. It states timer is to be replaced by manufacturer, the only source of supply.

RESOLUTION NO. 119631, recorded on Microfilm Roll No. 83, authorizing and directing Purchasing Agent to purchase 1 Model 1033 Electro-Matic Dispatcher, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Purchasing Agent, with Assistant to City Manager's stamp of approval, recommending purchase of repair parts for Trident water meters, obtainable only through Western Metal Supply Company, local agent, with no benefit derived from advertising for bids, was presented.

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RESOLUTION NO. 119632, recorded on Microfilm Roll No. 83, authorizing and directing Purchasing Agent to purchase in open market Trident Water Meter Parts: 200 - 2" RR3A 7-Spindle 10 cu. ft. Register Complete @ \$8.00 each; 200 - 3/4" RR 3A 7-spindle, 1 cu. ft. Register Complete @ \$8.00 each; 200 - Chamber inserts for 5/8" Trident meter S-9B3 thrust roller bearing plates thin rubber @ \$0.20 each, discount 53-5%, total price of \$1,461.12 including State Sales Tax, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of revisions as amended by Planning Department, in Resolution No. 118662 re Tentative Map of Allied Gardens Unit No. 4, was presented.

RESOLUTION NO. 119633, recorded on Microfilm Roll No. 83, approving Tentative Map approval Resolution No. 118662 amendment, to include: 12. The subdivider will bear all costs of improvement in connection with amended realignment of Orcutt Street at 50th Street, shown on Drawing 11402-L on file in office of City Clerk, and no expense in connection with improvements shall accrue to City of San Diego, was on motion of Councilman Burgener, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative map of Linda Manor (formerly Linda Terrace), was presented.

RESOLUTION NO. 119634, recorded on Microfilm Roll No. 83, suspending Sections 102.16-2, 102.16-8, 102.170c of San Diego Municipal Code in connection with Tentative Map of Linda Manor (formerly Linda Terrace), was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Linda Manor (formerly Linda Terrace), a 10-lot subdivision of Lot 62 Las Alturas Villa Sites, located on Logan Avenue easterly of Euclid Avenue, subject to 10 conditions, was presented.

RESOLUTION NO. 119635, recorded on Microfilm Roll No. 83, approving Tentative Map of Linda Manor, subject to conditions set out in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending suspension of portion of San Diego Municipal Code in connection with Tentative Map of Yvonne Terrace, was presented.

RESOLUTION NO. 119636, recorded on Microfilm Roll No. 83, suspending Sections 102.05, 102.07-4, 102.16-8, 102.17-c of San Diego Municipal Code, insofar as they relate to Tentative and Final Maps of Yvonne Terrace, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Yvonne Terrace, a 9-lot subdivision of Lots 5 & 6, Parcel 1, H. C. Skinner Addition, located on east side of 36th Street along prolongation of Acacia Street, was presented.

RESOLUTION NO. 119637, recorded on Microfilm Roll No. 83, approving Tentative Map of Yvonne Terrace, subject to conditions set out in the Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting Tentative Map for portion of Pueblo Lot 1774 located on La Jolla Mesa Drive northerly of La Jolla Rancho Road, for dividing property by method of Record of Survey, was presented. It mentions the findings made by the Planning Commission, and recommends similar finding be made by the Council.

RESOLUTION NO. 119638, recorded on Microfilm Roll No. 83, approving Record of Survey Tentative Map, submitted in lieu of subdivision map, for division of parcel of land located on La Jolla Mesa Drive northerly of La Jolla Rancho Road, in portion of Pueblo Lot 1774: 1) Area contains less than 5 acres; 2) abuts upon dedicated street; 3) in which no street widenings or openings are required; 4) Lot design meets approval of the Council, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from City Engineer, with City Manager's stamp of approval, stating that plans are being filed for storm drain for downtown area and were submitted by letter dated July 8, 1954, was presented. It states that Ordinance No. 6178 (NS) appropriated \$171,910 from Storm Drain Bond Fund towards costs and expenses; amount appropriated - \$171,910, is 43.6% of estimated cost of construction, including statutory incidental expenses. Communication states that City's contribution towards the job, which will be deducted with spread of assessment, will be \$171,910 or 43.6% of total of contract cost plus statutory incidentals, whichever amount is the smaller.

Asked about the matter, the City Manager said that it is to avoid a situ-

ation that developed on Streamview. He outlined the financial end of the proposal, as stated previously, contained in the communication.

Councilman Wincote said that incidentals are already known.

The Mayor read to the Council a portion of the letter.

The City Manager said "whichever is lower".

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

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for paving and otherwise improving Charles Street between Catalina Boulevard and Silver Gate Avenue, signed by owners of 56.6% of property frontage, was presented. It attaches letter assuring firmness of the petition.

RESOLUTION NO. 119639, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 495265 for paving and otherwise improving Charles Street; directing 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 of paving, etc., and installation of curbs and water services as required, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from City Engineer, with Assistant City Manager's stamp of approval, recommending that proceedings be started to change property line grades on Morrell Street between southerly line of Hornblend Street and northerly line of Grand Avenue, and that City pay costs of Change of Grade proceedings, was presented.

RESOLUTION NO. 119640, recorded on Microfilm Roll No. 83, directing City Engineer to furnish description for change of property line grades on Morrell Street between southerly line of Hornblend Street and northerly line of Grand Avenue, in accordance with City Engineer's recommendation filed in office of City Clerk under Document No. 495375, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from American Association of University Women, San Diego Branch, 208 West Juniper Street, San Diego 1, dated August 3, 1954, signed by Blessing Muehling, was presented. It states that the Association has selected Mrs. J. Weldon Thomas, 513 Silvergate Ave., San Diego 6, to be its observer to meetings of the Council.

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

Copy of communication, addressed to San Diego County Highway Development Association, attaching copy of letter addressed to Director of Public Works of State of California, requesting immediate action to reduce traffic hazard on Torrey Pines Mesa section of Highway 101, was presented.

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

Communication from Kenneth W. Andrews, 1927 Denver Street, San Diego 10, dated August 4, 1954, was presented. It refers to agencies or departments of the City government honoring anonymous crank calls by telephone resulting in a neighbor of the crank being involved, usually unpleasantly, with representatives of the City. The communication feels that such calls should not be honored unless the caller gives his name and address.

The City Manager reviewed the contents of the letter. He agreed that there is a lot of validity in the suggestions, and told the Council that it has to do basically with neighborhood calls.

On motion of Councilman Burgener, seconded by Councilman Wincote, the communication was ordered filed.

Communication from Mrs. Garner, dated Aug 5, 1954, no address given, but GA 25938 listed, was presented. It complains of people who advertise by phone, and asks if the nuisance can't be stopped.

Councilman Kerrigan said that there is such an ordinance (that ordinance has to do with telephone solicitation for charitable purposes). Councilman Wincote said that both he and Councilman Dail do it, as a part of their business.

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

Communication from several individuals objecting to the increase in bus fares, and protesting any further raise in San Diego, was presented. The communication, dated Aug. 3, 1954, was signed mostly by individuals who did not list their addresses, and by a few who did.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the communication was ordered filed.

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Mayor Butler left the meeting

Councilman Kerrigan was excused

Both went to a meeting being conducted by the Board of Supervisors, San Diego County.

Councilman Wincote took the Chair, and presided, as Vice Mayor.

RESOLUTION OF AWARD NO. 119641, recorded on Microfilm Roll No. 83, accepting bid of John B. Henry, and awarding contract, for paving and otherwise improving Alley Block 95 Ocean Bay Beach, under Resolution of Intention No. 118393, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.
The City Engineer reported in writing that low bid is 5.9% below the estimate.

RESOLUTION OF AWARD NO. 119642, recorded on Microfilm Roll No. 83, accepting bid of H. C. Dennis, and awarding contract, for paving and otherwise improving Alleys Blocks 3 and 4 Ocean Front, under Resolution of Intention No. 118394, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.
The City Engineer reported in writing that low bid is 13.9% below the estimate.

RESOLUTION NO. 119643, recorded on Microfilm Roll No. 83, approving and adopting plans, drawings, typical cross-sections, profiles and specifications for installation of storm drains in 4th Avenue, 5th Avenue, 6th Avenue, 7th Avenue, C Street, Broadway, E Street, F Street, 8th Avenue, Market Street, K Street and 10th Avenue, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted. It approves plat No. 2573 of assessment district, and authorizes filing with City Engineer.

RESOLUTION NO. 119644, recorded on Microfilm Roll No. 83, approving and adopting plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving E Street, F Street, 28th Street and 29th Street, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted. It approves plat No. 2613 of assessment district, and authorizes filing with City Engineer.

RESOLUTION NO. 119645, recorded on Microfilm Roll No. 83, approving and adopting plans, drawings, typical cross-sections, profiles and specifications for sewers in Gregory Street, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted. It approves plat No. 2628 of assessment district, and authorizes filing with City Engineer.

RESOLUTION NO. 119646, recorded on Microfilm Roll No. 83, approving and adopting plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving La Jolla Hermosa Avenue, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted. It approves Plat No. 2548 of assessment district, and authorizes filing with City Engineer.

RESOLUTION NO. 119647, recorded on Microfilm Roll No. 83, approving and adopting plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving Quimby Street, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted. It approves Plat No. 2619 of assessment district, and authorizes filing with City Engineer.

RESOLUTION ORDERING WORK NO. 119648, recorded on Microfilm Roll No. 83, for paving and otherwise improving Byron Street, under Resolution of Intention No. 118860, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 119649, for sewers in Myrtle Avenue and Alley Block 8 Bungalow Park Addition, under Resolution of Intention No. 118862, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION ORDERING WORK NO. 119650, recorded on Microfilm Roll No. 83, for paving and otherwise improving Thorn Street and Highland Avenue, under Resolution of Intention No. 118861, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Vice Mayor in Chair
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RESOLUTION OF INTENTION NO. 119651, recorded on Microfilm Roll No. 83, for paving and otherwise improving Alley Block 88 Ocean Beach Extension No. 2, Alley Block 76 Ocean Beach, Bacon Street, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF INTENTION NO. 119652, recorded on Microfilm Roll No. 83, for grading and sidewalks on 49th Street, Elm Street, Fir Street, Tilden Street, 48th Street, Brooklin Street, Duval Street and Date Street, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 119653, recorded on Microfilm Roll No. 83, for sewers in Mentone Street, Montalvo Street, Temecula Street, Rialto Street, Alley Block 29 Loma Alta No. 2, West Point Loma Boulevard, and Famosa Boulevard, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119654, recorded on Microfilm Roll No. 83, for storm drains in 45th Avenue, 5th Avenue, 6th Avenue, 7th Avenue, C Street, Broadway, E Street, F Street, 8th Avenue, Market Street, K Street and 10th Avenue, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119655, recorded on Microfilm Roll No. 83, for paving and otherwise improving E Street, F Street, 28th Street and 29th Street, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119656, recorded on Microfilm Roll No. 83, for sewers in Gregory Street, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119657, recorded on Microfilm Roll No. 83, for paving and otherwise improving La Jolla Hermosa Avenue, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 119658, recorded on Microfilm Roll No. 83, for paving and otherwise improving Quimby Street, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119659, recorded on Microfilm Roll No. 83, ascertaining and declaring wage scale for paving and otherwise improving Alley Block 3 Ocean Beach, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 119660, recorded on Microfilm Roll No. 83, ascertaining and declaring wage scale for sidewalks on Redwood Street, Chollas Station Road, Winlow Street, Marvin Street, 55th Street, Hubner Road, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 119661, recorded on Microfilm Roll No. 83, directing City Engineer to furnish diagram of property affected and benefited by work and improving on paving Alley Block 11 City Heights Annex No. 2, described in Resolution of Intention No. 114246 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 119662, recorded on Microfilm Roll No. 83, directing City Engineer to furnish diagram of property affected and benefited by work and improving on Landis Street and Alley Block 82 City Heights, described in Resolution of Intention No. 115147 and to be assessed to pay expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 119663, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 493053 for paving and otherwise improving Alley Block 17 Nordica Heights No. 2; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be affected and benefited,

inclusive of portion of Marineview Avenue if required, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 119664, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 492138 for paving and otherwise improving Alley Block 22 La Jolla Park; directing 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, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119665, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 492135 for paving and otherwise improving Alley Block 113 Pacific Beach; directing 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, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119666, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 490708 for paving and otherwise improving Alley Between Block 106 Central Park, and Block 332 Choate's Addition; directing 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, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119667, recorded on Microfilm Roll No. 83, granting petition contained in Document No. 493054 for curbs and drainage structures on Celia Drive; directing 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, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119668, recorded on Microfilm Roll No. 83, granting petition for paving and otherwise improving Emerald Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be assessed to pay costs, damages and expenses, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119669, recorded on Microfilm Roll No. 83, granting petition for paving and otherwise improving Gaines Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be assessed to pay costs, damages and expenses, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119670, recorded on Microfilm Roll No. 83, granting petition for paving and otherwise improving Quince Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be assessed to pay costs, damages and expenses, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119671, recorded on Microfilm Roll No. 83, granting petition for paving and otherwise improving Una Street, and Birch Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be assessed to pay costs, damages and expenses, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119672, recorded on Microfilm Roll No. 83, granting petition for paving and otherwise improving Warrington Street; directing City Engineer to furnish description of assessment district, and plat showing exterior boundaries of district or lands to be assessed to pay costs, damages and expenses, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for paving and otherwise improving California Street, Emory Street and Bean Street, by private contract, under Specifications bearing Document No. 494164, at no cost to the City of San Diego, was presented.

RESOLUTION NO. 119673, recorded on Microfilm Roll No. 83, granting property

owner = Bank of America National Trust and Savings Association = permission to pave and otherwise improve California, Emory and Bean Streets, as provided in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from City Engineer, with City Manager's stamp of approval, recommending granting petition for grading portion of 47th Street by private contract, according to plans and specifications filed in office of City Clerk July 20, 1954 under Document No. 494165, was presented.

RESOLUTION NO. 119674, recorded on Microfilm Roll No. 83, granting permission to San Diego City Schools to grade portion of 47th Street adjoining Webster Elementary School by private contract, as provided in the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119675, recorded on Microfilm Roll No. 83, declaring bid submitted by Floyd Shofner for installation of Small Water Main Replacements, Group No. 15, 1953-54, to be lowest bid received, declaring Floyd Shofner to be lowest, responsible and reliable bidder; rejecting all other bids, and awarding contract at unit prices set forth in the bid, which unit prices amount to total estimated sum of \$106,664.20; authorizing and empowering City Manager to execute for and on behalf of the City, a contract, upon execution by Floyd Shofner of the contract and upon execution, delivery, filing and approval of bonds required, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

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RESOLUTION NO. 119696, recorded on Microfilm Roll No. 83, declaring bid submitted by Floyd Shofner for installation of Small Water Main Replacements, Group No. 14, 1953-54, to be lowest bid received, declaring Floyd Shofner to be lowest, responsible and reliable bidder; rejecting all other bids, and awarding contract at unit prices set forth in the bid, which unit prices amount to total estimated sum of \$112,924.75; authorizing and empowering City Manager to execute for and on behalf of the City, a contract, upon execution by Floyd Shofner of the contract and upon execution, delivery, filing and approval of bonds required, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from City Engineer, with City Manager's stamp of approval, reporting that lot stakes and block corners in Belleview Center Unit No. 2 Subdivision were set by the private engineer and checked and accepted by the City Engineer by letter dated February 8, 1954, was presented. It states that work, previously accepted, was satisfactorily completed by Daley Corporation under contract. Communication states that all charges owed the City have been paid - \$103,603 bond written by Maryland Casualty Company may be released since water mains and appurtenances have been quitclaimed to the City.

RESOLUTION NO. 119677, recorded on Microfilm Roll No. 83, authorizing City Manager to accept work on behalf of The City of San Diego in Belleview Center Unit No. 2 Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from City Engineer, with City Manager's stamp of approval, reporting that lot stakes and block corners in Delta Heights Subdivision were set by private engineer and checked and accepted by City Engineer by letter dated May 28, 1954, was presented. It states that work, previously accepted, was satisfactorily completed by Morris Van Meter under private contract. Communication states that all charges owed the City have been paid - \$82,369.98 bond written by Glens Falls Indemnity Company may be released since water mains and appurtenances have been quitclaimed to the City.

RESOLUTION NO. 119678, recorded on Microfilm Roll No. 83, authorizing City Manager to accept work on behalf of The City of San Diego in Delta Heights Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from City Engineer, with City Manager's stamp of approval, reporting that lot stakes and block corners in Ridge View Unit No. 2 Subdivision were set by private engineer and check and accepted by City Engineer by letter dated April 16, 1954, was presented. It states that work, previously accepted, was satisfactorily completed by Griffith Company under private contract. Communication states that all charges owed the City have been paid - \$90,289.30 bond written by Glens Falls Indemnity may be released since water mains and appurtenances have been quitclaimed to the City.

RESOLUTION NO. 119679, recorded on Microfilm Roll No. 83, authorizing City Manager to accept work on behalf of The City of San Diego in Ridge View Unit No. 2 Subdivision, and execute Notice of Completion and have it recorded, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communications
119674 - 119679

8/10/54

RESOLUTION NO. 119680, recorded on Microfilm Roll No. 83, authorizing and approving expenditure of \$2500.00 from funds appropriated by Ordinance No. 5900 (New Series), for purchase of portion of Pueblo Lot 191, needed for Canon Street drain; authorizing Property Supervisor to issue requisition for said amount for purchase of the property, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119681, recorded on Microfilm Roll No. 83, authorizing and directing San Diego Gas & Electric Company to install a 6,000 lumen overhead street light at each of the following locations:

- Carling Drive at Adelaide Avenue
- Carling Drive at Lorca Drive
- Tarragano Drive at Adelaide Avenue
- Tarragano Drive at Lorca Drive
- Tarragano Drive W/O Cartagena Drive, approximately 300 feet
- Tarragano Drive S/O Adelaide approximately 700 feet
- College Avenue at Ridge Place
- Ridge Place at its westerly terminus
- College Avenue between View Place and Ridge Place
- College Avenue at View Place
- View Place at its southerly terminus
- University Avenue 350 feet E/O College Avenue;

authorizing and directing San Diego Gas & Electric Company to install a 10,000 lumen overhead street light at each of the following locations:

- Southeast Corner of College Avenue at University Avenue;
- Southwest Corner of College Avenue at University Avenue;

was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119682, recorded on Microfilm Roll No. 83, authorizing and empowering City Manager to do all the work in connection with installation of 58 electric cutouts on street lighting circuits, by appropriate City forces, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

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

RESOLUTION NO. 119683, recorded on Microfilm Roll No. 83, authorizing and empowering City Manager to execute, for and on behalf of City of San Diego, Amendment to Lease Agreement with William G. Litton and Andrew J. Rock, amending lease under Document No. 496041, amendment to cover portions of Mission Bay Recreational Area located at and in Dama Basin; described in Document No. 495881 and Exhibit "A" attached thereto, being City Planning Department Drawing No. 2.1.108 dated April 18, 1948, revised September 24, 1948 and revised June 1, 1954, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119684, recorded on Microfilm Roll No. 83, authorizing and directing City Manager to enter into agreement on behalf of City of San Diego with C. W. Mikel for removal of carp from Hodges Reservoir under terms and conditions set forth in agreement on file in Office of City Clerk under Document No. 495627, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119685, recorded on Microfilm Roll No. 83, authorizing Director of Water Department to allow water to be taken from Hodges Reservoir Basin on an as is where is basis to the Einer Brothers, Incorporated, and the Marsch Construction for use in construction of highway over reservoir; provided that water service be made by Director of Water Department at not less than 15 per hundred cu. ft.; and provided that service be provided only for length of time required for construction of highway, and provided that there shall be no liability upon City as to quantity or quality of water, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119686, recorded on Microfilm Roll No. 83, 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 10 Block 3 The Dells Park, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to 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 the taxes and deeds - for purpose of freeway - was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119687, recorded on Microfilm Roll No. 83, directing Property Supervisor to file petition with Board of Supervisors of County of San Diego, State

of California, requesting that all taxes against portions of Lots 61, 62, 63 Block 1 The Dells Park, together with all deeds to 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 the taxes and deeds - for purpose of freeway - was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119688, recorded on Microfilm Roll No. 83, granting David S. Casey, Bank of America Building, San Diego 1, to install 58-foot driveway on easterly side of La Jolla Boulevard between points 51 feet and 109 feet south of intersection of property lines at southeasterly corner of La Jolla Boulevard and Colima Street, between points 14 feet and 42 feet east of property corner, adjacent to Lots 1 and 2 Block 33 Bird Rock Addition, on conditions set out in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119689, recorded on Microfilm Roll No. 83, granting Helen C. Ross, 7152 Mohawk Street, San Diego 15, to have curb depressed for 2 14-foot driveways, separated by 22 feet of full-height curb, on north side of Mohawk Street between 71st and 72nd Streets, adjacent to Lot 18 Block 13 La Mesa Colony, subject to conditions set out in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119690, recorded on Microfilm Roll No. 83, granting Standard Oil Company of California a variance to permit construction of 2 122' x 48' fuel tanks with capacity of 99,940 barrels each on leased premises located on tidelands at foot of Schley Street with clearance of 9'4" between shell of the tank and the leased property lines as shown on Standard Oil drawing "Tankage Plan, San Diego Plant", dated 15 July 1954; subject to approval of Fire Department and conformance with Fire Department regulations, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119691, recorded on Microfilm Roll No. 83, authorizing E. Bagnell and K. Olson to go to Los Angeles, for purpose of inspecting water meter service facilities in Los Angeles metropolitan area August 11, 12, 13, 1954; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119692, recorded on Microfilm Roll No. 83, authorizing George E. Courser, Chief of Fire Department, to attend annual meeting of Pacific Coast Inter-Mountain Association of Fire Chiefs, to be held in Long Beach, California, August 23 through August 26, 1954; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119693, recorded on Microfilm Roll No. 83, denying claim of James J. Breckenridge as amended by Document No. 493798 on file in office of City Clerk, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119694, recorded on Microfilm Roll No. 83, denying claim of Mrs. Elsie Richardson, on file in Office of City Clerk under Document No. 460431, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119695, recorded on Microfilm Roll No. 83, accepting quitclaim deed executed on 27th day of July, 1954, by Belleview Properties South, Inc., 5804 University Avenue, San Diego, 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 Belleview Center Unit No. 2, being subdivision of portions of Lots 42, 43, 57 Seaman's Subdivision of East Half of Section 27 Township 16 South Range 2 West; 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 Burgener, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Burgener, seconded by Councilman Godfrey, 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. 6222 (New Series), 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", was adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, 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. 6223 (New Series), recorded on Microfilm Roll No. 83, dedicating portions of Lot 24 Rancho Mission of San Diego, deeded to The County of San Diego for street purposes, and naming same Biona Drive and 42nd Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

On motion of Councilman Burgener, seconded by Councilman Godfrey, reading 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. 6224 (New Series), recorded on Microfilm Roll No. 83, appropriating \$5,000.00 out of Capital Outlay Fund, for providing additional funds for improvement of La Jolla Boulevard, between Colima Street and Camino de la Costa, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

The Ordinance mentions that funds are in addition to Ordinance No. 5923 (New Series) which appropriated \$70,000.00 out of Capital Outlay Fund for the same purpose.

On motion of Councilman Burgener, seconded by Councilman Dail, Ordinance amending San Diego Municipal Code by amending Section 64.13 relating to charges for various Sewer Connections, was on motion of Councilman Burgener, seconded by Councilman Dail, introduced, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

It was a petition signed by several residents in both National City and San Diego, referring to corner of Potomac Ave. and Rachael Avenue, asking for a boulevard stop for West bound traffic on Potomac Avenue. It states that petition is also being circulated for National City for east bound boulevard stop on 18th and Rachael. It states that in view of frequent accidents action is deemed necessary.

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

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

It was communication from M. D. Goodrich & Co., signed by M. H. Goodrich, regarding stench from fish rendering causing terrific odors in vicinity of his place of business at 1874 Main Street. It tells of effect on tenants, prospective lessee, and employees who are leaving his employ.

Councilman Dail termed it an abusive letter, and stated that it is up to the Harbor Department. He declared that there are means of taking care of the situation.

* Councilman Dail moved to refer to the Harbor Commission the communication, for report to the Council.

The City Manager said that it should include all other complaints on the subject.

Councilman Wincote suggested that the City Manager should answer the letter. * Councilman Kerrigan moved that the City Manager should write to Mr. Goodrich that it is not the responsibility of Councilman Dail, to whom the complaint was addressed. Motion was seconded by Councilman Godfrey.

Both motions resulted in the following Resolution:

RESOLUTION NO. 119696, recorded on Microfilm Roll No. 83, referring communication from M. D. Goodrich & Co., addressed to Councilman Charles C. Dail, dated August 4, 1954, signed by M. D. Goodrich, 1874 Main Street, P.O. Box 2152, San Diego 12, relative to stench from ~~reduction~~ from some reduction plant in the area, for report to the Council; requesting the City Manager to write to Mr. Goodrich and advise him that although communication was addressed to Councilman Dail it is not his responsibility.

Harbor Commission

Petition

119696

6223 N.S. - 6224 N.S.

Ord. introduced.

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

RESOLUTION NO. 119697, recorded on Microfilm Roll No. 83, requesting that as a temporary expedient until route is fully developed as a freeway with an interchange, in connection with Navajo Road to State Highway Road XI-SD-12-SD, Alvarado Canyon Freeway, that an at-grade connection be provided at that point (Station 47+50⁺ as established on Route XI-SD-FAS 732 (1)); directing City Clerk to transmit certified copy to E. E. Wallace, District Engineer, Division XI, Division of Highways, State of California, for presentation to State Highway Commission, was on motion of Councilman Burgener, seconded by Councilman Dail, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned by the Vice Mayor at 12:20 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, Thursday, August 12, 1954

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

A Regular Meeting, held this date, was called to order by Mayor Butler at 10:05 o'clock A.M.

The next item was listed on the agenda as a special order of business, being request from George Scott to present an outline of the second United Success Drive.

* Mr. Scott said to the Council that last year, following 8 years of failure, a good amount was raised by the Community Chest, including fine work on the part of service personnel. He made a detailed analysis of subscribers, weak spots, etc. Mr. Scott told of survey made by Irving (or Irvine) Reynolds. It was said that it was felt that what is being asked this year was the top amount. He told of a higher figure which was needed for the fund which it was felt could not be raised, so an amount had been determined. He spoke of need for bodies working together in the united effort, and stated that there are now 86% of the bodies lined up with the United Success Drive. Mr. Scott said that last year it was considered that the Community Chest drive was the number one need. He said that 94% cities in the United States have had success (although San Diego had not been one of them, at times). He related the fine work which had been done under Admiral Baker last year. Mr. Scott said that it has been chosen that this is "The Community Drive". He told of there being no difficulty with recruitment of workers for the drive. He told the Council that it is not a bunch of "do gooders", but that it is a group of sincere workers interested in the best interest of many groups. He declared it to be a fundamental drive. It was his comment that this is not the "gold standard", but the "bold standard". He spoke of it being known what yard stick should be; where the Chest did not meet it last year, subscriptions were sent back, and they are going to do the same this year. Mr. Scott told of individuals having dedicated themselves to the cause. He mentioned several campaigns which are to be conducted and that they are providing needed facilities. He referred to the time involved in the campaign as being from August 15 to the latter part of October, and for need to give top space for news publicity. Mr. Scott referred to his presentation as being unprecedented, and told of the need to enlist official bodies in the campaign.

* Mr. Scott started by saying that what is to be done should be heard at this level. He said that \$1,350,000. is proposed, and that it is important to make clear to the governing bodies of the various cities involved.

8/12/54

Next, Mr. Scott told the Council about 2 things which are wanted: a board in the Plaza; and allowance for hanging large posters on the Civic Center Building. He filed the letter "To George A. Scott, From Howard P. Hill, Re Your appearance at City Council on August 12, 1954", dated August 9, 1954. It states that in addition to Mr. Scott's pitch, that the board in the Plaza and the "six-sheet" posters from top windows in the City-County building are asked. He filed with the Clerk the letter just referred to. Then, Mr. Scott asked each member of the Council, the Mayor, the City Manager, to sign and file cards, which he passed out. He said that he would wait for them to be signed, which he did.

Councilman Kerrigan asked what if cards had already been signed.

The question was not answered, or if it was, it was in an exchange between the Councilman and Mr. Scott.

Councilman Wincote asked what was being done; Councilmen were signing the cards in blank; there was no designation of what the pledge is.

Mr. Scott said that's the idea; they would be assigned where needed; money is easy to give; personal time isn't.

The Mayor thanked Mr. Scott, and spoke of the Council's good wishes in connection with the drive. He told Mr. Scott that the Plaza is under jurisdiction of the Council, and that matter would be referred to Conference; the Civic Center is under the City-County Building Control Committee, and that request would be referred to the Committee.

Councilman Godfrey moved to refer the first request to conference, and the other to the Building Committee. That resulted in the following Resolution; seconded by Burgener:

RESOLUTION NO. 119698, recorded on Microfilm Roll No. 84, referring to Council Conference request of United Success Headquarters, Community Chest of the San Diego area, P.O. Box 2671 San Diego 12, headquarters office 3535 Enterprise Street, for permission to erect a big board in the Plaza which Foster and Kleiser has offered to put up; referring to the City-County Building Committee the request for permission to hang "six-sheet" posters from top windows in City-County building, which posters are one-fourth the size of a regular billboard, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

After Mr. Scott had left the meeting, in connection with the above-shown presentation, Councilman Dail said that it was the first time such a thing had been done. He told the Council that he did not sign the card presented by Mr. Scott. He was considerably agitated by the procedure, and stated that the Council should look into such matters, in conference.

RESOLUTION NO. 119699, recorded on Microfilm Roll No. 84, referring to Council Conference the matter of solicitations of all types, as presentations before the Council (as was done this date in connection with the United Success Drive for the Community Chest), 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 continued hearing on Assessment No. 2256 made to cover costs and expenses for paving and otherwise improving Alleys Blocks 7 and 2 Alhambra Park, the City Engineer stated that corrections have been made, and can be approved.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the "modified roll" was approved.

Action was reconsidered, in that this was apparently not a modified assessment.

RESOLUTION NO. 119700, recorded on Microfilm Roll No. 84, overruling and denying appeal of Mr. and Mrs. O. H. Kollman, and appeal of Robert L. Cardenas and Russell L. Powers from the Street Superintendent's Assessment No. 2256 made to cover costs and expenses of paving and otherwise improving Alleys Blocks 7 and 2 Alhambra Park; confirming and approving the Assessment; authorizing and directing Street Superintendent to attach his warrant thereto and issue 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 Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on Assessment No. 2258 made to cover costs and expenses for paving and otherwise improving ~~expenses of paving and otherwise improving~~ Thomas Avenue, Public Rights of Way and Alley Block 274 Pacific Beach, under Resolution of Intention No. 113266, the Mayor announced that the Council had considered the proceedings in conference.

Councilman Burgener stated that it had been discussed at length, and pointed out a bad policy which would result about "spreading out over 3 blocks". He said the Council felt that would not be proper. (Protest had been made previously against charges against certain properties, rather than all, for some of the improvements).

Councilman Wincote said that it might be that 5 blocks would affect a policy. He pointed out that a policy was being followed which has been in effect for years.

Richard Catalona, who had spoken at the first hearing, said that each block pays its own way. He asked why, then, 2 blocks pay for the work.

Councilman Wincote talked to Mr. Catalona regarding a storm drain.

Mr. Catalona answered that water does not come from that area.

Mr. Skinner, who had spoken at the first hearing, did not give his first name or initials (property is assessed to Virginia S. S. Skinner), said that it (the storm water) comes from Soledad.

Councilman Wincote said that isolated cases do not satisfy the overall picture. He referred to the fund regarding flood control on large projects, and added that does not apply here.

119698 - 119700

Street Assessments hearings continued

Councilman Burgener said that the same principle applies to cut and fill. Councilman Wincote said that the City did pay about 1/2 on the storm drain. Mr. Skinner said that it should be a community project. The City Engineer related that \$1874.50 for storm drain was assessed. He told the protestants that the other portion had been built under a City contract. Councilman Wincote stated that Councilman Burgener had fought for distribution of assessment for cut and fill, in Conference.

Mr. Catalano continued to speak regarding the same idea. Councilman Godfrey spoke to Mr. Catalano and to Mr. Skinner. He told of having to recognize the policy, which is fair, and that it is the only fair procedure. Councilman Wincote stated that he is aware of the problem.

The City Engineer said that he has modified the roll.

RESOLUTION NO. 119701, recorded on Microfilm Roll No. 84, overruling and denying appeal of Richard Catalano from Street Superintendent's Assessment No. 2258 made to cover expenses of paving and otherwise improving Thomas Avenue, Public Rights of Way and Alley Block 274 Pacific Beach, under Resolution of Intention No. 113266; overruling and denying all other appeals; confirming and approving Street Superintendent's modified and corrected Assessment No. 2258; authorizing and directing Street Superintendent to attach his warrant thereto and issue same in manner and form provided by law, directing 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 Ordinance incorporating Lot 1 Fairmount Gardens into R-4 Zone, repealing Ordinance No. 35 (New Series) insofar as same conflicts - now in R-1 and C - the Clerk reported that no 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.

ORDINANCE NO. 6225 (New Series), incorporating Lot 1 Fairmount Gardens into R-4 Zone, as defined by Section 101.0408 of San Diego Municipal Code and repealing Ordinance No. 35 (New Series) adopted September 12, 1932, insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

* Prior to adoption, reading 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.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portion of Lot 40 La Mesa Colony - recently annexed, on which Planning Commission initiated proceeding - into R-2 Zone, the Clerk reported that no 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 Kerrigan, seconded by Councilman Wincote, reading 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. 6226 (New Series), recorded on Microfilm Roll No. 83, zoning portion of Lot 40 La Mesa Colony into R-2 Zone, as defined by Section 101.0406 of San Diego Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed rezoning of Block 2 Palm Heights; Lots 5 to 19 inclusive Block 1, Lots 4 to 8 inclusive Block 2, Lots 4 and 5 Block 3 Idyllwild, from R-2 to R-4 Zones, the report from the Planning Commission, signed by P. Q. Burton, was read.

Report presents petition for rezoning 23 lots at Curlew and Robinson Streets from R-2 to R-4. It states property is adjacent to R-4 zoning along Robinson and is developed by 15 single-family dwellings, 4 duplexes, with 5 building sites vacant - buildings fairly old and not too expensive. Report states that petition is signed by approximately 83% of owners involved. It reports that Curlew Street is steep at the location and makes sharp up-hill turn into Robinson. It says street is narrow, and has quite a lot of traffic, lots are not large and generally on quite steep slopes and some of area has no alleys at rear of lots. Communication states that R-4 development will probably increase tremendously traffic hazards in the area because of the narrow, steep and curved street. It states that existing dwellings, generally, are not susceptible of being altered to apartments because they are not large enough and do not have space for necessary off-street parking. Communication points out that circulator apparently was innocent purchaser of apartment building in which third unit had been constructed illegally, and that if R-4 is approved the third living unit would be made legal. The report says that no representative of petition or any of property owners was present, that after considering all facts the Commission determined that rezoning would not be beneficial to general welfare of property concerned, and voted 4-0 to deny petition.

Asked by the Mayor if he wished to make further statement, Mr. Burton said

Hearings
119701
6225 N.S. - 6226 N.S.

that all is set out in the report.

Richard Crake, attorney, Bank of America Building, representing the circulator, was heard. He told the Council that Mr. Henry purchased the property which was an apartment building, occupied, assuming that it was a proper use. He said that his client had been served with notice that he cannot use the 3rd apartment. Mr. Crake stated that Mr. Henry had been told by Commission individuals in the Planning Department that it would need a zone change. He said that Mr. Henry spent about 2 months on the petition, that about 85% of affected property owners had signed - some are away and can't be reached. Mr. Crake made the statement that when Mr. Henry filed the petition he states that he was told he would be given a notice of hearing by mail. Mr. Crake stated that Mr. Henry gave that information to the petition signers. He declared that none knew of the time and place of the hearing, and as a result none appeared. He contended that the Council can act "independently". He pointed out the property covered, and said that the petition had been drawn through people in the Planning Department. Mr. Henry, according to Mr. Crake, was interested only in his own property. He said that R-4 in the middle of the plat is what is asking for R-4. He related, from the map, the existing lots. Lots end on Curlew, end on the canyon, he said. Mr. Crake said that Sutter does not go through, and was asking for area to the west of the "orange line" on a plat not seen, to be R-4. He said that the area is more or less surrounded by R-4.

Councilman Dail pointed out that Mr. Crake was making a presentation which had not been made to the Planning Commission.

Councilman Wincote stated that he knows the area. He asked when the 3rd unit had been built, and if the builder thereof had a permit.

Mr. Crake replied that it was built by the builder (apartently of the building), who sold to his client, Mr. Henry.

The Mayor - who is an attorney - asked if there has been an investigation made of the possibility of rescinding the sale, and recovering costs.

Instead of an answer by Mr. Crake, Councilman Godfrey said that apparently there had not been a proper hearing before the Planning Commission. He declared that it be referred to the Commission.

Mr. Burton stated that Mr. Henry had joined in the petition for a zone variance. He said that the 3rd unit was constructed without a permit, and is not in accordance with State Housing law. He said that he has talked to men at the counter in the Planning Department, and to Mr. Henry. He said that he understood that Mr. Henry had not been informed that he would be mailed a notice, as Mr. Crake had stated. He pointed out that notices were posted, and published, in accordance with law.

Councilman Wincote said that if it is Council's opinion that the area should be made an R-4 zone, it would be a waste of time to refer back.

Mr. Reporton reported that the proposed rezoning is not a "natural", answering Councilman Godfrey, relative to a previous statement. He spoke to Councilman Wincote over the existing zones.

Councilman Dail read from the report - which had been read by the Clerk - about the traffic hazard and the premises being of a size not available for an apartment house. He declared it to be a wide open question.

It was Councilman Godfrey's belief that no one would be hurt regarding passage of time, for a zone change. He said that he preferred to see the item go back to the Planning Commission.

Councilman Godfrey moved to refer the file back to the Planning Commission. Motion was seconded by Councilman Dail.

Asked about the timing, Mr. Burton said that it can be heard at the next meeting - August 25.

Councilman Wincote asked why not save time by acting now.

Councilman Dail said that there may be a different view; maybe the Council would not have to overrule the Commission.

Councilman Burgener spoke directly to Mr. Crake, not through the Chair.

Mr. Crake said that Mr. Henry cannot use the apartment, that he went over the proposition with Mr. South of the Planning Department regarding what to do to put in as a conforming use.

Councilman Dail produced a copy of the notice, which he showed.

Mr. Burton said that was the notice tacked up.

Several persons from the audience called out that it was different.

Mr. Burton stated that there was only 1 notice, of which 15 were posted in the area.

Harry C. Haelsig, Asst. Planning Director, told the Council that the notices posted are buff, whereas the one for the Council is printed on white paper - otherwise they are identical.

Councilman Godfrey included in his motion a request that hearing be held by the Planning Commission on August 25, 1954.

Mr. Haelsig pointed out that it would not be necessary to give another notice of the Aug. 25 hearing; those interested now know of it.

Mr. Henry said that if he had not been told he would be notified by mail... (He did not finish the statement). He added that he did not take steps to find out about the hearing.

Councilman Burgener, to make the matter specific, asked for the hearing to be at 3:15 o'clock P.M., August 25 - the same time as the first scheduled hearing.

As a result of the several suggestions and motions, the matter was referred back to the Planning Commission for hearing on the proposed rezoning, 3:15 o'clock P.M., Wednesday, August 25.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance establishing permanent zoning of area annexed to City April 16, 1954, as Rolando Annexation - now under Interim Zoning - the Clerk reported that no written protests had been received.

Hearing

Zoning ref back to Planning.

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 Kerrigan, seconded by Councilman Burgener, papers were referred to the City Attorney for preparation and presentation of ordinance, by RESOLUTION NO. 119702, recorded on Microfilm Roll No. 84, requesting City Attorney to prepare and present Ordinance for zoning area known as Rolando Annexation, in accordance with recommendation of the City Planning Commission, contained in Document No. 495169, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids for furnishing Magazine and Newspaper Subscriptions for Public Library, received August 3, 1954, was presented. It recommends acceptance of sole bid received - National Publications Company, at total of \$4,313.87. Communication states, among other things, that City Librarian states the company is experienced in library subscription field and has given excellent service.

RESOLUTION NO. 119703, recorded on Microfilm Roll No. 84, accepting bid of National Publications Company for furnishing Magazine and Newspaper Subscriptions for period of one year beginning 9/1/54 at total price of \$4,313.87; 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 office of Purchasing Agent, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from Planning Commission submitting Resolution amending Item 5 of Resolution No. 103429, approving Tentative Map of Fairmount Park, to eliminate necessity for construction of stairways and walks between Blocks G & I and J & K in Fairmount Park, was presented.

Resolution adopting amendment was adopted. It was not numbered, inasmuch as it was brought up again.

Reference will be found again on Page 482

Communication from Reggie Jensen, Acting Secretary, dated August 6, 1954, was presented. It states that new board members, selected to guide consolidation of Convention Bureau and Visitors Bureau, met for the first time Wednesday morning, August 4, 1954. Communication says that the new board's first order of business was a unanimous vote of appreciation to the City Council and Board of Supervisors for expressions of confidence in releasing funds for promotion of tourist industry. These actions and those of general public and press in applauding consolidation provide additional incentive for the new board to advance program which will benefit San Diego's economy by attracting a greater number of tourists and convention delegates, according to the letter.

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

Communication from Charles C. Cooper, Jr., Assistant General Counsel, The Metropolitan Water District of Southern California, 306 West Third Street, Los Angeles 13, dated Aug 6 1954, was presented. It refers to payment of taxes to the District by the City, and goes into great detail.

On motion of Councilman Burgener, seconded by Councilman Wincote, it was referred to the City Manager.

Communication from San Diego County Historical Days, 3133 El Cajon Blvd., San Diego, dated August 6, 1954, signed by Ellsworth F. Whalen, president, was presented. It goes into the objectives of the historical and cultural background of San Diego and into the form of pageantry and cavalcade.

It was moved and seconded to send it to conference.

The Mayor asked to refer back to the communication after action had been taken. He said that if it is a request for an appropriation, it might be out of line (it does).

RESOLUTION NO. 119704, recorded on Microfilm Roll No. 84, referring to Council Conference communication from San Diego County Historical Days requesting allocation of \$500.00 as City's contribution for Historical Cavalcade on Saturday, October 9, 1954, at 2:00 o'clock P.M., was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Communication from San Diego Junior Chamber of Commerce, 947 Columbia St., dated August 10, 1954, was presented. It refers to parking requirements of physically disabled drivers, and opposes proposed amendment to Section 86.04 of San Diego Municipal Code. In addition to other statements, it says "To restrict the free over-time in any designated parking space to one hour, as the proposed amendment to the Municipal Code will do, is to, in many cases, make it impossible for these physically disabled persons to continue working at their present place of employment". It requests further study, and states that if there are abuses of parking privileges by some, perhaps more satisfactory solution may be arrived at than by reducing privileges of all.

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

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Communication from Nicolaus J. Haering, 2525 Jackson Street, San Diego 10, dated August 10, 1954, was presented. It refers to appreciation individually and collectively for Council's cooperation in his efforts to stir San Diegans out of their apathy in civic affairs. He refers to an attached card indicating his goal - civic citizenry. He said that he wanted to make it clear that he was inviting only constructive minded people to help prove their sincere desire to promote economy, which in turn creates efficiency in government. He asked the Council to post its calendar a few days ahead on bulletin boards, and why the Councilmen don't use their microphones so it can be heard what is going on.

Mr. Haering asked if the letter could be read. It was read to the Council by the Clerk.

The Mayor referred to the Council's microphone use (or lack of it).

Councilman Godfrey pointed out that motions can't be posted in advance.

Mr. Haering referred to notices on earlier hearing.

Councilman Godfrey talked to Mr. Haering, not through the Chair.

Mr. Haering said that he was just asking for putting out - agendas where they can be seen. He told of getting them ahead of the meeting from the Clerk, and hoped that the Clerk wouldn't be fired for giving them to him. He continued to speak.

The Clerk stated that sometimes the agendas are not ready until 5 o'clock on Wednesday, for Thursday, inasmuch as the filing time does not close until 2 o'clock. (Several operations have to be made before they can be distributed).

On motion of Councilman Godfrey moved "as soon as ready, somebody put an agenda on the bulletin board - and file the letter". The motion was seconded by Councilman Wincote, adopted.

The Clerk indicated that he would post one as soon as completed, on the bulletin board beside the Council Chamber door.

Harry Haelsig, Asst. Planning Director, referred back to the item listed on the previous page of these minutes, regarding requested amendment to Resolution No. 103429 on walkway improvements in Fairmount Park, and to the accompanying \$1300. check. He said that there was to be acceptance of the check in lieu of construction of the stairways. Mr. Haelsig referred to the bond of May 16, 1952, covering the whole subdivision. He referred to the check in the file from Birmingham Development Co.

Councilman Wincote asked what kind of a check.

Mr. Haelsig replied that it was a company check, not certified.

Councilman Wincote's statement was that payment could be stopped on it.

Councilman Godfrey wanted to know who was to build the stairs. He said that "we" don't want to build the stairs. He suggested deposit of a bond, and referred to the building.

Discussion followed between Councilmen and Mr. Haelsig, not through the Chair.

The Mayor read a portion of the Planning communication regarding the check statement.

The action taken previously was reconsidered, on motion of Councilman Kerrigan.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the file was referred to the City Manager - for recommendation to the Planning Department.

RESOLUTION NO. 119705, recorded on Microfilm Roll No. 84, authorizing and empowering City Attorney to enter into and execute stipulation for judgment as to street interests of The City of San Diego, in case Civil No. 566-SD, entitled "United States of America vs. Certain Parcels of Land in the City and County of San Diego, State of California, et al", was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Resolution states that United States of America has filed action in condemnation in United States District Court to acquire, among other things, streets, avenues and alleys from City of San Diego in vicinity of Voltaire and Warring Streets, for constructing public housing project, that property has been operated for that purpose, that no judgment of condemnation has been entered in the action and United States of America now desires to acquire title, that that The City of San Diego should enter into stipulation for judgment as to street interests of the City within the public housing area.

RESOLUTION NO. 119706, recorded on Microfilm Roll No. 84, directing City Attorney to file petition with Board of Supervisors of County of San Diego, State of California, requesting that all taxes of record against Lots 17 to 23 inclusive Block 31, and Lots 23 and 24 Block 28 Mission Beach Addition, be cancelled; that all deeds to State for delinquent taxes be cancelled; that 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 Burgener, adopted.

RESOLUTION NO. 119707, recorded on Microfilm Roll No. 84, authorizing City Attorney on behalf of The City of San Diego, to file disclaimer in action entitled "Emma M. Nightingale, Plaintiff vs. City of San Diego, a municipal corporation, Defendant" No. 190852, now pending in Superior Court of State of California, in and for County of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Resolution states that action has been instituted in Superior Court of

Communications
Fairmount Park Stairways discussion
119705 - 119707

State of California, in and for County of San Diego, against City of San Diego, No. 190852, seeking to quiet title to real property in portion of Seminole Terrace, and alleging that City has no interest in the property, that Council is advised by City Manager that City has no interest and it will be in interest of City and its inhabitants to save City unnecessary expense and costs in defending litigation if City exercises statutory right and files a disclaimer.

RESOLUTION NO. 119708, recorded on Microfilm Roll No. 84, authorizing and empowering City Manager to execute, for and on behalf of the City, lease with Standard Oil Company of California of location near Administration Building at Montgomery Field, for 5 years beginning July 1, 1954, description of property and terms and conditions to be as set forth in form of lease filed in office of City Clerk under Document No. 495797, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

Communication from City Engineer, forwarded with City Manager's stamp of approval, advising that lot stakes and block corners in Euclid View Subdivision were set by private engineer and checked and accepted by City Engineer by letter dated March 24, 1954, was presented. It says work, previously accepted by letter dated February 25, 1954, was satisfactorily completed by Don Morrison & Ham Bros. Construction Co. under private contract (Agreement Document 462880) in accordance with plans and specifications filed in Office of City Clerk August 1, 1952, under Document No. 453157 authorized by Resolution No. 110344. It says all charges owed the City have been paid - deposit of \$16,675.20 by Security Title Insurance Company posted may be released since water mains and appurtenances have been quitclaimed. It recommends Council pass Resolution authorizing City Manager to execute Notice of Completion.

RESOLUTION NO. 119709, recorded on Microfilm Roll No. 84, authorizing City Manager to accept work on behalf of The City of San Diego in Euclid View Subdivision, and to execute Notice of Completion and have it recorded, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119710, recorded on Microfilm Roll No. 84, approving Change Order No. 9, dated July 15, 1954, heretofore filed with City Clerk as Document No. 495800, issued in connection with contract between The City of San Diego and M. H. Golden Construction Company for construction of Wabash Boulevard Bridges, Section "B", contract contained in Document No. 473088 on file in office of City Clerk; changes amounting to increase in contract price of approximately \$2,586.88, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119711, recorded on Microfilm Roll No. 84, granting Gene Kopecky, 753 15th Street, San Diego, permission to install a 60-foot driveway, measured at top of full-height curb, on east side of 15th Street, between points 28 feet and 88 feet south of south line of F Street, adjacent to Lots 11 and 12 Block 14 Culverwell's Addition, subject to conditions contained in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119712, recorded on Microfilm Roll No. 84, granting Max Rabinowitz permission to install and maintain underground conduit across alley in rear of 2034 Sunset Boulevard, to provide electrical and telephone services to residence, on a revocable basis, on conditions contained in the Resolution; directing City Clerk to transmit certified copy of Resolution to Max Rabinowitz, c/o Charles Jinnett, Superintendent, Encanto Electric Company, 6435 Imperial Avenue, San Diego 14, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119713, recorded on Microfilm Roll No. 84, granting permission to San Diego Unified School District to install exposed 1-1/2" brass vents in Kindergarten Rooms, and 1-1/2" copper vents in Toy Storage Room, in lieu of cast iron, at Eugene Field Elementary School, 4401 Bannock Avenue, San Diego; subject to approval of Chief Plumbing Inspector and City Manager, and upon conditions set out in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119714, recorded on Microfilm Roll No. 84, granting San Diego Unified School District revocable permission to install and maintain underground conduit across 54th Street, approximately 450 feet south of El Cajon Boulevard, to provide electrical and telephone service to Horace Mann, Jr. High School at 4345 54th Street, subject to conditions set out in the Resolution, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119715, recorded on Microfilm Roll No. 84, authorizing Hal Durham, James Record, Keith Gilbert and John Tsikmes, of the Traffic Engineering Office, to attend a course in traffic engineering to be held at University of California at Los

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Angeles the week of August 23 to 27, 1954; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119716, recorded on Microfilm Roll No. 84, authorizing Battalion Chief Robert Ely, Fire Department, to attend National West Coast Meeting of Society of Automotive Engineers, to be held in Los Angeles August 16 to 18, 1954; authorizing incurring all expenses necessary in connection with the trip, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119717, recorded on Microfilm Roll No. 84, accepting deed of dedication and easement executed by United States of America, acting by and through Housing and Home Finance Agency, Public Housing Administration, conveying sewer easement across portions of Lot 33 Ex Mission Lands of San Diego, authorizing City Manager to sign such deed of dedication and easement designating acceptance by the City, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119718, recorded on Microfilm Roll No. 84, accepting subordination agreement, executed by Robert B. Foss and Lillie Foss, beneficiaries, and Union Title and Trust Company, trustees, bearing date July 21, 1954, wherein parties subordinate all their right, title and interest in and to portion of Lot 16 Rancho Mission, to right of way and easement for relinquishing access rights heretofore conveyed to The City of San Diego; authorizing and directing City Clerk to file the deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119719, recorded on Microfilm Roll No. 84, accepting Deed of John Wilson, bearing date July 27, 1954, conveying Lot 10 Block 8 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119720, recorded on Microfilm Roll No. 84, accepting Deed of Ethel May Munro, bearing date August 4, 1954, conveying Lot 4 Block 24 Campo Del Dios Unit No. 2; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119721, recorded on Microfilm Roll No. 84, accepting Deed of Mrs. Edith Haskell, bearing date July 20, 1954, conveying Lot 15 Block 78 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119722, recorded on Microfilm Roll No. 84, accepting Deed of Myrtle M. Heim, bearing date July 29, 1954, conveying Southwesterly 1/2 of Lot 7 Block 47 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119723, recorded on Microfilm Roll No. 84, accepting Deed of Barbara L. Kirst, bearing date July 23, 1954, conveying Lot 7 Block 53 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119724, recorded on Microfilm Roll No. 84, accepting Deed of Lynn Leftwich and Leah Leftwich, bearing date July 30, 1954, conveying Lot 3 Block 57 Campo Del Dios Unit No. 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119725, recorded on Microfilm Roll No. 84, accepting Deed of Dorris M. Jones Rollberg, bearing date July 24, 1954, conveying Lot 1 Block 73 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119726, recorded on Microfilm Roll No. 84, accepting Deed of Ollie M. Shutters, bearing date August 4, 1954, conveying Lot 6 Block 78 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119727, recorded on Microfilm Roll No. 84, accepting Deed of Ertia Stewart, bearing date July 23, 1954, conveying Lot 7 Block 83 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119728, recorded on Microfilm Roll No. 84, accepting Deed of Hazel H. Vance, bearing date July 29, 1954, conveying Lot 7 Block 56 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119729, recorded on Microfilm Roll No. 84, accepting Deed of Mrs. Emily G. Wads, bearing date July 23, 1954, conveying Lot 8 Block 49 Campo Del Dios Unit 3; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119730, recorded on Microfilm Roll No. 84, accepting Deed of Frances J. Ely, bearing date August 5, 1954, conveying Lot 3 Block 98 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119731, recorded on Microfilm Roll No. 84, accepting Deed of Edward E. Jones, bearing date August 6, 1954, conveying Lot 11 Block 90 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119732, recorded on Microfilm Roll No. 84, accepting Deed of Alice J. Peed, bearing date July 27, 1954, conveying Lot 10 Block 88 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119733, recorded on Microfilm Roll No. 84, accepting Deed of Harold Wiser and Madge Wiser, bearing date July 26, 1954, conveying Lot 13 Block 92 Campo Del Dios Unit 4; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119734, recorded on Microfilm Roll No. 84, accepting Deed of Mrs. Alice Mertls Farr, bearing date August 5, 1954, conveying Lot 9 Block 104 Campo

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Del Dios Unit 5; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119735, recorded on Microfilm Roll No. 84, accepting Deed of Ernest Lundeen, bearing date July 6, 1954, conveying Lot 19 Block 105 Campo Del Dios Unit 5; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119736, recorded on Microfilm Roll No. 84, accepting Deed of Anne F. Noble, bearing date August 9, 1954, conveying Lot 4 Block 112 Campo Del Dios Unit 6, and portion of SE 1/4 of NE 1/4 Section 7-T13S-R2W-SBB M; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119737, recorded on Microfilm Roll No. 84, accepting Deed of Harold W. Lutes and Donna Nadell Lutes, bearing date June 29, 1954, conveying easement relinquishing access rights in portion of Lot 26 Rancho Mission; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119738, recorded on Microfilm Roll No. 84, accepting Deed of Mission Investment Corporation, bearing date June 28, 1954, conveying portion of Lot 20 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 the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119739, recorded on Microfilm Roll No. 84, accepting Deed of Victor E. Geroche and Catherine B. Geroche, bearing date July 29, 1954, conveying easement and right of way for street purposes in portion of Lot 7 Block B West Hollywood; setting aside and dedicating land to public use as and for public street and naming it Merlin Drive; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119740, recorded on Microfilm Roll No. 84, accepting Deed of Mission Investment Corporation, bearing date January 27, 1954, conveying portion of Lots 39 and 40 Block "H" El Cerrito Heights Unit No. 3; setting aside and dedicating land to public use as and for public street, and naming same University Avenue; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119741, recorded on Microfilm Roll No. 84, accepting Deed of Donald L. Weaver and Gretchen E. Weaver, bearing date July 7, 1954, conveying portion of Lot 1 Block 9 Loma Alta No. 1; setting aside and dedicating land to public use as and for public street, and naming it Wabaska Drive; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119742, recorded on Microfilm Roll No. 84, accepting Deed of Mission Investment Corporation, bearing date June 28, 1954, conveying easement and right of way for street purposes in portion of Lot 20 Waterville Heights; authorizing and directing City Clerk to transmit deed, together with certified copy of the 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. 119743, recorded on Microfilm Roll No. 84, accepting Deed of Jess H. Aikens and Mary T. Aikens, bearing date July 28, 1954, conveying easement and right

of way for sewer purposes in portion of Lots 20 and 21 Block 10 Swan's Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119744, recorded on Microfilm Roll No. 84, accepting Deed of Arthur R. Bertrand, bearing date July 29, 1954, conveying easement and right of way for sewer purposes in portion of Lots 47 and 48 Block 10 Bungalow Park Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119745, recorded on Microfilm Roll No. 84, accepting Deed of Henry Claflin and Katherine Claflin, bearing date July 28, 1954, conveying easement and right of way for sewer purposes in portion of Lot 11 and Lot 12 Block 8 Clifton Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119746, recorded on Microfilm Roll No. 84, accepting Deed of Clasford T. Hill and E. Bernice Hill, bearing date July 28, 1954, conveying easement and right of way for sewer purposes in portion of Lot 29 Block 7 Bungalow Park Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119747, recorded on Microfilm Roll No. 84, accepting Deed of John R. Hutchinson and Sarah M. Hutchinson, bearing date July 29, 1954, conveying easement and right of way for sewer purposes in portion of Lots 13, 14, 15 Block 11 Bungalow Park Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119748, recorded on Microfilm Roll No. 84, accepting Deed of William J. Noga and Joan L. Noga, bearing date July 28, 1954, conveying easement and right of way for sewer purposes in portion of Lot 29 Block 16 Bungalow Park Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119749, recorded on Microfilm Roll No. 84, accepting Deed of Roberta A. Reed, bearing date July 29, 1954, conveying easement and right of way for sewer purposes in portion of Lots 9, 10, 11, 12 Block 11 Bungalow Park Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119750, recorded on Microfilm Roll No. 84, accepting Deed of Troy Shipman and Frances Shipman, bearing date July 28, 1954, conveying easement and right of way for sewer purposes in portion of Lots 27 and 28 Block 7 Bungalow Park Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119751, recorded on Microfilm Roll No. 84, accepting Deed of Bernard N. Throckmorton and Edith M. Throckmorton, bearing date July 30, 1954, conveying easement and right of way for sewer purposes in portion of Lots 6, 7, 8 Block 11 Bungalow Park Addition; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119752, recorded on Microfilm Roll No. 84, accepting Deed of Edwin J. Snorey and Vasa M. Snorey, bearing date July 30, 1954, conveying easement and

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right of way for storm drain purposes in Section 34 Township 16 South Range 2 West S.B.M.; authorizing and directing City Clerk to file deed for record in office of Recorder of San Diego County, together with certified copy of the Resolution, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

In connection with the next Ordinance, listed on the agenda as having been introduced, and showing that hearing had been held July 15, 1954 and closed, the Mayor announced that the hearing had been closed. He asked Thomas Fanning whom he represented.

Mr. Fanning replied the Mission Beach Civic Council, and some woman whose name he could not recall. Checking the record, the Clerk stated that it was Mrs. Manhold. Mr. Fanning agreed that was right. He made no presentation.

Councilman Burgener said that the ordinance had been delayed at his request, in order to permit him to check on properties in the Mission Beach R-2, R-4 and C Zones. He stated that Mission Beach is 80% to 90% built up, and that it would be no hardship to Mission Beach to adopt the proposed ordinance. He stated, also, that the Ordinance has to do with welfare.

On motion of Councilman Burgener, seconded by Councilman Kerrigan, ordinance amending San Diego Municipal Code by adding Section 101.0615 regulating Living Floor Space - Dwellings - the reading 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. 6227 (New Series), recorded on Microfilm Roll No. 84, amending The San Diego Municipal Code by adding thereto a new section to be known as and numbered Section 101.0615 Regulating Living Floor Space - Dwellings - was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted, by the following vote: Yeas--Councilmen Burgener, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilman Wincote. Absent--Councilman Schneider.

The next ordinance was listed on the agenda as having been introduced, after hearing held August 5, 1954.

On motion of Councilman Kerrigan, seconded by Councilman Kerrigan, ordinance amending San Diego Municipal Code by adding to Chapter X Article Division 4 Section 101.0409.1 providing for Suburban Commercial Zone, reading was dispensed with.*

ORDINANCE NO. 6228 (New Series), recorded on Microfilm Roll No. 84, amending The San Diego Municipal Code by adding to Chapter X Article I Division 4 Section 101.0409.1, providing for establishment in The City of San Diego, of a Suburban Commercial Zone (S-C Zone), 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. Nays--Councilmen None. Absent--Councilman Schneider.

*Copies were available for each member of Council prior to day of passage.

The next ordinance was listed on the agenda as having been introduced, (after hearing held) August 5, 1954.

On motion of Councilman Kerrigan, seconded by Councilman Dail, ordinance amending San Diego Municipal Code Sections 95.0101 and 95.0106, pertaining to Regulation of Signs in Certain Zones, reading was dispensed with. Copies were available for each member of the Council prior to day of passage.

ORDINANCE NO. 6229 (New Series), recorded on Microfilm Roll No. 84, amending San Diego Municipal Code by amending Sections 95.0101 and 95.0106 thereof, pertaining to the Regulation of Signs in Certain Zones, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted, by the following vote: Yeas--Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

A continued ordinance amending San Diego Municipal Code by adding 5 new sections Numbered 91.02.1, 91.02.2, 91.02.3, 91.02.4 and 91.02.5 amending Uniform Building Code, was listed on the agenda, and presented again.

The City Manager requested that it be taken off the agenda, and be referred back to him. That action was taken.

At 11:25 o'clock A.M. the Council took a recess until 11:45 o'clock A.M.

Upon reconvening, at 11:50 o'clock A.M. the roll call showed the following:

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

6227 N.S. - Living area minimum
6228 N.S. - SC zone
6229 N.S. - Signs in certain zones
Recess - Reconvened

Upon reconvening, an Ordinance was handed to the Clerk. Declared to be an emergency, the Clerk was asked to read it in full. He did so. It was an ordinance amending San Diego Municipal Code by adding Sections 33.2210 and 33.2210.1 regulating sale of sub-standard housing structures.

After the Ordinance had been read, the City Manager referred to one point on page 2 - the second "whereas", which according to him should be changed. He asked the Council to cut out "to be used in said City".

That deletion was made by the Clerk upon direction from the Council.

Councilman Dail reviewed the matter of cost in bringing a house up to standard.

The Mayor said that if a sale is made without a stipulation, the purchaser would have to bring it up to standard.

Councilman Dail declared the regulation to be drastic.

The City Manager pointed out that the provision has application to Public Housing. It just prevents sale.

Councilman Wincote said that if the buyer waives bond, he is forced to bring the building up to standard. He said that there should be waiver for the individual.

The City Manager said that is regarding "package sale".

Councilman Dail said that this stops sale within the City. He declared that it is an "impractical bond".

The Mayor stated that the bond inures to the purchaser and to the City.

The City Manager said that there won't be any.

Councilman Dail referred to the idea behind the ordinance as being a subterfuge.

Councilman Godfrey viewed as being an added device for the discouragement of sales. Apparently, according to him, the City's voice is not effectively heard. Councilman Godfrey pointed out that the proposal is a device to fortify the City's position.

Councilmen Dail and Godfrey entered into discussion, not through the Chair.

Councilman Dail spoke of trying to protect the buyer where he would become a sucker.

Councilman Godfrey asked if the last paragraph on page 1 is correct. He said the City "did the opposite".

The City Manager stated that notice provides that buildings cannot be used except according to requirements. He said that it is a "third party that becomes the sucker".

Councilman Dail asked why not say that it is the seller who would deposit with the City \$50,000. or \$100,000. regarding seller having provisions in the bill of sale.

Councilman Wincote stated that a bond would be difficult to get, and said that it should be a bond or cashier's check.

Douglas D. Deaper, Deputy City Attorney, said that a bond company will issue a bond, if the cash is deposited. He said that as a practical matter, require that without putting into the Ordinance. Mr. Deaper said that there can't be protection against an individual being a fool. He referred to seller having to take out a bond, get \$5,000.00 from the buyer and give it to the bond company. He said that the buyer then knows what he is doing, or is protected.

Councilman Burgener told the Council that drastic action is required.

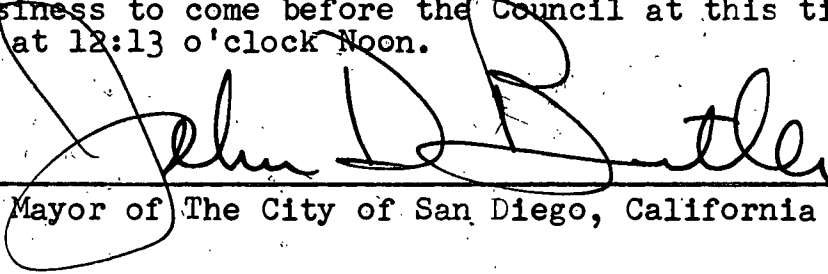
On motion of Councilman Wincote, seconded by Councilman Kerrigan, the next ordinance was introduced. (It was read in full).

ORDINANCE NO. 6230 (New Series), an emergency ordinance amending the San Diego Municipal Code by adding thereto 2 new sections to be known as and numbered Sections 33.2210 and 33.2210.1 regulating the Sale of Sub-Standard Housing Structures, was adopted, on motion of Councilman Wincote, seconded by Councilman Kerrigan (with deletions), by the following vote: Yeas---Councilmen Burgener, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilman Schneider.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned at 12:13 o'clock Noon.

ATTEST:

FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By 

Deputy

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REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, August 17, 1954.

Present--Councilmen Burgener, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Absent---Councilmen None
Clerk----Fred W. Sick

Mayor Butler presented the Rev. Seth A. Parker, Pacific Beach Presbyterian Church. Rev. Parker gave the invocation.

On motion of Councilman Kerrigan, seconded by Councilman Burgener, the Minutes of the Regular Council Meetings of Tuesday, August 10, 1954, and of Thursday, August 12, 1954, were presented to the Council.

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

Mayor Butler stated that this was the first meeting at which he had presided, following his unsavory publicity. The Mayor denied all in having any interest in any liquor license, as had been charged. He pointed out that he realized he is operating under a cloud.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for the paving and otherwise improving of the Alley in Block 56 Ocean Beach, under Resolution of Intention No. 118554, the Clerk reported that 4 bids had been received.

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 \$700.00, given Document No. 496206;
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. 496207;

Councilman Dail was excused

H. C. Dennis, an individual, accompanied by bond written by American Surety Company of New York in the sum of \$600.00, given Document No. 496208;
Callahan Bros., accompanied by bond written by Pacific Indemnity Company in the sum of \$600.00, given Document No. 496209.

Councilman Godfrey was excused

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for paving and otherwise improving Grand Avenue, under Resolution of Intention No. 118555, the Clerk reported that 6 bids had been received.

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 \$9,000.00, given Document No. 496210;
H. C. Dennis, an individual, accompanied by bond written by American Surety Company of New York in the sum of \$10,000.00, given Document No. 496211;
Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$11,000.00, given Document No. 496212;

Councilman Dail returned

Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$9,000.00, given Document No. 496213;
R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$9,000.00, given Document No. 496214;
M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$10,000.00, given Document No. 496215.

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

The hour of 10:00 o'clock A.M. having arrived, the latest time set for receiving bids for furnishing electric current for lighting ornamental street lights

Invocation

Minutes approved

Statement of personal nature by Mayor Butler

Bids

located in Ocean Beach Lighting District No. 1, for one year from and including August 14, 1954, the Clerk reported that one bid had been received.

On motion made and seconded, they were publicly opened and declared.

Bid was as follows:

San Diego Gas & Electric Company, accompanied by certified check in the sum of \$126.96 written by San Diego Trust and Savings Bank, given Document No. 496200.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, bid was referred to City Manager and to 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 for lighting ornamental street lights located in University Avenue Lighting District No. 3, the Clerk reported that 1 bid had been received. Current is for one year from and including August 7, 1954.

On motion made and seconded, they were publicly opened and declared.

Bid was as follows:

San Diego Gas & Electric Company, accompanied by certified check in the sum of \$289.14 written by San Diego Trust and Savings Bank, given Document No. 496199.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, bid was referred to City Manager and to 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. 119217 of Preliminary Determination for paving and otherwise improving Alley Block 2 Bartlett Estate Company's Subdivision; North and South Alley Block 27 H. M. Higgins Addition; and Broadway, the Clerk reported that written protests had been received from Paul J. Eklund and others, Sarah H. Beck, Elva Miller and Arminta Anderson, which were presented to the Council.

The City Engineer, answering the Mayor's question as to percentages, stated that they had just arrived, that had not had time to analyze them. He said that storm drain is through middle of one alley. The City Engineer said that cost of the drain is estimated to be \$3708. He told the Council that it could consider the drain as a cooperative project.

Paul Eklund told the Council that he was not interested in the storm drain; it would be of no advantage to Block 2. He declared that he should not be assessed therefore. He asked for elimination of Block from the project.

Councilman Schneider suggested that protestants might reconsider, if the City takes part in the drainage cost. Then he spoke to Mr. Eklund and to Felix Mazade.

Mr. Eklund asked that if the storm drain were removed from the project, it would be the same or a different cost.

Councilmen Schneider and Wincote both answered that there would be a percentage, if the City enters.

Answering Councilman Wincote, the Clerk replied from the file that there are 2 separate petitions.

The City Engineer said that he was willing to recommend participation in the drain cost. He declared that it would be not assessed to the "second block".

Councilman Dail referred to a low spot, which he said is awful. He spoke of the City having joined 2 projects. He expressed the opinion that the drain condition might justify City participation.

Mr. Mazade said that is in the other block. He said that it would alter his opinion if the property was not to be assessed to pay for the storm drain.

Mr. Eklund agreed that might alter his opinion.

David Fishbein told the Council that he favors the project.

Peter Haas spoke for having the work done.

RESOLUTION NO. 119753, recorded on Microfilm Roll No. 84, continuing hearing on proposed improvement of Alley Block 2 Bartlett Estate Company's Subdivision; North and South Alley Block 27 H. M. Higgins Addition; and Broadway, under Resolution of Preliminary Determination No. 119217 until 10:00 o'clock A.M., Tuesday, August 24, 1954, 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. 119219 of Preliminary Determination for sewers in Figueroa Boulevard, Magnolia Avenue, Hornblend Street, Grand Avenue, Bond Street and Alleys in Mission Bay Park, 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. 119754, recorded on Microfilm Roll No. 84, determining that improvement of sewers in Figueroa Boulevard, Magnolia Avenue, Hornblend Street, Grand Avenue, et al. 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 Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 119218 of Preliminary Determination for paving Alleys Block 20 Ocean Beach Park, and Block 99 Ocean Bay Beach, the Clerk reported that no written protests had been received.

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

Bids
Hearings
119753

to be heard.

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

RESOLUTION NO. 119755, recorded on Microfilm Roll No. 84, determining that improvement of Alleys Blocks 20 Ocean Beach Park and Block 99 Ocean Bay Beach 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, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 119220 of Preliminary Determination for paving and otherwise improving 45th Street, Ocean View Boulevard, Elizabeth 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.

RESOLUTION NO. 119756, recorded on Microfilm Roll No. 84, determining that improvement of 45th Street, Ocean View Boulevard, Elizabeth Street 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, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 119221 of Preliminary Determination for paving and otherwise improving Manzanita Drive, Poppy Place, Violet Street, Tuberose Street, Tuberose Lane, Sycamore Drive, Snowdrop Street, Pepper Drive, Tulip Street, Shamrock Street, Alley Block 26 Lexington Park, Public Rights of Way, 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. 119757, recorded on Microfilm Roll No. 84, determining that improvement of Manzanita Drive, Poppy Place, Violet Street, Tuberose Street, Tuberose Lane, Sycamore Drive, et al. 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, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 119222 of Preliminary Determination for paving and otherwise improving Soto Street and Castelar 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.

RESOLUTION NO. 119758, recorded on Microfilm Roll No. 84, determining that improvement of Soto Street and Castelar Street 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, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 119094 for paving and otherwise improving portion of Alley Block 11 Subdivision of Lots 20 to 50 Block N Teralta, 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 Kerrigan, seconded by Councilman Schneider, 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. 119095 for paving and otherwise improving Alley Block 31 University Heights, 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.

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

Mrs. Alma Metzger told the Council she was not protesting, she just wanted to know about the retaining wall.

The City Engineer, who looked at the notice Mrs. Metzger had, referred to the notice about any change of grade. He said that there is a slight change in grade, but not on "that" side.

Councilman Dail was excused.

Councilman Kerrigan stated that there may be a different grade from the existing grade, although established.

The City Engineer spoke of an area assessment only.

Councilman Wincote stated that there would be between \$80.00 to \$100.00 for the 5 lots (apparently Mrs. Metzger owns portions of the lots - not on the alley).

On motion of Councilman Kerrigan, seconded by Councilman Schneider, 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 of Intention No. 119096, the Clerk reported that written protest had been received from several property owners on one document.

The City Engineer announced that there was a majority protest.

Mrs. Walter Wencke told the Council that owners of 70% of the property on the frontage want the work. She said that protestants are on the paved Edgemont Street. Mrs. Wencke asked for the overruling of the protests in favor of the 70% frontage property owners who desire the paving.

She said that if the area is re-polled regarding the 4" asphalt concrete, owners might change their minds. She spoke of a policy of binding the Council on a majority. She thought the hearing might be continued one week.

Mrs. Wencke spoke about if not paved, property owners might take street farther down (her meaning being not clear to the Clerk). She said that protestants are on a paved street.

Discussion was held between Councilman Wincote and Mrs. Wencke regarding other people paying.

Councilman Wincote asked if it would help to continue the hearing one week.

Mrs. Wencke thought it might.

Wallace J. Ullman said that all know that it is 4" a.c. He stated that not all are area assessments.

There was discussion between Councilman Schneider and Mr. Ullman regarding Edgemont.

Mr. Ullman said that people in the 1300 block on Edgemont have no access, and would receive no benefit. He re-iterated there was no use for A Street. Mr. Ullman said that one woman did not sign the protest, but she wanted just a dust cap on the street.

Councilman Schneider spoke to Mr. Ullman regarding the City policy on oiling streets.

Then Councilman Wincote spoke to Mr. Ullman, pointing out that some of the neighbors had helped his (Ullman's) paving. He pointed out that it does help the entire neighborhood to pave the street. Councilman Wincote said that consideration should be given to withdrawing the protest.

Mr. Ullman said that 225 feet will take it down to the canyon.

Councilman Kerrigan spoke to property owners regarding understanding, on account of specifications. He said that they should look at the costs, stating that only 30% of assessment is on the area.

Councilman Schneider said that 4" a.c. is the cheapest type.

Councilman Dail said that property owners pay; the City keeps up the improvement.

Councilman Schneider said that property owners would be getting a break on account of the City proposing to use the least type.

Mr. Ullman said that he would leave the situation as is, and leave proponents to try to convince opponents. He said that he would put forth no further opposition.

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Councilman Dail returned to the meeting

RESOLUTION NO. 119759, recorded on Microfilm Roll No. 84, continuing hearing on proposed improvement of A Street under Resolution of Intention No. 119096 to 10:00 o'clock A.M., Tuesday, August 24, 1954, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

Councilman Dail was excused

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 119097 for paving and otherwise improving Udall Street, the Clerk reported that no written protests had been received, but that an endorsement had come in from Edward T. and Elizabeth F. Phillips.

The Mayor asked if any one was 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 preparation and presentation of Resolution Ordering Work.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on furnishing of electric current for lighting ornamental street lights located in Adams Avenue Lighting District No. 1, for one year from and including October 13, 1954, 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. 119760, recorded on Microfilm Roll No. 84, confirming proposed assessment of total amount of costs and expenses of work or improvement of furnishing electric current for lighting ornamental street lights in Adams Avenue Lighting District No. 1; and adopting the City Engineer's report filed in office of City Clerk July 9, 1954, as a whole, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids for furnishing 1 Tractor Bulldozer for Public Works Department, received July 29, 1954, from 3 bidders, was presented. It recommends award to San Diego Tractor and Equipment Company, low net bidder, for furnishing 1 Caterpillar D8 Tractor with Model 88 Bulldozer, and Model Cable Control Unit at \$24,319.00, including several extras, less trade-in allowance for 1 315 cu. ft. portable air compressor of \$4,319.00, or a total net bid of \$21,203.51 including State Sales Tax.

The City Manager spoke of the purchase as "normal replacements".

RESOLUTION NO. 119761, recorded on Microfilm Roll No. 84, accepting bid of San Diego Tractor & Equipment Co. for furnishing 1 Caterpillar D8 Tractor with Model 8 S Bulldozer and Model 25 Cable Control Unit, plus extras: Blower type fan, Crankcase Guard, Front Pull Hook, less trade-in allowance on 1 315 cu. ft. compressor at \$4,319.00, or total of \$21,203.51 including State Sales Tax; awarding contract, authorizing and instructing City Manager to enter into and execute on behalf of The City a contract pursuant to specifications on file in office of City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from City Purchasing Agent, with City Manager's stamp of approval, reporting on bids for furnishing requirements of Pre-mixed Concrete for 11 months beginning August 1, 1954, received August 5, 1954, was presented. It recommends acceptance of sole bid of Pre-Mixed Concrete Company, the only company set up to deliver at its plant small quantities of ready-mixed concrete into City's trucks. It states that prices quoted are approximately 6% higher than those in effect during past year, stated to be due to higher cost of cement, labor, and other operating expenses.

RESOLUTION NO. 119762, recorded on Microfilm Roll No. 84, accepting bid of Pre-Mixed Concrete Company for furnishing requirements of Pre-mixed Concrete for 11 months beginning August 1, 1954, at prices set out in the Resolution for Classes A through E; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of 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 1 6-wheel drive dump truck received July 6, 1954, from 2 bidders, was presented. It recommends award to International Harvester Company, low bidder, in amount of \$7232.29 plus Sales Tax.

RESOLUTION NO. 119763, recorded on Microfilm Roll No. 84, accepting bid of International Harvester Company for furnishing 1 6-wheel drive dump truck; 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 office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Purchasing Agent, with City Manager's stamp of approval, reporting on bids received July 28, 1954, for furnishing 1 2-to-3 ton Tandem Roller for Public Works Department, from 2 bidders, was presented. It gives a detailed report, and recommends acceptance of roller offered by Southern Equipment and Supply Company of San Diego at \$2,620.00 (\$70.00 higher than that of the low bidder);

RESOLUTION NO. 119764, recorded on Microfilm Roll No. 84, accepting bid of Southern Equipment and Supply Co. for furnishing 1 Tandem Roller; awarding contract, authorizing and instructing City Manager to enter into and execute contract pursuant to specifications on file in office of Purchasing Agent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119765, recorded on Microfilm Roll No. 84, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for Resurfacing of 54th St., University to El Cajon; A St., 12th to 14th; B St., 12th to 20th; C St., Kettner to 4th; Dwight, Alley W. of 36th to 37th; Dwight, Chamouné to east side 47th; Girard, Silverado to Torrey Pines; Herschel, Prospect to Silverado; Ivanhoe, Silverado to Torrey Pines; J St., 12th to 16th; K St., 12th to 16th; K St., 16th to 25th; L St., 12th to 16th; L St., 16th to 25th; Marlsborough, Hilldale to No. end; Silverado, Ivanhoe to Draper; Turquoise, Mission to Cass, filed in office of City Clerk and bearing Document No. 496145; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119766, recorded on Microfilm Roll No. 84, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of new electrical lighting system in Shed No. 1 "B" Street Pier; authorizing and directing Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119767, recorded on Microfilm Roll No. 84, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation

and other expense necessary or incidental for installation of water mains in area at Foot of Tenth Avenue; authorizing and directing 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 in connection with Tentative Subdivision Map of Clairemont Plaza Unit No. 3, was presented.

RESOLUTION NO. 119768, recorded on Microfilm Roll No. 84, suspending Sections 102.11-2, 102.07-5, 102.11-1, 102.16-8, 102.17-c of San Diego Municipal Code in connection with Tentative Subdivision Map of Clairemont Plaza Unit No. 3, insofar as they relate to Tentative and Final Maps, was on motion of Councilman Kerrigan, seconded by Councilman Burgener, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, recommending approval of Tentative Map of Clairemont Plaza Unit No. 3 - a 5-lot subdivision of portion of Fos Addition and adjacent lots in Morena, southerly of Iroquois Street and westerly of proposed Croway and is the northerly portion of area commonly known as the South Shopping Center of Clairemont, was presented. It recommends the approval subject to 8 conditions. Further, the communication says that in approving zoning of the 2 units of business center, owners have agreed to limit themselves to not more than 200,000 sq. ft. of buildings in "C" Zone. Report says that 200,000 square feet is approximately 2-1/4 times size of the Sears development, and Commission was of opinion that improvement of Cowley Way for its entire length and dedication of the street was necessary for proper traffic circulation and to permit Clairemont Blvd. to remain as a relatively free-flowing street giving access to the whole Clairemont area.

RESOLUTION NO. 119769, recorded on Microfilm Roll No. 84, approving Tentative Map of Clairemont Plaza Unit No. 3, subject to conditions in the Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Application of Kona Kai Club, Incorporated, signed by President, Secretary, and Business Manager, for Class E License to conduct public dance at 450 Yacht Harbor Drive, was presented, together with recommendations for approval from interested City departments.

RESOLUTION NO. 119770, recorded on Microfilm Roll No. 84, granting application of Kona Kai Club, for Class "E" license to conduct public dance at the Club, 450 Yacht Harbor Drive, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Application of Horacio O. Velha for permission to conduct a cabaret at "The Green Room", 1200 Garnet Street, was presented, together with recommendations for approval from interested City departments.

RESOLUTION NO. 119771, recorded on Microfilm Roll No. 84, granting permission to Horacio O. Velha to conduct cabaret with paid entertainment at "The Green Room", 1200 Garnet 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 Kerrigan, adopted.

Communication from City Attorney J. F. DuPaul, dated August 12, 1954, was presented. It states that he has heard talk to effect that certain propositions may be submitted by The City of San Diego to voters at the general election, to be held November 2, 1954. It states that State law requires that Board of Supervisors should have any such propositions submitted at least 60 days prior to date of the election. Therefore, according to the letter, the last Council meeting at which can safely be submitted such propositions will fall on the 31st day of August, 1954, and that gives the Attorney very little time to prepare propositions. He therefore suggests that Council give immediate consideration to any proposition that it may wish to submit at the General Election.

RESOLUTION NO. 119772, recorded on Microfilm Roll No. 84, referring to Council Conference communication from the City Attorney recommendation for immediate consideration to any proposition which may be considered for submission to electors at November 2, 1954, General Election, was on motion of Councilman Schneider, seconded by Councilman Burgener, adopted.

Communication from San Diego Transit System, 235 Broadway, dated August 10, 1954, signed by J. L. Haugh, was presented. After going into considerable discussion about the Public Utilities Commission of the State of California Decision No. 50304 dated July 20, 1954, authorizing increase in fares, and the City's expert statement in testimony about fare-break zones, was stated. Among other things, it welcomes suggestions from the City because it would involve substantial change with the people.

RESOLUTION NO. 119773, recorded on Microfilm Roll No. 84, referring to Council Conference communication from San Diego Transit System on change in zones for bus fares, was on motion of Councilman Burgener, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119774, recorded on Microfilm Roll No. 84, directing notice of filing of assessment and of the time and place of hearing thereof, of Assessment No. 2269 made to cover costs and expenses of work done upon paving and otherwise improving Fortuna

Avenue, Honeycutt Street, Morrell Street and Crown Point Drive, under Resolution of Intention No. 114136, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION NO. 119775, recorded on Microfilm Roll No. 84, directing notice of filing of assessment and of the time and place of hearing thereof, of Assessment No. 2270 for paving and otherwise improving Nashville Street, Morena Boulevard, Lehigh Street and Tonopah Avenue, under Resolution of Intention No. 114360, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

RESOLUTION OF AWARD NO. 119776, recorded on Microfilm Roll No. 84, accepting bid of H. C. Dennis, and awarding contract for paving and otherwise improving Alley Block 102 Central Park, under Resolution of Intention No. 118484, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

City Engineer reported in writing that low bid is 7.9% above the estimate.

RESOLUTION OF AWARD NO. 119777, recorded on Microfilm Roll No. 84, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract, for paving and otherwise improving Alley Block 78 Point Loma Heights, under Resolution of Intention No. 118485, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

City Engineer reported in writing that low bid is .54% above the estimate.

RESOLUTION OF AWARD NO. 119778, recorded on Microfilm Roll No. 84, accepting bid of M. H. Golden Construction Co., a corporation, and awarding contract, for paving and otherwise improving Clove Street, Plum Street, Oliphant Street and Newell Street, under Resolution of Intention No. 118395, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

City Engineer reported in writing that low bid is 27.9% below the estimate.

RESOLUTION OF AWARD NO. 119779, recorded on Microfilm Roll No. 84, accepting bid of M. H. Golden Construction Co., a corporation, and awarding contract, for paving and otherwise improving 53rd Street, Santa Margarita Street and San Jacinto Drive, under Resolution of Intention No. 118486, was on motion of Councilman Godfrey, seconded by Councilman Burgener, adopted.

City Engineer reported in writing that low bid is 22.5% below the estimate.

RESOLUTION OF AWARD NO. 119780, recorded on Microfilm Roll No. 84, accepting bid of San Diego Gas & Electric Company, a corporation, and awarding contract, for furnishing electric current for lighting ornamental street lights located in University Avenue Lighting District No. 1, for period of one year from and including August 7, 1954, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 119781, recorded on Microfilm Roll No. 84, for paving and otherwise improving Alley Block 16 Bird Rock City by the Sea, and Easterly and Westerly Alley lying northerly of and contiguous to Block 2 Bird Rock Addition, under Resolution of Intention No. 118976, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 119782, recorded on Microfilm Roll No. 84, for paving and otherwise improving Alley Block 44 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, under Resolution of Intention No. 118978, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 119783, recorded on Microfilm Roll No. 84, for paving and otherwise improving Alley Block 83 Point Loma Heights, under Resolution of Intention No. 118977, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 119784, recorded on Microfilm Roll No. 84, for paving and otherwise improving Jewell Street, under Resolution of Intention No. 118979, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 119785, recorded on Microfilm Roll No. 84, for sewers in Alleys Blocks 111, 121, 122, 138, 139, 140, 143, 144 and 145 City Heights; Thorn Street, Redwood Street, Quince Street, Unnamed Street, and Public Rights of Way, under Resolution of Intention No. 118980, was on motion of Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 119786, recorded on Microfilm Roll No. 84, for paving and otherwise improving Alley Block 3 Ocean Beach, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 119787, recorded on Microfilm Roll No. 84, for grading and sidewalking Redwood Street, Chollas Station Road, Winlow Street, Marvin Street, 55th Street, Hubner Road, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119788, recorded on Microfilm Roll No. 84, ascertaining and declaring wage scale for paving and otherwise improving Franklin Avenue and 49th Street, was on motion Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119789, recorded on Microfilm Roll No. 84, ascertaining and declaring wage scale for paving Kendall Street, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119790, recorded on Microfilm Roll No. 84, ascertaining and declaring wage scale for paving and otherwise improving 29th Street, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119791, recorded on Microfilm Roll No. 84, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alleys Block 45 W. P. Herbert's Subdivision, under Resolution of Intention No. 115391, 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 it certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119792, recorded on Microfilm Roll No. 84, approving diagram of property affected or benefited by work of improvement to be done on paving and otherwise improving Alley Block 25 Ocean Beach, under Resolution of Intention No. 116281, 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 it certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119793, recorded on Microfilm Roll No. 84, approving diagram of property affected or benefited by work of improvement to be done on paving Scott Street, Ingalow Street and Jarvis Street, under Resolution of Intention No. 112754, 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 it certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119794, recorded on Microfilm Roll No. 84, approving diagram of property affected or benefited by work of improvement to be done on paving Voltaire Street, Whittier Street, Banning Street, Mendocino Boulevard, Venice Street, et al., under Resolution of Intention No. 113267, 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 it certified to Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119795, recorded on Microfilm Roll No. 84, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Alleys in Block 66 Resubdivision of Blocks 39 and 56 Normal Heights, under Resolution of Intention No. 117465, and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119796, recorded on Microfilm Roll No. 84, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on 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, under Resolution of Intention No. 117467, and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119797, recorded on Microfilm Roll No. 84, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on installation of sidewalks in Missouri Street, under Resolution of Intention No. 117565, and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119798, recorded on Microfilm Roll No. 84, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on paving Olney Street, and Felspar Street, under Resolution of Intention No. 117678, and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119799, recorded on Microfilm Roll No. 84, directing City Engineer to furnish diagram of property affected and benefited by work and improvement on Quimby Street, under Resolution of Intention No. 117466, and to be assessed to pay expenses thereof, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Communication from City Engineer, approved by City Manager, recommending granting petition for improvement of Imperial Avenue and 69th Street under plans and specifications filed in Office of City Clerk August 4, 1954 under Document No. 495371, including preparation of plans, etc., and inspection at no cost to the City, was presented.

RESOLUTION NO. 119800, recorded on Microfilm Roll No. 84, granting Richfield Oil Corp. permission to pave and otherwise improve portions of Imperial Avenue and 69th Street by private contract, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119801, recorded on Microfilm Roll No. 84, declaring bid of James O. Huffman to be highest bid received for sale of portion of Pueblo Lot 1785, at \$5,250.00; 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, a quitclaim deed; authorizing and empowering City Auditor and Comptroller to refund to C. Ed Schuetz Company \$175.00; authorizing and directing City Auditor and Comptroller to pay out of money received as purchase price of property sold sum of \$262.50 to the Company as broker's commission; authorizing and directing City Clerk to deliver deed to Property Supervisor with instructions that it be deposited in escrow opened for purpose of completing sale, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Resolution states that there were 4 bidders at the auction sale, that Council had fixed minimum price of \$3,500.00 for the sale, that City Manager has recommended bid of James O. Huffman be accepted.

RESOLUTION NO. 119802, recorded on Microfilm Roll No. 84, declaring bid of Seab McClendon and Rita McClendon to be highest bid received for sale of Lots 17 to 22 inclusive Block 147 Choates Addition, at \$3,000.00; authorizing and empowering Mayor and City Clerk to execute, for and on behalf of and as act and deed of the City, a quitclaim deed, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

Resolution states that said bid was submitted at auction sale in the minimum amount which Council fixed for sale; City Manager has recommended that bid be accepted and property be conveyed to successful bidder.

Resolution directs City Clerk to deliver deed to Property Supervisor with instructions to complete transaction.

RESOLUTION NO. 119803, recorded on Microfilm Roll No. 84, determining and declaring that public interest, convenience and necessity of The City of San Diego and inhabitants thereof require construction, operation and maintenance of storm drains and appurtenances thereof across portions of Lot 18 Block 40 Fairmount Addition to City Heights; that public interest, convenience and necessity demand acquisition of easements and rights of way to be used by City for construction of storm drains and appurtenances; declaring intention of City of San Diego to acquire under Eminent Domain Proceedings, and directing City Attorney to commence action in Superior Court of State of California, in and for County of San Diego, for condemning said property and acquiring said easements and rights of way, was adopted.

RESOLUTION NO. 119804, recorded on Microfilm Roll No. 84, stating that City of San Diego desires and requests Board of Supervisors of County of San Diego to have prisoners ~~of The City of San Diego~~ of The City of San Diego cared for in the industrial road camps of County of San Diego; the City of San Diego shall pay and agrees to pay the County for any such care, quarterly, at rate of 50¢ per prisoner per day, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Resolution states that County has established and is operating within its boundaries a system of industrial road camps, that the Council desires that the facilities be made available for prisoners of The City of San Diego, that Sections 4118 and 4119 of Penal Code of State of California require legislative body of a city desiring to avail itself of such camps shall so indicate by resolution.

RESOLUTION NO. 119805, recorded on Microfilm Roll No. 84, authorizing and empowering City Manager to do all work in connection with remodeling and repairing Park and Recreation Administration Building, Balboa Park, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

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

RESOLUTION NO. 119806, recorded on Microfilm Roll No. 84, authorizing and directing City Manager to execute, for and ^{on} behalf of The City of San Diego, an agreement by and between City and City of Coronado for radio maintenance service under terms and conditions set forth in form of agreement on file in office of City Clerk under Document No. 496262, was on motion of Councilman Godfrey, seconded by Councilmen Schneider, adopted.

RESOLUTION NO. 119807, recorded on Microfilm Roll No. 84, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, an agreement between the City and County of San Diego for radio maintenance service under terms and conditions set forth in form of agreement on file in office of City Clerk under Document No. 496263, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119808, recorded on Microfilm Roll No. 84, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, an agreement by and between the City and City of Chula Vista for radio maintenance service under terms and conditions set forth in form of agreement on file in office of City Clerk under Document No. 496264, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119809, recorded on Microfilm Roll No. 84, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, an agreement by and between the City and City of El Cajon for radio maintenance service under terms and conditions set forth in form of agreement on file in office of City Clerk under Document No. 496265, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119810, recorded on Microfilm Roll No. 84, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, an agreement by and between the City and Fallbrook Volunteer Fire Department for radio maintenance service under terms and conditions set forth in form of agreement on file in office of City Clerk under Document No. 496266, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119811, recorded on Microfilm Roll No. 84, authorizing and directing City Manager to execute, for and on behalf of The City of San Diego, an agreement by and between the City and National City for radio maintenance service under terms and conditions set forth in form of agreement on file in office of City Clerk under Document No. 496267, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 119812, recorded on Microfilm Roll No. 84, authorizing and empowering City Manager to enter into contract for and on behalf of The City of San Diego with Furlow & Associates, a corporation, and Luie B. Butterfield and Edna L. Butterfield, husband and wife, called subdivider, subdivider of subdivision known as Furlow Heights Unit No. 3, for installation of mains and appurtenances larger than necessary for the subdivision in Krenning Street (Thornton Place to the easterly boundary of the subdivision) at request of City and providing for reimbursement from the City to the subdivider of \$364.90 for difference in cost of installation of 8" mains instead of 6" mains, upon execution and delivery to City of quitclaim deed conveying all right, title and interest of subdivider in and to water distribution system in Furlow Heights Unit No. 3 Subdivision, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119813, recorded on Microfilm Roll No. 84, approving in all respects form of Preferential, Non-Exclusive Use and Occupancy Permit on file in office of City Clerk, which authorizes and empowers Park and Recreation Director, subject to approval of City Manager, to enter into and execute Preferential Non-Exclusive Use and Occupancy Permits for periods of one year, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119814, recorded on Microfilm Roll No. 84, authorizing and empowering City Auditor and Comptroller of the City, subject to consent in writing of the City Attorney, to destroy records in his office, more than 5 years old and have served their purpose, and are no longer required:

1. Paid and cancelled payroll and commercial warrants issued and paid prior to July 1, 1949;
 2. Commercial vouchers for goods and/or services paid prior to July 1, 1949;
 3. Claims and accounts receivable invoices and inter-departmental transfer invoices for services;
 4. General obligation bonds and coupons redeemed prior to July 1, 1949;
 5. Deposit tickets for moneys deposited prior to July 1, 1949,
- was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119815, recorded on Microfilm Roll No. 84, authorizing and directing City Auditor and Comptroller to transfer sum of \$15,000.00 from Maintenance and Support, Street Division, Department of Public Works Fund, to Outlay, Property Management Division Fund, was on motion of Councilman Burgener, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 119816, recorded on Microfilm Roll No. 84, accepting Quitclaim Deed executed on 7th day of August, 1954, by Furlow & Associates, a corporation, Luie B. Butterfield and Edna L. Butterfield, husband and wife, quitclaiming to The City of San Diego, all water mains and appurtenant structures constructed for its use, in public streets, rights of way, highways and public places, either within or without subdivision named Furlow Heights Unit No. 3; authorizing and directing City Clerk to file deed, together with certified copy of Resolution, for record in office of County Recorder, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119817, recorded on Microfilm Roll No. 84, accepting deed of J. A. Hollingsworth, Ralph C. Scally and Lola A. Scally, bearing date August 11, 1954, conveying Lot 2 Block 6 Campo Del Dios Unit No. 1; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119818, recorded on Microfilm Roll No. 84, accepting deed of Gus Shaw and Hattie Shaw, bearing date August 10, 1954, conveying Lots 7 and 8 Block 28 Campo Del Dios Unit 1; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 119819, recorded on Microfilm Roll No. 84, accepting deed of Edward E. Jones, bearing date August 11, 1954, conveying portion of Northeasterly 1/4 of Northeasterly 1/4 Section 7 T13S R2W SBBM; authorizing and directing City Clerk to transmit deed, together with certified copy of the Resolution, to City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The balance of the minutes will be found on the first page of the next book.